

SCHEDULE 2

Article 3

PART I

MODIFICATIONS TO CERTAIN REDUNDANCY
PAYMENTS PROVISIONS OF THE 1996 ACT

1. Section 146 of the 1996 Act shall have effect as if immediately after subsection (1) there were inserted—

“S.I. 1999/2277

(1A) The reference in subsection (1) to re-engagement by the employer includes a reference to re-engagement by any employer specified in Part II of Schedule 2 to the Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order 1999 and the reference in subsection (1) to an offer made by the employer includes a reference to an offer made by any employer so specified.”

2. Section 155 of the 1996 Act shall have effect as if—

for the words “continuously employed” there were substituted the words “employed in relevant service”;

the provisions of that section modified as provided in sub-paragraph (a) were subsection (1) of that section; and

after that subsection there were inserted the following subsections—

“S.I. 1999/2277

(2) In subsection (1) “relevant service” means—

- (a) continuous employment by an employer specified in Part II of Schedule 2 to the Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order 1999 (“the 1999 Order”), or
- (b) where immediately before the relevant event a person has been successively employed by two or more employers specified in Part II of that Schedule, such aggregate period of service with such employers as would be continuous employment if they were a single employer.

(3) In subsection (2)(b) “relevant event” has the same meaning as in the 1999 Order.”

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- 3. Section 162 of the 1996 Act shall have effect as if—
 for the words “continuously employed” in subsection (1)(a) there were substituted the words “employed in relevant service”; and
 after subsection (1) there were inserted the following subsections—

“S.I. 1999/2277

(1A) In subsection (1)(a) “relevant service” means—

- (a) continuous employment by an employer specified in Part II of Schedule 2 to the Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order 1999 (“the 1999 Order”), or
- (b) where immediately before the relevant event a person has been successively employed by two or more employers specified in Part II of that Schedule, such aggregate period of service with such employers as would be continuous employment if they were a single employer.

(1B) In subsection (1A)(b) “relevant event” has the same meaning as in the 1999 Order.”

PART II

EMPLOYERS WITH WHOM EMPLOYMENT MAY CONSTITUTE RELEVANT SERVICE

Section 1

Any employer specified in Schedule 1 to this Order whether or not in existence at the time of the relevant event.

Section 2—Local government

- 1. The Greater London Council.
- 2. The London Residuary Body established by section 57(1)(a) of the 1985 Act.
- 3. The council of an administrative county, county borough (other than one established under section 20 of the 1972 Act), metropolitan borough or county district.
- 4. A regional council, islands council or district council established by or under the Local Government (Scotland) Act 1973(1).

(1) 1973 c. 65.

5. The council of a county, county of a city, large burgh, small burgh or district ceasing to exist after 15th May 1975.

6. Any joint board or joint body constituted by or under any enactment for the purpose of exercising the functions of two or more of the bodies described in any of paragraphs 1 to 5 above, and any special planning board within the meaning of paragraph 3 of Schedule 17 to the 1972 Act.

7. Any other body, not specified in any of paragraphs 1 to 6 above, established by or under any enactment for the purpose of exercising the functions of, or advising, one or more of the bodies specified in any of paragraphs 1 to 6 above.

8. Any committee (including a joint committee) established by or under any enactment for the purpose of exercising the functions of, or advising, one or more of the bodies described in any of paragraphs 1 to 6 above.

9. Any two or more bodies described in any of paragraphs 1 to 8 above acting jointly or as a combined authority.

10. Any association which was representative of any two or more bodies described in any of paragraphs 1 to 5 above.

11. Any committee established by one or more of the associations described in paragraph 10 above for the purpose of exercising the functions of, or advising, one or more of such associations.

12. An organisation which was representative of an association or associations described in paragraph 10 above and employees' organisations and among whose objects was to negotiate pay and conditions of service in local government service.

13. The council of a county or district in Wales ceasing to exist after 31st March 1996.

14. The Local Government Training Board.

Section 3—Planning and development

1. A development corporation within the meaning of the New Towns Act 1946(2) or the New Towns Act 1965(3).

2. A development corporation established under section 2 of the New Towns (Scotland) Act 1968(4).

3. The Scottish Development Agency.

4. The Scottish Special Housing Association.

5. The English Industrial Estates Corporation established by the Local Employment Act 1960(5).

Section 4—Education

1. The governing body of an aided school within the meaning of the Education Act.

2. The governing body of a grant-maintained school.

3. The governing body of a grant-maintained special school.

4. The proprietor (within the meaning of section 579(1) of the Education Act) of a school for the time being recognised as a grammar school for the purposes of regulation 4(1) of the Direct

(2) 1946 c. 68.

(3) 1965 c. 59.

(4) 1968 c. 16.

(5) 1960 c. 18.

