

*Status: Point in time view as at 03/03/1997.*

*Changes to legislation: There are currently no known outstanding effects for the Employment Act 1989. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 1

Section 4.

#### PROVISIONS CONCERNED WITH PROTECTION OF WOMEN AT WORK

##### *Enactments*

Section 61 of the <sup>M1</sup>Factory and Workshop Act 1901, as set out in Schedule 5 to the <sup>M2</sup>Factories Act 1961.

.....  
**Marginal Citations**

**M1** 1901 c. 22.

**M2** 1961 c. 34.

Section 205 of the <sup>M3</sup>Public Health Act 1936.

.....  
**Marginal Citations**

**M3** 1936 c. 49.

Sections 74, 128 and 131 of the <sup>M4</sup>Factories Act 1961.

.....  
**Marginal Citations**

**M4** 1961 c. 34.

##### *Statutory instruments*

Regulation 3 of the <sup>M5</sup>Regulations dated 21st January 1907 (Manufacture of paints and colours).

.....  
**Marginal Citations**

**M5** S.R.& O.1907/17.

Regulation 10 of the <sup>M6</sup>Regulations dated 12th August 1911 (Smelting of materials containing lead, the manufacture of red or orange lead, and the manufacture of flaked litharge).

.....  
**Marginal Citations**

**M6** S.R.& O.1911/752.

Regulation 1 of the <sup>M7</sup>Indiarubber Regulations 1922.

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**Marginal Citations**

**M7** [S.R. & O.1922/329.](#)

Regulation 1(ii) of the <sup>M8</sup>Electric Accumulator Regulations 1925.

**Marginal Citations**

**M8** [S.R. & O.1925/28.](#)

Regulation 6(1)(i) to (vi) of the <sup>M9</sup>Pottery (Health and Welfare) Special Regulations 1950.

**Marginal Citations**

**M9** [S.I.1950/65.](#)

Parts IV and V of Schedule 1 to the <sup>M10</sup>Ionising Radiations Regulations 1985.

**Marginal Citations**

**M10** [S.I.1985/1333.](#)

Article 20(8) of the <sup>M11</sup>Air Navigation Order 1985 so far as relating to pregnancy.

**Marginal Citations**

**M11** [S.I.1985/1643.](#)

*Other instruments*

Paragraph 118 of the Approved Code of Practice relating to the <sup>M12</sup>Control of Lead at Work Regulations 1980 (approved under section 16 of the <sup>M13</sup>Health and Safety at Work etc. Act 1974).

**Marginal Citations**

**M12** [S.I.1980/1248.](#)

**M13** [1974 c. 37.](#)

The following provisions of the medical standards contained in Merchant Shipping Notice No. M 1331 (issued for the purposes of Regulation 7 of the <sup>M14</sup>Merchant Shipping (Medical Examination) Regulations 1983), namely—

- (a) Part X so far as relating to gynaecological conditions, and
- (b) Part XI.

**Marginal Citations**

**M14** [S.I.1983/808.](#)

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**Marginal Citations**

**M12** [S.I.1980/1248.](#)

**M13** [1974 c. 37.](#)

**M14** [S.I.1983/808.](#)

SCHEDULE 2

Section 9.

REVOCATION ETC. OF SUBORDINATE LEGISLATION  
REQUIRING DIFFERENT TREATMENT OF CERTAIN EMPLOYEES

**PART I**

PROVISIONS REVOKED

Article 2 of the <sup>M15</sup>Order dated 5th October 1917 (Tin or terne plate factories).

**Marginal Citations**

**M15** [S.R.&O. 1917/1035.](#)

The <sup>M16</sup>Woollen and Worsted Textiles (Lifting of Heavy Weights) Regulations 1926.

**Marginal Citations**

**M16** [S.R.&O. 1926/1463.](#)

Article 1(d) of the <sup>M17</sup>Cement Works Welfare Order 1930.

**Marginal Citations**

**M17** [S.R.&O. 1930/94.](#)

Regulation 4 of the <sup>M18</sup>Jute (Safety, Health and Welfare) Regulations 1948.

**Marginal Citations**

**M18** [S.I. 1948/1696.](#)

Regulations 6(1)(x), 6(2), 6(5), 6(6) and 18(7) of the <sup>M19</sup>Pottery (Health and Welfare) Special Regulations 1950.

**Marginal Citations**

**M19** [S.I. 1950/65.](#)

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## PART II

### AMENDMENTS

- 1 In Regulation 4(b) of the <sup>M20</sup>Regulations dated 17th October 1905 (Spinning by self-acting mules), omit “woman, young person, or”.

#### Marginal Citations

**M20** S.R.&O. 1905/1103.

- 2 In Regulation 12(4) of the Pottery (Health and Welfare) Special Regulations 1950, omit the words from “; and where” onwards.
- 3 In each of the following provisions, namely—  
for “sanitary convenience provided at the mine for the use of females” substitute “water closet provided at the mine above ground”.
- 4 In Regulation 13(1) of the <sup>M21</sup>Quarries (Ropeways and Vehicles) Regulations 1958, for “, other than a male person who has attained” substitute “under”.

#### Marginal Citations

**M21** S.I. 1958/2110.

## SCHEDULE 3

Section 10.

### REMOVAL OF RESTRICTIONS RELATING TO EMPLOYMENT OF YOUNG PERSONS

## PART I

### REPEALS RELATING TO RESTRICTIONS WITH RESPECT TO HOURS OF EMPLOYMENT AND HOLIDAYS

#### Commencement Information

- II** Sch. 3 Pt. I wholly in force at 3.3.1997; Sch. 3 Pt. I not in force at Royal Assent see s. 30(3)(d); Sch. 3 Pt. I in force for certain purposes at 16.1.1990 see s. 30(3)(d); Sch. 3 Pt. I in force for certain purposes at 26.2.1990 by S.I. 1990/189, art. 2; Sch. 3 Pt. I in force at 3.3.1997 insofar as not already in force by S.I. 1997/134, art. 2

Section 1(3) of, and Part II of the Schedule to, the <sup>M22</sup>Employment of Women, Young Persons, and Children Act 1920 (employment of young persons in industrial undertakings at night).

#### Marginal Citations

**M22** 1920 c. 65.

*Status: Point in time view as at 03/03/1997.*

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Section 19 of the <sup>M23</sup>Children and Young Persons Act 1933 (power of local authority to make byelaws with respect to employment of persons under 18 other than children).

**Marginal Citations**

**M23** 1933 c. 12.

Section 29 of the <sup>M24</sup>Children and Young Persons (Scotland) Act 1937 (power of education authority to make byelaws with respect to employment of persons under 18 other than children).

**Marginal Citations**

**M24** 1937 c. 37.

Part I of the <sup>M25</sup>Young Persons (Employment) Act 1938 (hours of employment and holidays of young persons in certain occupations).

