STATUTORY INSTRUMENTS

1974 No. 1463 (C.27)

TERMS AND CONDITIONS OF EMPLOYMENT

The Employment and Training Act 1973

(Commencement No. 3) Order 1974

Made - - - - 30*th August* 1974

The Secretary of State, in exercise of the powers conferred on him by sections 13(4) and 15(2) of the Employment and Training Act 1973(a) and of all other powers enabling him in that behalf, hereby makes the following Order:—

Citation and interpretation

1. This Order may be cited as the Employment and Training Act 1973 (Commencement No. 3) Order 1974.

Appointed day

2. The provisions mentioned in the first column of the Schedule to this Order (which relate to the matters specified in the second column of that Schedule) shall come into operation on 1st October 1974.

Supplemental

3. Where any function of the Secretary of State connected with assisting persons to select, obtain and retain employment ceases on 1st October 1974 to be a function performed by the Secretary of State and becomes a function performed by or on behalf of the Manpower Services Commission—

(*a*) anything done before that date by the Secretary of State in the performance of that function shall, if in force on 1st October 1974, have effect as if similarly done by or on behalf of the said Commission;

(*b*) anything which on that date is in process of being done by or in relation to the Secretary of State in connection with the performance of that function may be continued by or in relation to the said Commission or (in the case of a function to be performed on behalf of the said Commission by the Employment Service Agency) the said Agency; and

(*c*) any reference in any document connected with the performance of that function shall, so far as may be necessary in connection with the transfer of that function to the said Commission, have effect as if for any reference to, or to the department or any officer of, the Secretary of State there were substituted a reference to, or to an officer of, the said Commission or (in the case of a function to be performed on behalf of the said Commission by the Employment Service Agency) the said Agency.

Signed by order of the Secretary of State.

Harold Walker,
Joint Parliamentary Under Secretary of State,
Department of Employment.

30th August 1974.

(a) 1973 c. 50.

Article 2.

SCHEDULE

PROVISIONS COMING INTO OPERATION ON 1ST OCTOBER 1974

Provisions	Subject matter of provisions
Section 1(1) (except as already in operation).	Establishment of Employment Service Agency.
Section 1(4) and (5) (except as aforesaid).	Constitution of Employment Service Agency.
Section 1(6) (except as aforesaid).	Power to transfer property to Employment Service Agency.
Section 1(7) (except as aforesaid).	Status of Employment Service Agency.
Section 2(4) (except as aforesaid).	Duty of Employment Service Agency.
Section 2(5) (except as aforesaid).	Incidental powers of Employment Service Agency.
Section 7 (except as aforesaid).	Modification and exclusion of enactments relating to redundancy payments, employers' liability insurance and contracts of employment.
Section 11 (except as aforesaid).	Finance.
Section 14 (so far as it relates to the provisions of Schedules 3 and 4 mentioned below).	Minor amendments of other enactments and repeals.
Schedule 1 (except as already in operation).	Constitution of Employment Service Agency.
Schedule 3, the following provisions:— paragraphs 2, 7(1), 12, 14 and 15.	Minor amendments of other enactments.
Schedule 4, the following repeals:— The Disabled Persons (Employment) Act 1944(a)— sections 2 to 5 and section 16 to the extent specified in the third column of that Schedule; The Employment and Training Act 1948(b)— sections 2(8) and 5; The National Insurance (Industrial Injuries) Act 1965(c)— section 25(2)(*c*); The Local Employment Act 1972(d)— section 6.	Repeals.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order brings into operation on 1st October 1974—

(*a*) the provisions of the Employment and Training Act 1973 which relate to the establishment and functions of the Employment Service Agency; and

(*b*) certain repeals and minor amendments of other enactments contained in that Act.

(a) 1944 c. 10.
(b) 1948 c. 46.
(c) 1965 c. 52.
(d) 1972 c. 5.

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