STATUTORY INSTRUMENTS

1965 No. 2027

TERMS AND CONDITIONS OF EMPLOYMENT

The Redundancy Payments Northern Ireland Reciprocal Arrangements Regulations 1965

Made - - - -	30*th November* 1965
Laid before Parliament	3*rd December* 1965
Coming into Operation	6*th December* 1965

The Minister of Labour, acting in conjunction with the Treasury, in exercise of the powers conferred on him by section 58 of the Redundancy Payments Act 1965(a) and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as The Redundancy Payments Northern Ireland Reciprocal Arrangements Regulations 1965 and shall come into operation on 6th December 1965.

Interpretation

2.—(1) The Interpretation Act 1889(b) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

(2) In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say—

"the Act" means the Redundancy Payments Act 1965;

"the Northern Ireland Act" means Parts II, III and IV of the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965(c);

and other expressions have the same meanings as in the Act.

Effect of Reciprocal Arrangements

3. The provisions contained in the Memorandum of Reciprocal Arrangements set out in Schedule 1 to these Regulations shall have full force and effect so far as the same relate to Great Britain, and the Act shall have effect subject to such modifications as may be required therein for the purpose of giving effect to the provisions contained in the said Memorandum.

Modifications and adaptations

4. In particular but without prejudice to the generality of the foregoing Regulation—

(*a*) the provisions of the Act and regulations specified or referred to in Part I of Schedule 2 to these Regulations shall apply for the purposes

(a) 1965 c. 62. (b) 52 & 53 Vict. c. 63. (c) 1965 c. 19 (N.I.).

of the Northern Ireland Act as they apply for the purposes of the Act, subject to the modifications relating thereto specified in Part II of that Schedule;

(*b*) any reference in the Act to any provision of the system of national insurance established by the National Insurance Act 1965(a) shall be construed as including a reference to that provision as modified or adapted by any reciprocal arrangements between the two countries together with the provisions of any regulations for the time being in force in Great Britain giving effect to the provisions of any such arrangements.

Dated 30th November 1965.

R. J. Gunter,
Minister of Labour.

SCHEDULE I

Regulation 3

MEMORANDUM OF RECIPROCAL ARRANGEMENTS RELATING TO REDUNDANCY PAYMENTS BETWEEN THE MINISTER OF LABOUR, WITH THE CONSENT OF THE TREASURY, OF THE ONE PART AND THE MINISTER OF HEALTH AND SOCIAL SERVICES FOR NORTHERN IRELAND, WITH THE CONSENT OF THE MINISTRY OF FINANCE FOR NORTHERN IRELAND, OF THE OTHER PART.

1.—(1) In this Memorandum, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say—

"the Acts" means, in relation to Great Britain, the Redundancy Payments Act 1965, and, in relation to Northern Ireland, Parts II, III and IV of the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965, in each case as amended, modified, adapted, extended or supplemented by any subsequent enactment or by any order or regulations and the expressions "Great Britain Act" and "Northern Ireland Act" shall be construed accordingly; 1965 c. 62. 1965 c. 19 (N.I.).

"country" means Great Britain or Northern Ireland, as the case may require;

"exemption order" means, as the case may require, an order under section 11 of the Great Britain Act or under section 21 of the Northern Ireland Act.

(2) Unless the context otherwise requires, expressions in this Memorandum shall have the same meanings as in the Acts.

(3) The Interpretation Act 1889 applies to the interpretation of this Memorandum as it applies to the interpretation of an Act of Parliament. 52 & 53 Vict. c. 63.

2. For the purposes of all or any of the provisions of the systems of redundancy payments established by the Acts, acts, omissions and events and in particular redundancy, employment, dismissal, lay-off, short-time, redundancy fund contribution paid or payable, redundancy payment paid or claimed, agreed payment paid or claimed, exemption order, rebate paid or claimed, residence, having effect for all or any of those purposes in one country shall have a corresponding effect for all or any of those purposes in the other country:

Provided that, this article shall not confer a right to double payment in respect of the same act, omission or event.

3. The Minister of Labour and the Minister of Health and Social Services for Northern Ireland acting together shall from time to time

(a) 1965 c. 51.

determine the procedure appropriate for the purposes of these arrangements, including all matters of an incidental and supplementary nature which in their opinion are relevant for the purpose of giving effect thereto.

4. This Memorandum of arrangements shall come into operation on the 6th December 1965, but the said Minister of Labour or the said Minister of Health and Social Services for Northern Ireland may terminate the arrangements on giving not less than six months previous notice in writing.

Given under the official seal of the Minister of Labour this twenty-ninth day of November nineteen hundred and sixty-five.

(L.S.)

R. J. Gunter,
Minister of Labour.

Given under the hand of the Minister of Health and Social Services for Northern Ireland this twenty-ninth day of November nineteen hundred and sixty-five.

Wm. J. Morgan,
Minister of Health and Social Services for Northern Ireland.

We consent.

J. McCann,
George Lawson,
Two of the Lords Commissioners of Her Majesty's Treasury.

The Ministry of Finance for Northern Ireland hereby consents.

Given under the official seal of the Ministry of Finance for Northern Ireland this twenty-ninth day of November nineteen hundred and sixty-five.

(L.S.)

H. V. Kirk,
Minister of Finance for Northern Ireland.

SCHEDULE 2

PART I

Provisions of the Act, orders and regulations applying for the purposes of the Northern Ireland Act.

Provision	Subject matter
Section 11	Exemption Orders.
Subsection (2) of section 12	Claims as to recognised terms and conditions.
Subsection (2) of section 18	Penalty for failure to give particulars of redundancy payment.
Subsection (6) of section 30	Reduction of rebate for failure to comply with regulations.
Subsection (7) of section 30 and subsection (3) of section 33 ...	Penalty for failure to provide information or for making false statement or producing false document.

PART II

MODIFICATIONS

In the provisions of the Act, orders and regulations specified or referred to in Part I of this Schedule—

(*a*) references to the Act shall be construed as including references to the Northern Ireland Act;

(*b*) references to the Minister shall be construed as including references to the Minister of Health and Social Services for Northern Ireland;

(*c*) references in subsections (6) and (7) of section 30 of the Act to regulations shall be construed as including references to regulations for the time being in force under section 40 of the Northern Ireland Act;

(*d*) references to the Terms and Conditions of Employment Act 1959(a) shall be construed as including references to the Terms and Conditions of Employment Act (Northern Ireland) 1963(b);

(*e*) references in subsection (2) of section 12 of the Act to the Industrial Court shall include references to the Industrial Court (Northern Ireland);

(*f*) references to an order of the Minister of Labour under section 11 of the Act shall be construed as including references to an order of the Ministry of Health and Social Services for Northern Ireland under section 21 of the Northern Ireland Act.

EXPLANATORY NOTE

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

These Regulations give effect in Great Britain to the reciprocal arrangements (contained in the Memorandum set out in Schedule 1 to the Regulations) made between the Minister of Labour and the Minister of Health and Social Services for Northern Ireland and modify the Redundancy Payments Act 1965 in its application to persons affected by those arrangements.

(a) 1959 c. 26. (b) 1963 c. 2 (N.I.).