**Marginal Citations**

**M25** 1938 c. 69.

The following provisions of the <sup>M26</sup>Shops Act 1950—  
section 18 (special provisions as to half-holidays for young persons);  
section 20 and Part II of Schedule 3 (special provisions as to meal times for young persons);  
sections 24 to 36 (hours of employment of young persons);  
section 68 (option to apply either the Act or the Young Persons (Employment) Act 1938 in certain cases); and  
section 72 (enforcement by local authorities under Children and Young Persons Act 1933).

**Marginal Citations**

**M26** 1950 c. 28.

The following provisions of the <sup>M27</sup>Mines and Quarries Act 1954—  
sections 125 to 128 (hours of employment of young persons);  
section 130 (special exception for emergencies); and  
section 132 (supplemental provisions).

**Marginal Citations**

**M27** 1954 c. 70.

The following provisions of the <sup>M28</sup>Factories Act 1961—  
sections 86 to 94 (hours of employment and holidays of young persons);  
sections 96 to 109 and 112 to 115 (suspension of, and exceptions from, provisions as to hours of employment etc.);  
section 116 (regulation of employment of young persons in certain occupations);  
section 138(1)(d) (posting of notices); and  
section 140(1)(d) (general registers).

*Status: Point in time view as at 03/03/1997.*

*Changes to legislation: There are currently no known outstanding effects for the Employment Act 1989. (See end of Document for details)*

### Marginal Citations

M28 1961 c. 34.

## PART II

### REPEALS RELATING TO OTHER REQUIREMENTS

#### Commencement Information

**I2** Sch. 3 Pt. II wholly in force at 3.3.1997; Sch. 3 Pt. II not in force at Royal Assent see s. 30(3)(d); Sch. 3 Pt. II in force for certain purposes at 16.1.1990 see s. 30(3)(d); Sch. 3 Pt. II in force for certain purposes at 26.2.1990 by S.I. 1990/189; Sch. 3 Pt. II in force insofar as not already in force at 3.3.1997 by S.I. 1997/134, art. 2

The following provisions of the Mines and Quarries Act 1954—  
 section 124(2) (restriction on male young persons being employed below ground); and  
 section 131 (register of women and young persons employed).

The following provisions of the Factories Act 1961—  
 section 11(1)(a)(iii) (power to require medical supervision);  
 section 73(1) (prohibition on employment of female young persons where certain processes are carried on); and  
 section 119A (duty of factory occupier to give notice of employment of young persons).

## PART III

### AMENDMENT OF CERTAIN AGE LIMITS

#### EMPLOYMENT OF WOMEN, YOUNG PERSONS, AND CHILDREN ACT 1920 (C.65)

1 In section 1 (obligation of employer to keep register of young persons employed in industrial undertaking), for subsection (4) substitute—

“(4) Where persons under the age of sixteen years are employed in any industrial undertaking, a register of all persons under that age who are so employed, and of the dates of their birth, shall be kept and shall at all times be open to inspection.”

#### CHILDREN AND YOUNG PERSONS ACT 1933 (C.12)

2 In section 20 (street trading)—

(a) for subsection (1) substitute—

“(1) Subject to subsection (2) of this section, no child shall engage or be employed in street trading.”;

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- (b) in subsection (2), for the words from “regulating” to “eighteen years,” substitute “authorising children who have attained the age of fourteen years to be employed by their parents in street trading to such extent as may be specified in the byelaws, and for regulating street trading under the byelaws by persons who are so authorised to be employed in such trading;”; and
- <sup>F1</sup>(c) .....

#### Textual Amendments

**F1** Sch. 3 Pt. III, para. 2(c) repealed (E.W.) (26.8.1994) by 1994 c. 20, s. 9(2), Sch. 5; S.I. 1994/1841, art. 2

- 3 In section 21(3) (penalties and legal proceedings in respect of general provisions as to employment), for “person under the age of eighteen years” substitute “child”.
- 4 In section 23 (prohibition on persons under 16 taking part in performances endangering life and limb)—
  - (a) for “person under the age of sixteen years” substitute “child”; and
  - (b) for “such a person” substitute “a child”.
- 5 In section 24 (restrictions on training for performances of a dangerous nature)—
  - (a) in subsection (1)—
    - (i) for “person”, in the first place where it occurs, substitute “child”, and
    - (ii) for “person under the age of sixteen years” substitute “child who has attained that age”; and
  - (b) in subsection (2), for “person who has attained the age of twelve years but is under the age of sixteen years” substitute “child who has attained the age of twelve years”.
- 6 In section 25 (restriction on persons under 18 going abroad for the purpose of performing for profit)—
  - (a) in subsection (1), for “person under the age of eighteen years”, in both places where those words occur, and for “person under that age” substitute “child”; and
  - (b) in subsection (2), for “person who has attained the age of fourteen years but is under the age of eighteen years” substitute “child who has attained the age of fourteen years”.
- 7 In section 26 (punishment of contraventions of section 25, etc.)—
  - (a) in subsection (1), for “the person” substitute “the child in question”; and
  - (b) in subsection (2)—
    - (i) for “a person under the age of eighteen years” substitute “a child”,
    - (ii) for “that person” substitute “that child”, and
    - (iii) for “the person in question” substitute “the child”.
- 8 In section 30 (interpretation of provisions about the employment of children)—
  - (a) after “made thereunder—” insert—

“The expression “child” means—

    - (a) in relation to England and Wales, a person who is not for the purposes of the Education Act 1944 over compulsory school age;

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- (b) in relation to Scotland, a person who is not for the purposes of the Education (Scotland) Act 1980 over school age; and
  - (c) in relation to Northern Ireland, a person who is not for the purposes of the Education and Libraries (Northern Ireland) Order 1986 over compulsory school age;”; and
- (b) at the end of that section add the following subsection—

“(2) This section, so far as it has effect for the purposes of sections 25 and 26 of this Act, extends to Scotland and to Northern Ireland.”;

and the existing provisions of that section (as amended by sub-paragraph (a) above) shall accordingly constitute subsection (1) of that section.

#### CHILDREN AND YOUNG PERSONS (SCOTLAND) ACT 1937 (C.37)

- 9 In section 30 (street trading)—
- (a) for subsection (1) substitute—
    - “(1) Subject to subsection (2) of this section, no child shall engage or be employed in street trading.”; and
    - (b) in subsection (2), for the words from “regulating” to “eighteen years,” substitute “authorising children who have attained the age of fourteen years to be employed by their parents in street trading to such extent as may be specified in the byelaws, and for regulating street trading under the byelaws by persons who are so authorised to be employed in such trading;”.
- 10 In section 31(3) (penalties and legal proceedings in respect of general provisions as to employment), for “person under the age of eighteen years” substitute “child”.
- 11 In section 33 (prohibition on persons under 16 taking part in performances endangering life and limb)—
- (a) for “person under the age of sixteen years” substitute “child”; and
  - (b) for “such a person” substitute “a child”.
- 12 In section 34 (restrictions on training for performances of a dangerous nature)—
- (a) in subsection (1)—
    - (i) for “person”, in the first place where it occurs, substitute “child”, and
    - (ii) for “person under the age of sixteen years” substitute “child who has attained that age”; and
  - (b) in subsection (2), for “person who has attained the age of twelve years but is under the age of sixteen years” substitute “child who has attained the age of twelve years”.
- 13 In section 37 (interpretation of provisions about the employment of children), after “made thereunder—” insert—
- “(a) The expression “child” means a person who is not for the purposes of the Education (Scotland) Act 1980 over school age;”.



