
STATUTORY INSTRUMENTS

1976 No. 1996 (C.50)

TERMS AND CONDITIONS OF EMPLOYMENT

The Employment Protection Act 1975
(Commencement No. 6) Order 1976

Made - - - - 24th November 1976

The Secretary of State, in exercise of the powers conferred on him by section 129 of the Employment Protection Act 1975 and of all other powers enabling him in that behalf, hereby makes the following Order:—

Citation

1. This Order may be cited as the Employment Protection Act 1975 (Commencement No. 6) Order 1976.

Commencement

2. The provisions of the Employment Protection Act 1975 specified in the Schedules hereto shall come into operation—

- (a) in the case of the provisions mentioned in Schedule 1, on 1st January 1977; and
- (b) in the case of the provisions mentioned in Schedule 2, on 1st February 1977.

24th November 1976

Albert Booth
Secretary of State for Employment

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SCHEDULE 1

Article 2

PROVISIONS COMING INTO OPERATION ON 1ST JANUARY 1977

| Provisions of the Act | Subject matter of provisions |
|---|--|
| Section 28 | Orders excluding employees from the operation of section 22. |
| Section 98 | Extension of terms and conditions. |
| Section 125(1), so far as it relates to those provisions of Part I of Schedule 16 which are not already in operation. | Amendment of section 12 of the Redundancy Payments Act 1965. |
| Section 125(2), so far as it is not already in operation, that is in relation to paragraph 13 of Schedule 17. | Transitional provisions. |
| Section 125(3), so far as it relates to the Terms and Conditions of Employment Act 1959. | Repeals. |
| Schedule 11 | Extension of terms and conditions. |
| Schedule 16, to the extent mentioned above in relation to section 125(1). | Amendment of section 12 of the Redundancy Payments Act 1965. |
| Schedule 17, to the extent mentioned above in relation to section 125(2). | Transitional provisions. |
| Schedule 18, to the extent mentioned above in relation to section 125(3). | Repeals. |

SCHEDULE 2

Article 2

PROVISIONS COMING INTO OPERATION ON 1ST FEBRUARY 1977

| Provisions of the Act | Subject matter of provisions |
|---|---|
| Section 22 | Right to guarantee payment. |
| Section 23 | General exclusions from right under section 22. |
| Section 24 | Calculation of guarantee payment. |
| Section 25, so far as it is not already in operation. | Limits on amount of and entitlement to guarantee payment. |
| Section 26 | Supplementary. |
| Section 27 | Complaint to industrial tribunal. |
| Section 63(2)(a) | Priority of guarantee payments in insolvency. |

| Provisions of the Act | Subject matter of provisions |
|--|---|
| Section III | Disentitlement to unemployment benefit and supplementary benefit during a trade dispute. |
| Section 125(1), so far as it is not already in operation, that is in relation to paragraphs 7, 8, 11, 13 and 14 of Part II of Schedule 16. | Amendments of the Contracts of Employment Act 1972. |
| Section 125(3), so far as it is not already in operation. | Repeals relating to the Supplementary Benefit Act 1966, the Social Security Act 1975 and the Social Security (Consequential Provisions) Act 1975. |
| Section 126, so far as it is not already in operation. | Interpretation of “guarantee payment”. |
| Schedule 16, to the extent mentioned above in relation to section 125(1). | Amendments of the Contracts of Employment Act 1972. |
| Schedule 18, to the extent mentioned above in relation to section 125(3). | Repeals relating to the Supplementary Benefit Act 1966, the Social Security Act 1975 and the Social Security (Consequential Provisions) Act 1975. |

EXPLANATORY NOTE

This Order brings into operation on 1st January 1977 the provisions of the Employment Protection Act 1975 specified in Schedule 1. These provisions enable orders to be made excluding employees from the operation of section 22 (which relates to guarantee payments) and replace section 8 of the Terms and Conditions of Employment Act 1959 (repealing that Act), with a consequential amendment of the Redundancy Payments Act 1965.

The Order also brings into operation on 1st February 1977 the provisions of the Employment Protection Act 1975 specified in Schedule 2. These provisions relate to guarantee payments, amendments to the Contracts of Employment Act 1972 to reduce the minimum weekly hours of work necessary to qualify for certain rights, and amendments to the Supplementary Benefit Act 1966 and to the Social Security Act 1975 in connection with disentitlement to unemployment benefit and supplementary benefit during a trade dispute.