

SCHEDULES

^{F1}SCHEDULE 1A

COLLECTIVE BARGAINING: RECOGNITION

F1 1999 NI 9

PART II

VOLUNTARY RECOGNITION

Agreements for recognition

52.—(1) This paragraph applies for the purposes of this Part.

(2) An agreement is an agreement for recognition if the following conditions are fulfilled in relation to it—

- (a) the agreement is made in the permitted period between a union (or unions) and an employer in consequence of a request made under paragraph 4 and valid within the terms of paragraphs 5 to 9;
- (b) under the agreement the union is (or unions are) recognised as entitled to conduct collective bargaining on behalf of a group or groups of workers employed by the employer;
- (c) if sub-paragraph (5) applies to the agreement, it is satisfied.

(3) The permitted period is the period which begins with the day on which the employer receives the request and ends when the first of the following occurs—

- (a) the union withdraws (or unions withdraws) the request;
- (b) the union withdraws (or unions withdraw) any application under paragraph 11 or 12 made in consequence of the request;
- (c) the Court gives notice of a decision under paragraph 14(7) which precludes it from accepting such an application under paragraph 11 or 12;
- (d) the Court gives notice under paragraph 15(4)(a) or 20(4)(a) in relation to such an application under paragraph 11 or 12;
- (e) the parties give notice to the court under paragraph 17(2) in relation to such an application under paragraph 11 or 12;
- (f) the Court issues a declaration under paragraph^{F1} 19F(5) or] 22(2) in consequence of such an application under paragraph 11 or 12;
- (g) the Court is notified under paragraph 24(2) in relation to such an application under paragraph 11 or 12;
- (h) the last day of the notification period ends (the notification period being that defined by paragraph^{F1} 24(6)] and rising from such an application under paragraph 11 or 12);

Changes to legislation: There are currently no known outstanding effects for the The Trade Union and Labour Relations (Northern Ireland) Order 1995, Cross Heading: Agreements for recognition. (See end of Document for details)

- (i) the Court is required under paragraph 51(3) to cancel such an application under paragraph 11 or 12.
- (4) Sub-paragraph (5) applies to an agreement if—
 - (a) at the time it is made the Court has received an application under paragraph 11 or 12 in consequence of the request mentioned in sub-paragraph (2), and
 - (b) the Court has not decided whether the application is admissible or it has decided that it is admissible.
- (5) This sub-paragraph is satisfied if, in relation to the application under paragraph 11 or 12, the parties give notice to the Court under paragraph 17 before the final event (as defined in paragraph 17) occurs.

F1 2004 NI 19

Changes to legislation:

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