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#### FACTORIES ACT 1961 (C.34)

- 14 In section 117(1) (exemptions from provisions regulating hours of employment), for “of or over the age of sixteen” substitute “ (other than children) ”.

#### SCHEDULE 4

Section 22(4).

#### DISSOLUTION OF TRAINING COMMISSION: AMENDMENTS OF THE INDUSTRIAL TRAINING ACT 1982

- 1 (1) Section 1 (establishment of industrial training boards) shall be amended as follows.
- (2) In subsection (2), omit the definition of “the Commission”.
- (3) In subsection (6), omit the words from “or, in a case” to “Commission”.
- (4) In subsection (7), for “section 3(2)” substitute “ section 3(1)(b) ”.
- 2 In section 2(1) (power of industrial training boards to delegate functions to committees with approval of Training Commission), for “Commission” substitute “ Secretary of State ”.
- 3 For section 3 substitute—

#### **“3 Transfer of establishments’ activities from industry of one board to that of another.**

- (1) If an employer in the industry of an industrial training board requests the Secretary of State in writing to secure that the activities carried on at a particular establishment of the employer shall, instead of being included for the purposes of this Act in that industry, be included for those purposes in the industry of another industrial training board, the Secretary of State—
- (a) shall consult both boards in question about the request; and
  - (b) after such consultation, may if he thinks fit make an order giving effect to that request.
- (2) The power to make an order under this section shall be exercisable by statutory instrument.”
- 4 (1) Section 5 (functions of industrial training boards) shall be amended as follows.
- (2) In subsections (3)(b) and (6), for “Commission”, wherever occurring, substitute “ Secretary of State ”.
- (3) In subsection (5)—
- (a) for “Commission for its”, in both places where those words occur, substitute “ Secretary of State for his ”; and
  - (b) for “Commission and approved by it” substitute “ Secretary of State and approved by him ”.
- 5 In section 6(2) (information from employers only to be disclosed to certain persons), omit the words from “or to the Commission” onwards.
- 6 (1) Section 7 (exercise of power of industrial training board to obtain information) shall be amended as follows.

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- (2) In subsection (1)—
- (a) for the words from “Commission may” to “State,” substitute “ Secretary of State may ”; and
  - (b) for the words from “Commission considers” to “purposes of its” substitute “ Secretary of State considers that he needs for the purposes of his ”.
- (3) In subsection (2), for the words from “Commission and” to “as the Commission” substitute “ Secretary of State and contain such information as he ”.
- (4) Omit subsection (3).
- 7 (1) Section 8 (reports and accounts) shall be amended as follows.
- (2) In subsection (1), for the words from “Commission” to “State and” substitute “ Secretary of State may, with the approval of ”.
  - (3) In subsection (3), for “Commission” substitute “ Secretary of State ”.
  - (4) In subsection (4), for the words from “Commission” to “and he” substitute “ Secretary of State ”.
- 8 In subsection 9(1) (publication of information), omit “, after consultation with the Commission,”.
- 9 In subsection 10(1) (training for employment overseas), omit “of the Commission given with the approval”.
- 10 (1) Section 11 (levies) shall be amended as follows.
- (2) In subsection (1)—
    - (a) for “Commission for the Commission’s approval” substitute “ Secretary of State ”; and
    - (b) omit the words from “and the Commission” onwards.
  - (3) In subsection (2), for “approved by the Commission” substitute “ submitted to him ”.
  - (4) In subsection (5), for the words from “Commission” to “for that purpose” substitute “ Secretary of State shall not make a levy order in pursuance of the levy proposals unless he is satisfied that they are necessary to encourage adequate training in the industry ”.
- 11 In section 12(1) (information to be included in levy proposals)—
- (a) for “Commission” substitute “ Secretary of State ”; and
  - (b) for “the Secretary of State” substitute “ him ”.
- 12 (1) Section 13 (proposals for exemption certificates) shall be amended as follows.
- (2) In subsection (1), for “Commission for its” substitute “ Secretary of State for his ”.
  - (3) In subsection (4), omit “and the Commission”.
  - (4) For subsection (5) substitute—
 

“(5) If the Secretary of State approves proposals submitted to him by a board under subsection (1) above and informs the board of his approval, the board shall arrange for them to be published as soon as practicable in a manner approved by the Secretary of State.”
- 13 (1) Section 15 (default powers in relation to proposals) shall be amended as follows.

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- (2) In subsection (1)—
- (a) for “Commission” substitute “ Secretary of State ”; and
  - (b) for “to it” substitute “ to him ”.
- (3) For subsection (2) substitute—
- “(2) Where proposals submitted to the Secretary of State under section 5(5), 11(1) or 13(1) above appear unsatisfactory to him, he may direct the board to submit fresh proposals within a specified time, stating in the direction in what respect the proposals already submitted appear to him unsatisfactory; and where the fresh proposals also appear unsatisfactory to the Secretary of State, he may make an order (in this section referred to as “a default order”) declaring the board to be in default.”
- (4) Omit subsections (3) and (4).
- (5) For subsection (5) substitute—
- “(5) Where a board has failed to comply with a direction of the Secretary of State under subsection (1) or (2) above within the time specified in the direction, he may make a default order.”
- 14 In section 16(4) (power to enable levies to be imposed in respect of establishments within enterprise zones), omit the words from “; but no such” onwards.
- 15 (1) Section 17 (financial provisions) shall be amended as follows.
- (2) In subsection (1), for the words from “Commission” to “State” substitute “ Secretary of State may ”.
- (3) In subsection (2)—
- (a) for “Commission”, in the first place where it occurs, substitute “ Secretary of State ”; and
  - (b) for “the Commission”, in the second place where those words occur, substitute “ he ”.
- (4) In subsection (3)—
- (a) for “Commission”, in the first place where it occurs, substitute “ Secretary of State ”; and
  - (b) for “the Commission”, in the second place where those words occur, substitute “ him ”.
- (5) In subsection (5), for “Commission” substitute “ Secretary of State ”.
- 16 (1) Paragraph 7 of Schedule 1 (persons entitled to attend meetings of industrial training board or committees of board) shall be amended as follows.
- (2) In sub-paragraph (1), omit “, the Training Commission”.
- (3) In sub-paragraph (2), for “Commission” substitute “ Secretary of State ”.

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## SCHEDULE 5

Section 22(5).