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Grant Schools Regulations 1959⁽⁶⁾, being a school in relation to which, before 1st January 1976, the Secretary of State was satisfied as mentioned in regulation 3(1) of the Direct Grant Grammar Schools (Cessation of Grant) Regulations 1975⁽⁷⁾.

5. The proprietor (within the meaning of section 114(1) of the Education Act 1944⁽⁸⁾) of a school not falling within paragraph 1 of this section which throughout the period of employment was recognised as a grammar school or, as the case may be, as a direct grant grammar school for the purposes of regulation 4(1) of the Direct Grant Schools Regulations 1959, of Part IV of the Schools Grant Regulations 1951⁽⁹⁾ or of Part IV of the Primary and Secondary Schools (Grant Conditions) Regulations 1945⁽¹⁰⁾.

6. The managers of a school which during the period of employment was approved under section 83 of the Children and Young Persons (Scotland) Act 1937.

7. The managers of a school which during the period of employment was a grant-aided school within the meaning of section 143(1) of the Education (Scotland) Act 1946⁽¹¹⁾, section 145(22) of the Education (Scotland) Act 1962⁽¹²⁾ or section 135(1) of the 1980 Act.

8. The managers of a school which during the period of employment was a school which, immediately before the commencement of Part III of the Social Work (Scotland) Act 1968, was approved under section 83 of the Children and Young Persons (Scotland) Act 1937⁽¹³⁾.

9. An institution within the PCFC funding sector, within the meaning of section 132(6) of the 1988 Act.

10. The Further Education Staff College.

11. The Inner London Education Authority, known as the Inner London Interim Education Authority for a period prior to the abolition date as defined in section 1(2) of the 1985 Act.

12. The National Advisory Body for Public Sector Higher Education.

13. The Polytechnics and College Funding Council as established by section 132 of the 1988 Act.

14. The Scottish Association for National Certificates and Diplomas.

15. The Scottish Business Education Council.

16. The Scottish Council for Commercial, Administrative and Professional Education.

17. The Scottish Technical Education Council.

18. The Secretary of State for Defence in relation only to employees in schools administered by the Service Children's Education Authority.

19. The Secretary of State for Education and Employment, in relation only to teachers employed under contract in the European School established under Article 1 of the Statute of the European School⁽¹⁴⁾ and in schools designated as European Schools under Article 1 of the Protocol to that Statute.

(6) [S.I. 1959/1182](#); relevant modifications are made by [S.I. 1975/1198](#).

(7) [S.I. 1975/1198](#); the relevant amending instrument is [S.I. 1981/1788](#).

(8) [1944 c. 31](#).

(9) [S.I. 1951/1743](#).

(10) [S.R. & O. 1945/636](#).

(11) [1946 c. 72](#).

(12) [1962 c. 47](#).

(13) [1937 c. 37](#).

(14) [Cmnd. 5145](#).

Section 5—Careers guidance

1. Black Country Careers Services Limited.
2. Buckinghamshire Careers Service Limited.
3. Kent Careers and Guidance Service Limited.

Section 6—Police

A previous police authority in relation to which Schedule 11 to the Police Act 1964**(15)** had effect or which was the police authority for an area or district which was before 1st April 1947 or after 31st March 1946 a separate police area or, in Scotland, a previous police authority for an area which was before 16th May 1975 a separate or combined police area.

Section 7—Sports Councils

The Sports Council.

Section 8—Social services

A person or body of persons responsible for the management of an assisted community home within the meaning of section 36 of the Children and Young Persons Act 1969**(16)** or of an approved institution within the meaning of section 46 of that Act.

Section 9—Miscellaneous

1. A regional water board established under section 5 of the Water (Scotland) Act 1967**(17)**.
2. A river purification board established under section 2 of the Rivers (Prevention of Pollution) (Scotland) Act 1951**(18)**.
3. A river purification board established under section 135 of the Local Government (Scotland) Act 1973**(19)**.
4. A local valuation panel constituted under the Local Government Act 1948**(20)** or established under the General Rate Act 1967**(21)**.
5. The Central Scotland Water Development Board.
6. The Scottish Industrial Estates Corporation (formerly the Industrial Estates Management Corporation for Scotland) established by section 8 of the Local Employment Act 1960**(22)**.
7. The Small Industries Council for Rural Areas of Scotland, being a company which was dissolved by section 15(5) of the Scottish Development Agency Act 1975**(23)** and was until then registered under the Companies Acts from time to time in force.
8. The Welsh Industrial Estates Corporation (formerly the Industrial Estates Management Corporation for Wales) established by section 8 of the Local Employment Act 1960.

(15) 1964 c. 48.
(16) 1969 c. 54.
(17) 1967 c. 78.
(18) 1951 c. 66.
(19) 1973 c. 65.
(20) 1948 c. 26.
(21) 1967 c. 44.
(22) 1960 c. 18.
(23) 1975 c. 69.

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