STATUTORY INSTRUMENTS

1977 No. 867

TERMS AND CONDITIONS OF EMPLOYMENT

The Employment Protection Code of Practice (Disciplinary Practice and Procedures) Order 1977

Made - - - -	17*th May* 1977
Laid before Parliament	26*th May* 1977
Coming into Operation	20*th June* 1977

Whereas—

(1) in pursuance of section 6(1) of the Employment Protection Act 1975**(a)** (hereinafter referred to as "the 1975 Act") the Advisory, Conciliation and Arbitration Service (hereinafter referred to as "the Service") may issue Codes of Practice containing such practical guidance as the Service thinks fit for the purpose of promoting the improvement of industrial relations;

(2) in pursuance of section 6(3) of the 1975 Act the Service prepared and published in draft a Code of Practice on Disciplinary Practice and Procedures in Employment and considered representations made to it about the draft;

(3) in pursuance of section 6(4) of the 1975 Act the Service transmitted the draft Code of Practice to the Secretary of State;

(4) in pursuance of section 6(4)(*a*) of the 1975 Act the Secretary of State laid the draft Code of Practice before both Houses of Parliament and no resolution as mentioned in section 6(6) of the 1975 Act was passed;

(5) in pursuance of section 6(8) of the 1975 Act the Service is issuing the Code of Practice in the form of the draft;

(6) paragraphs 130 to 133 of the Code of Practice, remaining in effect under Part I of Schedule 1 to the Trade Union and Labour Relations Act 1974**(b)** and paragraph 4(1) of Schedule 17 to the 1975 Act, are superseded by the Code of Practice brought into effect by this Order;

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by section 6(8) and (9) of and paragraph 4(3) of Schedule 17 to the 1975 Act, hereby orders as follows:—

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Employment Protection Code of Practice (Disciplinary Practice and Procedures) Order 1977 and shall come into operation on 20th June 1977.

(a) 1975 c. 71. **(b)** 1974 c. 52.

(2) The Interpretation Act 1889(a) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

Code of Practice

2. The Code of Practice on Disciplinary Practice and Procedures in Employment issued by the Service under section 6(1) and (8) of the 1975 Act shall come into effect on 20th June 1977.

Transitional provision

3. Anything done by or on behalf of an employer in pursuance of a disciplinary procedure before 20th June 1977 in accordance with the provisions of paragraphs 130 to 133 of the Code of Practice remaining in effect under Part I of Schedule 1 to the Trade Union and Labour Relations Act 1974 and paragraph 4(1) of Schedule 17 to the 1975 Act shall on and after 20th June 1977 be treated as having been done in accordance with the Code of Practice brought into effect by this Order.

Signed by order of the Secretary of State.
17th May 1977.

Harold Walker,
Minister of State,
Department of Employment.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order specifies 20th June 1977 as the date upon which the Code of Practice on Disciplinary Practice and Procedures in Employment issued by the Advisory, Conciliation and Arbitration Service under section 6 of the Employment Protection Act 1975 shall be brought into effect.

(a) 1889 c. 63.

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