### DISSOLUTION OF TRAINING COMMISSION: SUPPLEMENTARY PROVISIONS

#### *Interpretation*

- 1 In this Schedule—
- “the 1982 Act” means the <sup>M29</sup>Industrial Training Act 1982;
  - “the 1988 Order” means the <sup>M30</sup>Training Commission (Incidental and Transitional Provisions) Order 1988;
  - “the Commission” means the Training Commission; and
  - “the relevant Minister” (subject to paragraph 5(3) of this Schedule) means—
    - (a) in relation to any function of the Commission, the Secretary of State; and
    - (b) in relation to any property, right or liability of the Commission, the Secretary of State for Employment.

#### **Marginal Citations**

**M29** 1982 c. 10.

**M30** S.I. 1988/1905.

#### *Incorporation of Secretary of State for Employment*

- 2 (1) The person who on the date on which this Act is passed is Secretary of State for Employment and his successors shall be, by that name, a corporation sole, with a corporate seal.
- (2) The corporate seal of the Secretary of State for Employment shall be authenticated by the signature of a Secretary of State or of a Secretary to the Department of Employment, or by a person authorised by a Secretary of State to act for the purpose.
- (3) The corporate seal of the Secretary of State for Employment shall be officially and judicially noticed, and every document purporting to be an instrument made or issued by the Secretary of State for Employment and to be sealed with that seal authenticated in the manner provided by sub-paragraph (2), or to be signed or executed by a Secretary to the Department of Employment, or a person authorised as mentioned in that sub-paragraph, shall be received in evidence and be deemed to be so made or issued without further proof, unless the contrary is shown.
- (4) A certificate signed by the Secretary of State for Employment that any instrument purporting to be made or issued by him was so made or issued shall be conclusive evidence of that fact.
- (5) Any document made or issued at any time before the date on which this Act is passed—
- (a) by the Secretary of State for Employment (whether as such or as the Secretary of State for Employment and Productivity), or
  - (b) by the Minister of Labour in connection with matters which, on that date, fall within the responsibilities of the Secretary of State for Employment,

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shall, if effective immediately before that date, have effect as from that date as if it had been made or issued by the Secretary of State for Employment as a corporation sole; and where the document was sealed or signed as mentioned in section 11(2) of the <sup>M31</sup>New Ministries and Secretaries Act 1916 (as in force at the time of the sealing or signing of the document) it shall have effect as from that date as if it had been sealed or (as the case may be) signed as mentioned in sub-paragraph (3) above.

- (6) Accordingly any document to which section 11(2) of that Act applied immediately before that date shall be treated for the purposes of sub-paragraph (3) above as if it were a document purporting to be such an instrument as is mentioned in that sub-paragraph; and the repeal by this Act of section 11(3) of that Act shall not affect the validity of any certificate issued before that date in pursuance of that provision.

#### **Marginal Citations**

**M31** 1916 c. 68.

#### *Provisions as to the vesting of property etc. of Commission*

- 3 (1) Anything done by or in relation to the Commission, if in force or effective immediately before the date on which this Act is passed, shall have effect, so far as may be required for continuing its effect on or after that date, as if done by or in relation to the relevant Minister.
- (2) Anything which immediately before that date was in the process of being done by or in relation to the Commission may be continued on or after that date by or in relation to the relevant Minister.
- (3) This paragraph applies in particular to things done by or in relation to the Commission for purposes of, or in connection with, functions which are transferred to the Secretary of State by section 22(4) of, and Schedule 4 to, this Act; but sub-paragraph (1) is subject to paragraph 7 of this Schedule.
- 4 (1) Any legal proceedings to which the Commission was a party immediately before the date on which this Act is passed may be continued on or after that date by or in relation to the relevant Minister.
- (2) Every agreement (whether written or not), and every instrument or other document, which relates to any function, property, right or liability of the Commission shall have effect, so far as may be required for continuing its effect on or after the date on which this Act is passed, as if—
- (a) where the Commission is a party to it, the relevant Minister were substituted as that party,
  - (b) for any reference to the Commission (including any reference which is to be construed as such a reference) there were substituted a reference to the relevant Minister,
  - (c) for any reference (however worded and whether express or implied) to the chairman or deputy chairman or any member of the Commission (including any reference which is to be construed as such a reference) there were substituted a reference to such officer or officers as the relevant Minister shall appoint for the purpose, and

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- (d) for any reference to the office or place of business of the Commission (including any reference which is to be construed as such a reference) there were substituted a reference to the principal office of the relevant Minister.
- 5 (1) The power of the Secretary of State to make determinations under paragraph 6 of Schedule 1 to the <sup>M32</sup>Employment and Training Act 1973 shall, notwithstanding the repeal by this Act of that paragraph, continue to be exercisable by him in relation to preserved pensions.
- (2) Any function which immediately before the date on which this Act is passed was a function of the Commission in relation to preserved pensions (other than its function of making payments in respect of such pensions) shall on that date become a function of the Secretary of State.
- (3) References to the relevant Minister in paragraphs 3 and 4 of this Schedule shall, in the application of those paragraphs in relation to—
- (a) the Commission’s function of making payments in respect of preserved pensions, or
- (b) any liability in respect of such pensions which is transferred by section 22(3) of this Act,
- be construed as references to the Paymaster General.
- (4) In this paragraph “preserved pensions” means pensions, superannuation allowances or gratuities in respect of which liabilities are transferred to the Paymaster General by section 22(3) of this Act.

**Marginal Citations**

**M32** 1973 c. 50.

*Final accounts*

- 6 (1) The Secretary of State shall not later than eight months after the date on which this Act is passed prepare and send to the Comptroller and Auditor General a statement of accounts relating to the Commission in respect of the period between the end of the accounting year for which the last statement of accounts under paragraph 14 of Schedule 1 to the Employment and Training Act 1973 was prepared and the date on which this Act is passed.
- (2) The statement of accounts prepared under sub-paragraph (1) shall be in such form as the Treasury may approve.
- (3) The Comptroller and Auditor General shall examine, certify and report on the statement sent to him under sub-paragraph (1) and shall lay copies of the statement and of his report before each House of Parliament.

*Provisions relating to the 1982 Act*

- 7 Where anything done by the Commission before the date on which this Act is passed for the purposes of any provision of the 1982 Act required the approval of the Secretary of State, it shall not have effect by virtue of paragraph 3(1) of this Schedule as if done by the Secretary of State unless it was done with his approval.

