



Employment Act 1989

1989 CHAPTER 38

General

27 Power to make corresponding provision for Northern Ireland.

- (1) An Order in Council under paragraph 1(1)(b) of Schedule 1 to the ^{M1}Northern Ireland Act 1974 (legislation for Northern Ireland in the interim period) which states that it is made only for purposes corresponding to those of any of the following provisions of this Act, namely, sections 1 to 6, 7(1), 8 to 11 and 16 to 19—
 - (a) shall not be subject to paragraph 1(4) and (5) of that Schedule (affirmative resolution of both Houses of Parliament), but
 - (b) shall be subject to annulment in pursuance of a resolution of either House.
- (2) It is hereby declared that for the purposes of the ^{M2}Northern Ireland Constitution Act 1973 a provision contained in—
 - (a) an Order in Council under paragraph 1(1)(b) of Schedule 1 to the said Act of 1974 which states that it is made only for purposes corresponding to section 1, 2, 6 or 10(3) to (6) of this Act, or
 - (b) any statutory rule for the purposes of the ^{M3}Statutory Rules (Northern Ireland) Order 1979 made under such an Order as is mentioned in paragraph (a),is not a provision dealing with an excepted matter.

Marginal Citations

- M1** 1974 c. 28.
M2 1973 c. 36.
M3 S.I. 1979/1573 (N.I. 12).

28 Orders.

- (1) Any power to make an order under this Act shall be exercisable by statutory instrument.

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- (2) The Secretary of State shall consult the Equal Opportunities Commission before making—
- (a) an order under section 2 which makes any amendment or repeal of any provision of an Act, or
 - (b) an order under section 6.
- (3) An order of one of the following descriptions, namely—
- (a) such an order under section 2 as is mentioned in subsection (2)(a), or
 - (b) an order under section 6(1)(a) which preserves the effect of any provision of an Act,
- shall not be made unless a draft of it has been laid before and approved by resolution of each House of Parliament.
- (4) Any statutory instrument containing an order under this Act other than—
- (a) an order to which subsection (3) applies,
 - (b) an order under section 26, or
 - (c) an order under section 30,
- shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) An order under this Act may contain such consequential or transitional provisions or savings as appear to the Secretary of State to be necessary or expedient.

29 Interpretation, minor and consequential amendments, repeals, etc.

- (1) In this Act—
- “the 1975 Act means the ^{M4}Sex Discrimination Act 1975;
 - “the 1978 Act means the ^{M5}Employment Protection (Consolidation) Act 1978;
 - “act includes a deliberate omission;
 - “subordinate legislation has the same meaning as in the ^{M6}Interpretation Act 1978;
 - “vocational training includes advanced vocational training and retraining.
- (2) Any reference in this Act to vocational training shall be construed as including a reference to vocational guidance.
- (3) The enactments mentioned in Schedule 6 shall have effect subject to the minor and consequential amendments specified in that Schedule.
- (4) The enactments mentioned in Schedule 7 (which include some spent provisions) are hereby repealed to the extent specified in the third column of that Schedule.
- (5) The instruments mentioned in Schedule 8 are hereby revoked to the extent specified in the third column of that Schedule.
- (6) The transitional provisions and savings contained in Schedule 9 shall have effect.

Marginal Citations

M4 1975 c. 65.

M5 1978 c. 44.

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M6 1978 c. 30.

30 Short title, commencement and extent.

- (1) This Act may be cited as the Employment Act 1989.
- (2) The following provisions shall come into force on the day on which this Act is passed, namely—
 - (a) section 8;
 - (b) section 10(3) to (6);
 - (c) sections 11 and 12;
 - (d) section 22 and Schedules 4 and 5;
 - (e) sections 23 to 28;
 - (f) section 29(1) and (2);
 - (g) paragraphs 9 to 15, 17 and 27 to 29 of Schedule 6 and section 29(3) so far as relating thereto;
 - (h) Part I of Schedule 7 and section 29(4) so far as relating thereto;
 - (i) section 29(6) and Schedule 9; and
 - (j) this section.
- (3) The following provisions shall come into force at the end of the period of two months beginning with the day on which this Act is passed, namely—
 - (a) sections 1 to 6 and Schedule 1;
 - (b) section 7;
 - (c) section 9(1), (2) and (4) to (6) and Schedule 2;
 - (d) section 10(1) and Parts I and II of Schedule 3 except so far as they repeal section 1(3) of, and Part II of the Schedule to, the ^{M7}Employment of Women, Young Persons, and Children Act 1920 and section 119A of the ^{M8}Factories Act 1961;
 - (e) section 10(2) and Part III of Schedule 3;
 - (f) sections 16 to 19;
 - (g) section 21;
 - (h) paragraphs 3 to 5, 7, 8, 16, 20 to 25 and 30 of Schedule 6 and section 29(3) so far as relating thereto;
 - (i) Part II of Schedule 7 and section 29(4) so far as relating thereto; and
 - (j) section 29(5) and Schedule 8.
- (4) The remainder of this Act shall come into force on such day as the Secretary of State may appoint by order, and different days may be appointed for different provisions or for different purposes.
- (5) With the exception of the provisions mentioned in subsection (6), this Act does not extend to Northern Ireland.
- (6) Those provisions are—
 - (a) sections 10(1) and (2) and 29(3) and (4) and Schedules 3, 6 and 7 so far as they amend or repeal any enactment which extends to Northern Ireland (other than an enactment contained in the ^{M9}Celluloid and Cinematograph Film Act 1922);
 - (b) section 10(6);

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- (c) paragraph 2 of Schedule 5 and section 22(5) so far as relating thereto;
- (d) section 27 (which extends only to Northern Ireland); and
- (e) this section.

Modifications etc. (not altering text)

C1 Power of appointment conferred by s. 30(4)(5) partly exercised: [S.I. 1990/189](#)

Marginal Citations

M7 [1920 c. 65.](#)

M8 [1961 c. 34.](#)

M9 [1922 c. 35.](#)

Status:

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Changes to legislation:

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