STATUTORY INSTRUMENTS

1979 No. 898

AIRCRAFT AND SHIPBUILDING INDUSTRIES

The Shipbuilding (Redundancy Payments Scheme) (Great Britain) (Amendment) Order 1979

Laid before Parliament in draft

Made - - - -	23*rd July* 1979
Coming into Operation	24*th July* 1979

The Secretary of State, in exercise of the powers conferred on him by sections 1 and 2 of the Shipbuilding (Redundancy Payments) Act 1978(a) and for the purposes mentioned in section 1(1) of that Act, hereby makes the following Order, a draft of which has been laid before and approved by a resolution of each House of Parliament in accordance with section 2(10) of that Act.

Citation, commencement and interpretation

1. This Order may be cited as the Shipbuilding (Redundancy Payments Scheme) (Great Britain) (Amendment) Order 1979 and shall come into operation on the day after it is made.

Amendment to the Shipbuilding (Redundancy Payments Scheme) (Great Britain) Order 1978

2. The Schedule to the Shipbuilding (Redundancy Payments Scheme) (Great Britain) Order 1978(b) shall be amended as follows:—

(1) In Article 1:

(*a*) the definition of "previous earnings" shall apply in relation to a person in whose case the relevant date falls on or after 1st February 1979 as if the limit of £100 to the amount of a week's pay in paragraph 5 of Schedule 1 to the Redundancy Payments Act 1965(c) had been a limit of £110;

(*b*) in the definition of "qualifying company", for the word "consists" there shall be substituted the words "on 1st July 1977 consisted";

(*c*) for the definition of "unemployed person" there shall be substituted the following:—

" "unemployed person" means a person who is:—

(*a*) unemployed and is registered for employment or would be so registered if he were not certified as incapable of work through sickness or injury, or

(a) 1978 c. 11. (b) S.I. 1978/1191.
(c) 1965 c. 62. Paragraph 5 of Schedule 1 was amended by paragraph 21 of Part 1 of Schedule 16 to the Employment Protection Act 1975 (c. 71) and by S.I. 1977/2031.

(*b*) unemployed and is undergoing training at a course under the Training Opportunities Scheme operated by the Manpower Services Commission under the Employment and Training Act 1973(a) or at a training course approved by the Secretary of State for the purposes of this Scheme,

and "unemployed" shall be construed accordingly;";

(*d*) for sub-paragraph (2)(*d*)(ii) there shall be substituted: —

"(ii) paragraphs 5(3), 6, 7 and everything after paragraph 8 were omitted,";

(*e*) at the end of paragraph (2) there shall be added: —

"(*f*) in determining the period during which a person was at all times in qualifying employment there shall be disregarded any period beginning with the date on which that person was called up under Part I of the National Service Act 1948(b) for whole time service and ending on—

(i) the date six months after the date on which ended the whole time service for which he was called up, or

(ii) the date during these six months on which that person first resumed qualifying employment,

whichever is the earlier, and

(*g*) if a person was in qualifying employment on 30th June 1977 then in determining the length of the period ending on the relevant date during which that person was at all times engaged in qualifying employment, that person's employment with a qualifying company after 30th June 1977 shall be deemed to be qualifying employment regardless of the activities in which he was employed after that date.";

(2) In Article 2(1), for the word "two" there shall be substituted the word "four";

(3) In Article 10, there shall be added at the end: —

"(4) Notwithstanding paragraphs (1) and (2) above, no deduction shall be made of the amount of any payment to which a person is eligible under a company scheme if he would not have been eligible for it but for the fact that on or before 31 October 1978 he exercised an option available to him under the company scheme to accept that payment in lieu of benefits under the company scheme to which he would otherwise have been entitled.".

Adam Butler,
Minister of State,
Department of Industry.

23rd July 1979.

(a) 1973 c. 50.

(b) 1948 c. 64.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the Scheme established by the Shipbuilding (Redundancy Payments Scheme) (Great Britain) Order 1978 for the payment of benefits to employees of British Shipbuilders who are made redundant or transferred to less well-paid employment.

The changes are:—

(1) The period during which redundancies or transfers must take place to qualify for the Scheme is extended from 2 years beginning on 1st July 1977 to 4 years beginning on that date.

(2) The limit of £100 to a week's pay taken into account in calculating previous earnings is increased to £110 where the relevant date is on or after 1st February 1979.

(3) A person may now be eligible for benefits even though when he was dismissed or transferred he was not employed wholly or mainly on qualifying activities if he was so employed on 30th June 1977.

(4) A person may now be eligible for benefits even though the company in the British Shipbuilders group which employed him when he was dismissed or transferred was not then wholly or mainly engaged in qualifying activities if it was so engaged on 1st July 1977.

(5) A period spent in National Service will not now constitute a break in continuous qualifying employment.

(6) A person may now be treated as unemployed even though not registered for employment if he is attending a Training Opportunities Scheme course under the Employment and Training Act 1973 or a course of re-training approved for the purposes of the Scheme, with the result that periodical payments may be paid during a period of re-training.

(7) No deduction from benefits will be made of amounts payable under schemes operated by companies in the British Shipbuilders group if those amounts became payable solely because the beneficiary elected on or before 31st October 1978 to have them paid to him.

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