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*Status: Point in time view as at 03/03/1997.*

*Changes to legislation: There are currently no known outstanding effects for the Employment Act 1989. (See end of Document for details)*

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- 8 It is hereby declared for the avoidance of doubt that where before the date on which this Act is passed—
- (a) levy proposals were approved by the Commission under section 11(1) of the 1982 Act, or
  - (b) proposals for the issue of exemption certificates were approved by the Commission under section 13 of the 1982 Act,
- the proposals shall not by virtue of paragraph 3(1) of this Schedule be taken to have been approved by the Secretary of State.
- 9 (1) For the purposes of subsection (4) of section 1 of the 1982 Act (as substituted by section 23 of this Act) any consultation carried out by the Commission in pursuance of subsection (5) of that section before the date on which this Act is passed in connection with a proposed industrial training order shall be taken to have been carried out by the Secretary of State in connection with that proposed order.
- (2) For the purposes of subsection (1) of section 3 of the 1982 Act (as substituted by paragraph 3 of Schedule 4 to this Act), any consultation carried out by the Commission in pursuance of that subsection before that date in connection with a request made under that subsection shall be taken to have been carried out by the Secretary of State in connection with that request.
- (3) For the purposes of section 15 of the 1982 Act (as amended by paragraph 13 of that Schedule)—
- (a) any direction of the Commission given before that date under section 15(1) shall have effect as if given by the Secretary of State under section 15(1) (as so amended),
  - (b) any direction of the Commission given before that date under section 15(2) or (3) shall have effect as if given by the Secretary of State under section 15(2) (as so amended),
  - (c) any proposals submitted to the Commission before that date in pursuance of a direction under section 15(1) shall be taken to have been submitted to the Secretary of State in pursuance of a direction given by him under section 15(1) (as so amended), and
  - (d) any proposals submitted to the Commission before that date in pursuance of a direction under section 15(2) or (3) shall be taken to have been submitted to the Secretary of State in pursuance of a direction given by him under section 15(2) (as so amended).
- (4) Sub-paragraphs (1) to (3) are without prejudice to the generality of paragraph 3 of this Schedule.

*Notifications of vacancies etc. for purposes of unemployment benefit*

- 10 (1) For the purposes of section 20 of the <sup>M33</sup>Social Security Act 1975, where any person before the date on which this Act is passed—
- (a) has been notified by the Commission that a situation in any employment is or is about to become vacant, or
  - (b) has been given recommendations in writing by an officer of the Commission with a view to assisting that person to find employment,
- he shall, on or after that date, be taken to have been so notified, or to have been given the recommendations, by the Secretary of State.

*Status: Point in time view as at 03/03/1997.*

*Changes to legislation: There are currently no known outstanding effects for the Employment Act 1989. (See end of Document for details)*

- (2) Sub-paragraph (1) is without prejudice to the generality of paragraph 3 of this Schedule.

**Marginal Citations**

**M33** 1975 c. 14.

*Saving of 1988 Order*

- 11 Any provisions of the <sup>M34</sup>1988 Order having effect immediately before the date on which this Act is passed shall continue in force notwithstanding the repeal by this Act of provisions of Schedule 2 to the Employment Act 1988.

**Marginal Citations**

**M34** 1988 c. 19.

SCHEDULE 6

Section 29(3).

MINOR AND CONSEQUENTIAL AMENDMENTS

*Employment of Women, Young Persons, and Children Act 1920 (c.65)*

- 1 In section 1(6) (enforcement of restrictions on employment of women etc.)—
- (a) for paragraph (a) substitute—
- “(a) The following provisions, namely—
- (i) sections 21(1) and (2) and 28(1) and (3) of the Children and Young Persons Act 1933,
- (ii) sections 31(1) and (2) and 36(1) and (3) of the Children and Young Persons (Scotland) Act 1937, or
- (iii) sections 39(1) and (3) to (5) and 45(1), (3) and (4) of the Children and Young Persons Act (Northern Ireland) 1968,
- shall have effect in relation to the employment of a child in an industrial undertaking in contravention of this Act as they have effect in relation to the employment of a child in contravention of Part II of that Act of 1933, of Part III of that Act of 1937 or of Part III of that Act of 1968, as the case may be; and”;
- (b) in paragraph (c), for “young person” substitute “ person under the age of sixteen years ”.



*Status: Point in time view as at 03/03/1997.*

*Changes to legislation: There are currently no known outstanding effects for the Employment Act 1989. (See end of Document for details)*

PROSPECTIVE

- 2 In section 4 (interpretation), in the definition of industrial undertaking, for the words from “with respect” to “Parts I, II” substitute “ the meaning assigned to it by Part I ”.

*Shops Act 1950 (c. 28)*

F2<sub>3</sub> .....

**Textual Amendments**

**F2** Sch. 6 para. 3 repealed (1.12.1994) by 1994 c. 40, s. 81, Sch. 17; S.I. 1994/3037, arts. 2, 3(e)(vii)

F3<sub>4</sub> .....

**Textual Amendments**

**F3** Sch. 6 para. 4 repealed (1.12.1994) by 1994 c. 40, s. 81, Sch. 17; S.I. 1994/3037, arts. 2, 3(e)(vii)

F4<sub>5</sub> .....

**Textual Amendments**

**F4** Sch. 6 para. 5 repealed (1.12.1994) by 1994 c. 40, s. 81, Sch. 17; S.I. 1994/3037, arts. 2, 3(e)(vii)

*Factories Act 1961 (c. 34)*

- 6 In section 176(5) (application of provisions of Act to young persons employed outside factories) for the words from “the provisions” to “expressly provided,” substitute “section 119 of this Act shall not apply”.

*Children and Young Persons Act 1963 (c. 37)*

- 7 In section 41(1) (licences for training persons between 12 and 16 for performances of a dangerous nature), for “persons under the age of sixteen” substitute “ children ”.
- 8 In section 42(1) (licences for children and young persons performing abroad), for “persons under eighteen” substitute “ children ”.

*Employment and Training Act 1973 (c. 50)*

- 9 (1) Section 4 (disclosure of certain information) shall be amended as follows.
- (2) In subsection (3)—
- (a) for “said Act of 1947” substitute “ Statistics of Trade Act 1947 ”;
  - (b) omit paragraphs (a) and (b);
  - (c) for paragraph (c) substitute—  
“(c) the disclosure by the Secretary of State to a board of relevant information;”;

*Status: Point in time view as at 03/03/1997.*

*Changes to legislation: There are currently no known outstanding effects for the Employment Act 1989. (See end of Document for details)*

- (d) in paragraph (e), omit “or the Commission” wherever occurring; and
- (e) in paragraph (f), omit the words from “to a person” to “acting jointly”.

(3) After subsection (3) insert—

“(3A) Where the Secretary of State discloses information to a board or any other person under subsection (3)(c) or (f) of this section, he shall give a notice in writing to that person specifying the purposes for which the information may be used.”

(4) In subsection (5)(c) for “that paragraph” substitute “ subsection (3A) of this section ”.

*Health and Safety at Work etc. Act 1974 (c. 37)*

10 (1) Section 27 (obtaining and disclosure of certain information) shall be amended as follows.

(2) In subsection (2), omit paragraph (b) and the word “or” immediately preceding it.

(3) In subsection (3), for the words from “, the Executive” to “Agencies” substitute “ or the Executive ”.

11 (1) Section 55 (functions of employment medical advisory service) shall be amended as follows.

