STATUTORY INSTRUMENTS

1980 No. 1160

COMPANIES

The Companies (Directors' Report) (Employment of Disabled Persons) Regulations 1980

Laid before Parliament in draft

Made - - - - 5*th August* 1980

Coming into Operation 1*st September* 1980

Whereas a draft of these Regulations has been laid before Parliament and approved by a resolution of each House pursuant to section 454(3) of the Companies Act 1948(**a**):

Now therefore the Secretary of State in exercise of the powers conferred by section 454(1) of that Act(**b**), and now vested in him(**c**), and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

Citation, Commencement, Interpretation and Scope

1. These Regulations may be cited as the Companies (Directors' Report) (Employment of Disabled Persons) Regulations 1980 and shall come into operation on 1st September 1980.

2. In these Regulations—

"the Act" means the Companies Act 1948;

"directors' report" means a report by the directors of a company which by section 157(1)(**d**) of the Act is required to be attached to a balance sheet of the company prepared under section 1 of the Companies Act 1976(**e**) (or under that section taken with section 150 of the Act);

"employment" means employment other than employment to work wholly or mainly outside the United Kingdom; and "employed" and "employee" shall be construed accordingly; and

"disabled person" means a disabled person within the meaning of the Disabled Persons (Employment) Act 1944(**f**).

(**a**) 1948 c.38.
(**b**) Section 454(1) was amended by the Companies Act 1980(c.22), section 81.
(**c**) S.I.1970/1537.
(**d**) Section 157(1) was amended by the Companies Act 1976 (c.69), section 42(1) and Schedule 2.
(**e**) 1976 c.69.
(**f**) 1944 c. 10. Section 1 defines "disabled person."

3. These Regulations apply to every directors' report of a company which relates to a financial year beginning on or after 1st September 1980 where the average number of persons employed by the company in each week during the financial year exceeded 250; and for the purposes of these Regulations that number shall be the quotient derived by dividing, by the number of weeks in the financial year, the number derived by ascertaining, in relation to each of those weeks, the number of persons who, under contracts of service, were employed in the week (whether throughout it or not) by the company and adding up the numbers ascertained.

Statement about employment of disabled persons

4. In every directors' report of a company to which these Regulations apply there shall be contained a statement describing such policy as the company has applied during the financial year—

(*a*) for giving full and fair consideration to applications for employment by the company made by disabled persons, having regard to their particular aptitudes and abilities;

(*b*) for continuing the employment of, and for arranging appropriate training for, employees of the company who have become disabled persons during the period when they were employed by the company; and

(*c*) otherwise for the training, career development and promotion of disabled persons employed by the company.

5th August 1980.

Reginald Eyre,
Parliamentary Under-Secretary of State,
Department of Trade.

EXPLANATORY NOTE

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

These Regulations require companies which are required by section 157(1) of the Companies Act 1948 to attach to their balance sheet a directors' report to include in that report a statement as to such policy as the company has applied during the financial year as to the employment, training, career development and promotion of disabled people.

The Regulations do not apply where the average number of persons employed by a company per week during the relevant financial year does not exceed 250 and no account is to be taken of persons working wholly or mainly outside the United Kingdom.

The Regulations only apply to directors' reports prepared for financial years which begin on or after 1st September 1980.