

**1976 No. 1379 (C. 38)****TERMS AND CONDITIONS OF EMPLOYMENT****The Employment Protection Act 1975 (Commencement No. 5)  
Order 1976**

Made - - - - 23rd August 1976

The Secretary of State, in exercise of the powers conferred on him by sections 123 and 129 of the Employment Protection Act 1975(a) 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. 5) 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 October 1976; and
- (b) in the case of the provisions mentioned in Schedule 2, on 6th April 1977.

*Variation of the Employment Protection Act 1975 (Commencement No. 4) Order 1976*

3. The Employment Protection Act 1975 (Commencement No. 4) Order 1976(b) shall be varied by the insertion after Article 2 of the following Article:

*“Transitional provision*

2A. The coming into operation by virtue of Article 2(c) and Schedule 3 above on the 6th April 1977 of the provisions relating to maternity pay shall have effect only where the first of the six weeks of absence referred to in section 36(2) of the Employment Protection Act 1975 begins on or after that date.”

23rd August 1976.

*Albert Booth,*  
Secretary of State for Employment.

(a) 1975 c. 71.

(b) S.I. 1976/530 (1976 I, p. 1563).

## Article 2

## SCHEDULE 1

## PROVISIONS COMING INTO OPERATION ON 1ST OCTOBER 1976

Provisions of the Act	Subject matter of provisions
Section 125(1), so far as it relates to Part III of Schedule 16, and so far as it is not already in operation.	Amendment of the Trade Union and Labour Relations Act 1974.
Section 125(3), so far as it relates to the remaining provision of the Trade Union and Labour Relations Act 1974(a).	Repeals.
Schedule 16, to the extent mentioned above in relation to section 125(1).	Amendment of the Trade Union and Labour Relations Act 1974.
Schedule 18, to the extent mentioned above in relation to section 125(3).	Repeals.

## SCHEDULE 2

## PROVISIONS COMING INTO OPERATION ON 6TH APRIL 1977

Provisions of the Act	Subject matter of provisions
Section 81	Right to itemised pay statement.
Section 82	Standing statement of fixed deductions.
Section 83	Supplementary.
Section 84	Reference to industrial tribunal.
Section 125(3), so far as it relates to the Payment of Wages Act 1960(b).	Repeals.
Schedule 18, to the extent mentioned above in relation to section 125(3).	Repeals.

(a) 1974 c. 52.

(b) 1960 c. 37.

## EXPLANATORY NOTE

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

This Order brings into operation on 1st October 1976 the provisions of the Employment Protection Act 1975 specified in Schedule 1. These provisions relate to the amendment of the Trade Union and Labour Relations Act 1974 to remove the exclusion of small firms from the unfair dismissal provisions of that Act.

The Order also brings into operation on 6th April 1977 the provisions of the Employment Protection Act 1975 specified in Schedule 2. These provisions relate to itemised pay statements. The Order also varies the Employment Protection Act 1975 (Commencement No. 4) Order 1976, by inserting therein a transitional provision in respect of the provisions relating to maternity pay, which are contained in Schedule 3 of that Order.

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