(2) In subsection (1)(a), omit “, the Training Commission”.

(3) In subsection (6)(b), for “Commissions there mentioned” substitute “ Health and Safety Commission ”.

*Sex Discrimination Act 1975 (c. 65)*

12 In section 16(2)(b) (discrimination in provision of facilities or services under section 2 of the <sup>M35</sup>Employment and Training Act 1973), for “body” substitute “ Secretary of State ”.

**Marginal Citations**

**M35** 1973 c. 50.

*Scottish Development Agency Act 1975 (c. 69)*

[<sup>F5</sup>13 In section 11(6) (disclosure of certain information)—

(a) omit the words from “, the Training Commission” to “Training Services Agency”; and

(b) for “Commission and Agencies” substitute “ Secretary of State ”.]

**Textual Amendments**

**F5** Sch. 6 para. 13 repealed (1.4.1991) by Enterprise and New Towns (Scotland) Act 1990 (c. 35, SIF 64), s. 38(2), Sch. 5 Pt. I

*Status: Point in time view as at 03/03/1997.*

*Changes to legislation: There are currently no known outstanding effects for the Employment Act 1989. (See end of Document for details)*

*Welsh Development Agency Act 1975 (c. 70)*

- 14 In section 24(6) (disclosure of certain information)—
- (a) omit the words from “, the Training Commission” to “Training Services Agency”; and
  - (b) for “Commission and Agencies” substitute “ Secretary of State ”.

*Race Relations Act 1976 (c. 74)*

- 15 In section 15(2)(b) (discrimination in provision of facilities or services under section 2 of the <sup>M36</sup>Employment and Training Act 1973), for “body” substitute “ Secretary of State ”.

**Marginal Citations**

**M36** 1973 c. 50.

- 16 In section 74(1) (orders and regulations), for “sections 13(2)(d), 37(3)(b) and” substitute “ section ”.

*Development of Rural Wales Act 1976 (c. 75)*

- 17 (1) Section 17 (disclosure of certain information) shall be amended as follows.
- (2) In subsection (1), omit the words from “, the Training Commission to “Training Services Agency,.
  - (3) In subsection (2), for “Commission and Agencies substitute “ Secretary of State ”.

*Employment Protection (Consolidation) Act 1978 (c. 44)*

<sup>F6</sup>18 .....

**Textual Amendments**

**F6** Sch. 6 para. 18 repealed (30.11.1993) by 1993 c.19, s. 51, **Sch.10**; S.I. 1993/2503, art. 2(2), **Sch.2**.

<sup>F7</sup>19 .....

**Textual Amendments**

**F7** Sch. 6 para. 19 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**

20 ..... <sup>F8</sup>

**Textual Amendments**

**F8** Sch. 6 para. 20 repealed by Employment Act 1990 (c. 38, SIF 43:5), s. 16(2), **Sch. 3**

*Status: Point in time view as at 03/03/1997.*

*Changes to legislation: There are currently no known outstanding effects for the Employment Act 1989. (See end of Document for details)*

F<sup>9</sup>21 .....

**Textual Amendments**

**F9** Sch. 6 para. 21 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F<sup>10</sup>22 .....

**Textual Amendments**

**F10** Sch. 6 para. 22 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F<sup>11</sup>23 .....

**Textual Amendments**

**F11** Sch. 6 para. 23 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F<sup>12</sup>24 .....

**Textual Amendments**

**F12** Sch. 6 para. 24 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F<sup>13</sup>25 .....

**Textual Amendments**

**F13** Sch. 6 para. 25 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F<sup>14</sup>26 .....

**Textual Amendments**

**F14** Sch. 6 para. 26 repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, **Sch. 3 Pt. I** (with s. 38)

*Local Government, Planning and Land Act 1980 (c. 65)*

27 In section 20, for subsection (4) substitute—

“(4) Notwithstanding anything in subsection (1) above, in this Act “construction or maintenance work” does not include work undertaken by a local authority or a development body pursuant to an agreement made (or having effect as if made) with the Secretary of State on or after 1st April 1982—

- (a) which is made by virtue of any provision of the Employment and Training Act 1973;
  - (b) which specifies the work to be undertaken by the authority or body;
- and

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*Status: Point in time view as at 03/03/1997.*

*Changes to legislation: There are currently no known outstanding effects for the Employment Act 1989. (See end of Document for details)*

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- (c) under which the whole or part of the cost of the work so specified is to be paid by the Secretary of State.”

*Agricultural Training Board Act 1982 (c. 9)*

- 28 In paragraph 6 of Schedule 1 (right to nominate person to attend meetings of Agricultural Training Board), for “Training Commission” substitute “ Minister concerned with employment in England and Wales, the Minister concerned with employment in Scotland ”.

*Industrial Training Act 1982 (c. 10)*

- 29 In paragraph 6 of Schedule 1 (persons entitled to vote in connection with a levy), for the words from “sub-paragraph (a)” to “that sub-paragraph” substitute “ sub-paragraph (1)(b) of paragraph 3 above ”.

*Sex Discrimination Act 1986 (c. 59)*

- 30 In section 5(1) (discrimination required by public entertainment licences)—
- (a) at the beginning insert “ Without prejudice to the generality of section 1(1) of the Employment Act 1989,” ; and
  - (b) omit the words from “ , apart from” to “authority),”.

SCHEDULE 7

Section 29(4).

REPEALS

**PART I**

REPEALS COMING INTO FORCE ON ROYAL ASSENT

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Chapter	Short title	Extent of repeal
1916 c. 68.	New Ministries and Secretaries Act 1916.	The whole Act.
1967 c. 13.	Parliamentary Commissioner Act 1967.	In Schedule 2, the entry relating to the Training Commission.
1973 c. 50.	Employment and Training Act 1973.	Section 1.  Section 2(4) and (6). Section 3.  In section 4, subsections (1) and (2), in subsection (3) paragraphs (a) and (b), the words “or the Commission” wherever occurring in

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*Status: Point in time view as at 03/03/1997.*

*Changes to legislation: There are currently no known outstanding effects for the Employment Act 1989. (See end of Document for details)*

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		<p>paragraph (e) and the words from “to a person” to “acting jointly,” in paragraph(f), in subsection (4) the words “, the Commission”, in subsection (5) paragraphs (a) and (b) and “, (d)” in paragraph (c), and subsection (6).</p> <p>In section 5(3)(a), the words from “or with a function” onwards.</p> <p>Section 11(1).</p> <p>In section 12, in subsection (1) the words from “and of the Commission” to “this Act” and the words “or it”, and in subsections (1A) and (2) the words “of the Commission and” wherever occurring.</p> <p>In section 13(1), the definitions of “the Commission” and “modifications”.</p> <p>Schedule 1.</p> <p>In Schedule 3, paragraph 9.</p>
1974 c. 37.	Health and Safety at Work etc. Act 1974.	<p>Section 27(2)(b) and the word “or” immediately preceding it.</p> <p>In section 55(1)(a), the words “, the Training Commission”.</p>
1975 c. 14.	Social Security Act 1975.	<p>In section 20(5), the words “the Training Commission,” wherever occurring.</p>
1975 c. 24.	House of Commons Disqualification Act 1975.	<p>In Part III of Schedule 1, the entry relating to the chairman of the Training Commission.</p>
1975 c. 25.	Northern Ireland Assembly Disqualification Act 1975.	<p>In Part III of Schedule 1, the entry relating to the chairman of the Training Commission.</p>
1975 c. 65.	Sex Discrimination Act 1975.	<p>Section 14(2)(b).</p> <p>In section 16(1), the words “or the Training Commission”.&gt;</p>

