STATUTORY INSTRUMENTS

1985 No. 1872

TERMS AND CONDITIONS OF EMPLOYMENT

The Redundancy Payments (Local Government) (Modification) (Amendment) Order 1985

Laid before Parliament in draft

Made - - - *2nd December* 1985

Coming into Operation *16th December* 1985

Whereas a draft of the following Order was laid before Parliament in accordance with section 149(4) of the Employment Protection (Consolidation) Act 1978(**a**) ("the 1978 Act") and approved by resolution of each House of Parliament:

Now, therefore, the Secretary of State in exercise of the powers conferred on him by section 149(1)(*b*) and section 154 (3) and (4) of the 1978 Act and of all other powers enabling him in that behalf hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Redundancy Payments (Local Government) (Modification) (Amendment) Order 1985 and shall come into operation on the fourteenth day after the day on which it is made.

(2) In this Order the "principal Order" means the Redundancy Payments (Local Government) (Modification) Order 1983(**b**).

Amendments to the principal Order

2. The principal Order shall be amended as follows —

(*a*) In article 1(2)(*a*) after "the 1978 Act" add—"or, in relation to any person to whom this Order applies by reason of an amendment contained in the Redundancy Payments (Local Government) (Modification) (Amendment) Order 1985, any event occurring on or after the coming into operation of that Order on the happening of which an employee may become entitled to a redundancy payment in accordance with the provisions of the 1978 Act."

(**a**) 1978 c.44. (**b**) S.I. 1983/1160.

(b) In article 4(3) at the beginning insert—"subject to paragraph (4) below."

(c) In article 4 at the end add —

"(4) Where a period of employment of a person to whom this Order applies by reason of an amendment contained in the Redundancy Payments (Local Government) (Modification) (Amendment) Order 1985 falls to be computed in accordance with the provisions of the 1978 Act as modified by this Order, the provisions of this Order shall have effect in relation to any period whether falling wholly or partly before or after the coming into operation of that Order."

(d) In Schedule 1 for entry 35 there shall be substituted —

"The managers, other than a local authority, of a school which before any direction made by the Secretary of State under paragraph 2(1) of Schedule 7 to the Social Work (Scotland) Act 1968(**a**) was a school which immediately before the commencement of Part III of the Social Work (Scotland) Act 1968 was approved under section 83 of the Children and Young Persons (Scotland) Act 1937(**b**) if the employee was employed by those managers at the date the direction became effective."

(e) In Schedule 1 after entry 46 there shall be added —

"47. The Inner London Education Authority, to be known as the Inner London Interim Education Authority until the abolition date as defined in section 1(2) of the Local Government Act 1985(**c**).

48. Any authority established by an order under section 10 of the Local Government Act 1985.

49. A metropolitan county police authority established by section 24 of the Local Government Act 1985.

50. The Northumbria Police Authority established by section 25 of the Local Government Act 1985, to be known as the Northumbria Interim Police Authority until the abolition date as defined in section 1(2) of the Local Government Act 1985.

51. A metropolitan county fire and civil defence authority established by section 26 of the Local Government Act 1985.

52. The London Fire and Civil Defence Authority.

53. A metropolitan county passenger transport authority established by section 28 of the Local Government Act 1985.

54. The London Residuary Body established by section 57(1)(*a*) of the Local Government Act 1985.

55. A residuary body established by section 57(1)(*b*) of the Local Government Act 1985.

56. The Board of Governors of the Museum of London.

57. In England a parish council, a common parish council, a parish meeting; in Wales, a community council.

58. The Scottish Council for Research in Education.

(**a**) 1968 c.49. (**b**) 1937 c.37. (**c**) 1985 c.51.

59. The Scottish Council for Educational Technology."

(f) In the Appendix to Schedule 2 there shall be added —

"24. The managers of a school which during the period of employment was a school which immediately before the commencement of Part III of the Social Work (Scotland) Act 1968 was approved under section 83 of the Children and Young Persons (Scotland) Act 1937."

Signed by order of the Secretary of State.

Peter Bottomley,
Parliamentary Under Secretary of State,
Department of Employment.

2nd December 1985.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, which comes into operation on the fourteenth day after the day on which it is made, amends the Redundancy Payments (Local Government) (Modification) Order 1983. That Order modified certain redundancy payments provisions of the Employment Protection (Consolidation) Act 1978 in their application to persons employed in relevant local government service so that their employment in the service is to be treated as if it was continuous for the purposes of those provisions. This Order adds to the list of employers to whose employees the 1983 Order applies.

SI 1985/1872
ISBN 0-11-057872-4

