STATUTORY INSTRUMENTS

1966 No. 1436

TERMS AND CONDITIONS OF EMPLOYMENT

The Redundancy Payments Office Holders (Scotland) Regulations 1966

Made - - -	*15th November* 1966
Laid before Parliament	*23rd November* 1966
Coming into Operation	*28th November* 1966

The Minister of Labour in exercise of the powers conferred on him by section 49 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 Office Holders (Scotland) Regulations 1966 and shall come into operation on 28th November 1966.

Interpretation

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

Application of Act to certain Office Holders

3.—(1) Subject to the provisions of paragraph (2) of this Regulation, the provisions of the Redundancy Payments Act 1965 shall have effect in relation to each of the employments specified in paragraph (3) of this Regulation, other than an employment of a description falling within paragraphs (*a*) to (*d*) of section 41(1) of that Act or employment such that redundancy fund contributions are not payable under Part II thereof in respect of persons engaged therein, as if—

(*a*) it were employment within the meaning of section 25(1) thereof, and

(*b*) any person engaged in such employment were an employee within the meaning of the said section 25(1), and

(*c*) the person who is, or is treated as, his employer for the purpose of the National Insurance Acts, as defined in section 36(1) of the said Act of 1965, were his employer within the meaning of the said section 25(1);

and any reference to "employment", "employee" or "employer" in any provision of the Contracts of Employment Act 1963(c) applied for the purposes of the said Act of 1965 shall be construed accordingly.

(2) For the purpose of the application by virtue of this Regulation of the said Act of 1965—

(*a*) to a person who is not employed under a contract of employment any reference in the said Act of 1963 or 1965—

(i) to a contract of employment shall be construed as a reference to the terms and conditions under which he is employed;

(a) 1965 c. 62. (b) 1889 c. 63. (c) 1963 c. 49.

(ii) to a notice by the employer terminating the contract of employment shall be construed as including a notice terminating the employment given by any person empowered to give such notice;

(*b*) to a police authority which is not a body corporate, paragraph 10(3) of Schedule 1 to the said Act of 1963 shall apply as if it were a body corporate.

(*c*) to a chief constable whose employment is terminated by virtue of section 22 of the Police (Scotland) Act 1956(a) (which relates to chief constables of police forces affected by amalgamation schemes) the said termination shall be treated as an implied or constructive termination of a contract of employment falling within the description in section 22 of the said Act of 1965.

(3) The employments in Scotland to which the said Act of 1965 applies are as follows:—

(*a*) chief constable;

(*b*) constable of the British Airports Authority constabulary;

(*c*) medical inspector of aliens appointed under the Aliens Order 1953(b) or medical inspector appointed under the Commonwealth Immigrants Act 1962(c).

15th November 1966.

R. J. Gunter,
Minister of Labour.

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

These Regulations apply, with the necessary modifications, the Redundancy Payments Act 1965 to the office holders in Scotland specified in regulation 3(3).

(a) 1956 c. 26. (b) S.I. 1953/1671 (1953 I, p. 94). (c) 1962 c. 21.