*Status: Point in time view as at 03/03/1997.*

*Changes to legislation: There are currently no known outstanding effects for the Employment Act 1989. (See end of Document for details)*

[ <sup>F15</sup> 1975 c. 69.]	[ <sup>F15</sup> Scottish Development Agency Act 1975.]	[ <sup>F15</sup> In section 11(6), the words from “, the Training Commission” to “Training Services Agency”.]
1975 c. 70.	Welsh Development Agency Act 1975.	In section 24(6), the words from “, the Training Commission” to “Training Services Agency”.
1975 c. 71.	Employment Protection Act 1975.	In Schedule 14, paragraphs 1, 4 and 5.
1976 c. 74.	Race Relations Act 1976.	Section 13(2)(b). In section 15(1), the words “or the Training Commission”.
1976 c. 75.	Development of Rural Wales Act 1976.	In section 17(1), the words from “, the Training Commission” to “Training Services Agency”.
1981 c. 57.	Employment and Training Act 1981.	In section 10(2), the words “the Training Commission,”. In Schedule 2, Part I, and in Part II paragraphs 8, 9, 12, 14, 15, 17, 19 and 21.
1982 c. 9.	Agricultural Training Board Act 1982.	In section 4(1)(f), “, 3”.
1982 c. 10.	Industrial Training Act 1982.	In section 1, in subsection (2), the definition of “the Commission” and, in subsection (6), the words from “or, in a case” to “Commission”. In section 5(3)(e), “, 3”. In section 6(2), the words from “or to the Commission” onwards. Section 7(3).
1982 c.10— <i>cont.</i>	Industrial Training Act 1982— <i>cont.</i>	In section 9(1), the words “, after consultation with the Commission,”. In section 10(1), the words “of the Commission given with the approval”. In section 11(1), the words from “and the Commission” onwards.

*Status: Point in time view as at 03/03/1997.*

*Changes to legislation: There are currently no known outstanding effects for the Employment Act 1989. (See end of Document for details)*

		In section 13(4), the words “and the Commission”.
		Section 15(3) and (4).
		In section 16(4), the words from “; but no such” onwards.
		In Schedule 1, in paragraph 7(1), the words “, the Training Commission”.
1982 c. 30.	Local Government (Miscellaneous Provisions) Act 1982.	In section 45(1), the words “the Training Commission or”.
1982 c. 43.	Local Government and Planning (Scotland) Act 1982.	In section 8, the words “the Training Commission or”.
1988 c. 9.	Local Government Act 1988.	In Schedule 6, paragraph 10(5).
1988 c. 19.	Employment Act 1988.	Section 24. Section 29(1) so far as relating to the Industrial Training Act 1982. In Schedule 2, paragraphs 2(1)(b) and 3 to 8. In Schedule 3, in Part II, paragraphs 7 to 10 and 14(2).

#### Textual Amendments

**F15** Entry repealed (1.4.1991) by [Enterprise and New Towns \(Scotland\) Act 1990 \(c. 35, SIF 64\), s. 38\(2\), Sch. 5 Pt. I](#)

## PART II

### REPEALS COMING INTO FORCE TWO MONTHS AFTER ROYAL ASSENT

1922 c. 35.	Celluloid and Cinematograph Film Act 1922.	In section 1, subsection (1) (a), and in subsection (2) the words from “the provisions” (where first occurring) to “this Act, and”.
		Section 4(3).
1933 c. 12.	Children and Young Persons Act 1933.	Section 19.



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*Status: Point in time view as at 03/03/1997.*

*Changes to legislation: There are currently no known outstanding effects for the Employment Act 1989. (See end of Document for details)*

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1937 c. 37.	Children and Young Persons (Scotland) Act 1937.	Section 29.
1938 c. 69.	Young Persons (Employment) Act 1938.	The whole Act.
1950 c. 28.	Shops Act 1950.	Section 18. Section 20. Section 21(4). Sections 24 to 36. Section 68. In section 71(3), the words from “subsection (2) of section one hundred and forty-two” to “given age,”. Section 72. In section 74, in subsection (1) the definition of “young person”, and subsection (2). Part II of Schedule 3.
1954 c. 70.	Mines and Quarries Act 1954.	In sections 42(1), 43 and 44, the word “male”, wherever occurring. In section 93, the words “woman or young”, in both places where they occur. Section 124(2). Sections 125 to 132. In Schedule 4, the entry relating to the Young Persons (Employment) Act 1938.
1961 c. 34.	Factories Act 1961.	Section 11(1)(a)(iii). In section 20, the words “woman or”, in both places where they occur. Section 73(1). Sections 86 to 94. Sections 96 to 109. Sections 112 to 116. Section 117(1)(a). Section 121(1)(f) (except the final “and”) and (5).

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*Status: Point in time view as at 03/03/1997.*

*Changes to legislation: There are currently no known outstanding effects for the Employment Act 1989. (See end of Document for details)*

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		Section 126(2)(f).
		Section 138(1)(d).
		Section 140(1)(d).
		In section 176(4), the words from “except that” onwards.
1963 c. 37.	Children and Young Persons Act 1963.	Section 35(1).
1963 c. 41.	Offices, Shops and Railway Premises Act 1963.	In section 17, subsection (3), in subsection (4) the words from “, except when any” onwards, and subsection (5).
1964 c. 66.	Young Persons (Employment) Act 1964.	The whole Act.
1968 c. 14.	Public Expenditure and Receipts Act 1968.	In Schedule 3, the entry relating to the Young Persons (Employment) Act 1938.
1971 c. 80.	Banking and Financial Dealings Act 1971.	Section 4(2).
		In section 5(2), the words “, except section 4(2),”.
1972 c. 70.	Local Government Act 1972.	In Schedule 29, paragraph 46.
1973 c. 24.	Employment of Children Act 1973.	Section 1(5).
		In Schedule 2, the first two entries.
1973 c. 65.	Local Government (Scotland) Act 1973.	Section 155(4).
		Section 160.
1975 c. 65.	Sex Discrimination Act 1975.	In section 7, subsection (2) (f), and in subsection (4) “, (f)”.
		In section 81, in subsections (1) and (2), “14(2)(d),”.
1976 c. 74.	Race Relations Act 1976.	In section 74, in subsection (2), “13(2) (d), 37(3)(b),” and, in subsection (5), “13(2)(d), 37(3)(b) or”.
1978 c. 44.	Employment Protection (Consolidation) Act 1978.	Sections 104 and 104A.
		Section 106(4).
		Section 117(2A) and (2B).

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*Status: Point in time view as at 03/03/1997.*

*Changes to legislation: There are currently no known outstanding effects for the Employment Act 1989. (See end of Document for details)*

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		In section 153(1), the definition of “redundancy rebate”.
		Schedule 6.
		In Schedule 8, the entry relating to section 104 of the Act, and in the entry relating to section 108 of the Act “, (2), (4) and (5)”.
		In Schedule 15, paragraph 13.
1980 c. 43.	Magistrates’ Courts Act 1980.	In Schedule 7, paragraph 174.
1982 c. 46.	Employment Act 1982.	In Schedule 2, paragraph 6(3).
		In Schedule 3, paragraph 5.
1985 c. 65.	Insolvency Act 1985.	In Schedule 8, paragraph 31(4).
1985 c. 66.	Bankruptcy (Scotland) Act 1985.	In Schedule 7, paragraph 14(3).
1986 c. 45.	Insolvency Act 1986.	In Schedule 14, the entry relating to section 125(2) of the Employment Protection (Consolidation) Act 1978.
1986 c. 48.	Wages Act 1986.	Section 27.
		In Schedule 4, paragraphs 8 and 11.
		In Schedule 6, paragraph 9.
1986 c. 59.	Sex Discrimination Act 1986.	In section 5(1), the words from “, apart from” to “authority,”.
		Section 7.
		In section 10, in subsection (3) “, 7”, and in subsection (5), the words from “except for the purpose” onwards.
1986 c. 61.	Education (No.2) Act 1986.	In Schedule 4, paragraph 6.
1988 c. 19.	Employment Act 1988.	In Schedule 3, in Part II, paragraphs 11(1) and 12(1) and (3).

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*Status: Point in time view as at 03/03/1997.*

*Changes to legislation: There are currently no known outstanding effects for the Employment Act 1989. (See end of Document for details)*

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### PART III

REPEALS COMING INTO FORCE ON A DAY APPOINTED UNDER S. 30(4)

#### Commencement Information

**I3** Sch. 7 Pt. III wholly in force at 3.3.1997; Sch. 7 Pt. III not in force at Royal Assent see s. 30(4); Sch. 7 Pt. III in force for certain purposes at 26.2.1990 by S.I. 1990/189, art. 2; Sch. 7 Pt. III in force insofar as not already in force at 3.3.1997 by S.I. 1997/134, art. 2

1920 c. 65.	Employment of Women, Young Persons, and Children Act 1920.	Section 1(3).  In section 3(1), the words “young persons, or”. Part II of the Schedule.
1954 c. 70.	Mines and Quarries Act 1954.	Section 124(1).
1961 c. 34.	Factories Act 1961.	In section 117(1), the words “or transport”, the words from “any of the following” to “that is to say”, and paragraph (b) and the “(c)” immediately following it. Section 119A.
1972 c. 28.	Employment Medical Advisory Service Act 1972.	Section 5(1).  Section 8(1) so far as relating to section 119A of the Factories Act 1961.
1973 c. 50.	Employment and Training Act 1973.	In Schedule 3, paragraph 6.
1975 c. 65.	Sex Discrimination Act 1975.	Section 21(1).
1980 c. 42.	Employment Act 1980.	In Schedule 1, paragraph 9.

### SCHEDULE 8

Section 29(5).

#### INSTRUMENTS REVOKED

S.R.&O. 1905/1103.	Regulations dated 17th October 1905 (Spinning by self-acting mules) .	In Regulation 4(b), the words “woman, young person, or” .
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*Status: Point in time view as at 03/03/1997.*

*Changes to legislation: There are currently no known outstanding effects for the Employment Act 1989. (See end of Document for details)*

S.R.&O. 1917/1035.	Order dated 5th October 1917 (Tin or terne plate factories).	Article 2.
S.R.&O. 1926/1463.	Woollen and Worsted Textiles (Lifting of Heavy Weights) Regulations 1926.	The whole Regulations.
S.R.&O. 1930/94.	Cement Works Welfare Order 1930.	Article 1(d).
S.I. 1948/1696.	Jute (Safety, Health and Welfare) Regulations 1948.	Regulation 4.
S.I. 1950/65.	Pottery (Health and Welfare) Special Regulations 1950.	In Regulation 6, paragraphs (1)(x), (2), (5) and (6).  In Regulation 12(4), the words from “; and where” onwards.  Regulation 18(7).
S.I. 1973/37.	Abstract of Special Regulations (Pottery - Health and Welfare) Order 1973.	Schedule 1 so far as it reproduces Regulations 6(2) and 18(7) of the Pottery (Health and Welfare) Special Regulations 1950.  Schedule 2 so far as it reproduces Regulations 6(1) (x), 6(2), 6(5), 6(6) and 18(7) of those Regulations of 1950.

SCHEDULE 9

Section 29(6).

TRANSITIONAL PROVISIONS AND SAVINGS

*Sex discrimination*

- 1 Nothing in section 3 of this Act shall render unlawful any act done by any person if—
- (a) it was done before the commencement of that section, or
  - (b) it was done before the commencement of section 9(3) of this Act and it was necessary for him to do it in order to comply with section 124(1) of the <sup>M37</sup>Mines and Quarries Act 1954.

**Marginal Citations**

M37 1954 c. 70.

*Time off for trade union duties*

F16<sub>2</sub>

*Status: Point in time view as at 03/03/1997.*

*Changes to legislation: There are currently no known outstanding effects for the Employment Act 1989. (See end of Document for details)*

**Textual Amendments**

**F16** Sch. 9 para. 2 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**

*Redundancy payments: assimilation of age limits*

**F17**3 .....

**Textual Amendments**

**F17** Sch. 9 para. 3 repealed (22.8.1996) by 196 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

*Redundancy rebates*

**F18**4 .....

**Textual Amendments**

**F18** Sch. 9 para. 4 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

*Insolvency payments*

**F19**5 .....

**Textual Amendments**

**F19** Sch. 9 para. 5 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

*Appointments to industrial training boards*

- 6 (1) The amendments by this Act of paragraphs 3 and 6 of Schedule 1 to the Industrial Training Act 1982 shall not apply to an industrial training board during any period during which any member of the board appointed before the passing of this Act remains in office by virtue of that appointment.
- (2) Sub-paragraph (1) above shall not be taken as precluding the Secretary of State during any such period from making appointments to the board in accordance with that Schedule as amended by this Act where they are to take effect at any time after the end of that period.

**Status:**

Point in time view as at 03/03/1997.

**Changes to legislation:**

There are currently no known outstanding effects for the Employment Act 1989.