
DRAFT STATUTORY INSTRUMENTS

1999 No.

**Trade Union Subscription Deductions
(Northern Ireland) Order 1999**

Deduction from wages of trade union subscriptions

3.—(1) For Article 35 of the Trade Union and Labour Relations (Northern Ireland) Order 1995 (“the 1995 Order”) (right not to suffer deduction of unauthorised or excessive subscriptions) and the heading immediately preceding it there shall be substituted—

“Right not to suffer deduction of unauthorised union subscriptions

Right not to suffer deduction of unauthorised subscriptions

35.—(1) Where arrangements (“subscription deduction arrangements”) exist between the employer of a worker and a trade union relating to the making from workers' wages of deductions representing payments to the union in respect of the workers' membership of the union (“subscription deductions”), the employer shall ensure that no subscription deduction is made from wages payable to the worker on any day unless—

- (a) the worker has authorised in writing the making from his wages of subscription deductions; and
- (b) the worker has not withdrawn the authorisation.

(2) A worker withdraws an authorisation given for the purposes of paragraph (1), in relation to a subscription deduction which falls to be made from wages payable to him on any day, if a written notice withdrawing the authorisation has been received by the employer in time for it to be reasonably practicable for the employer to secure that no such deduction is made.

(3) A worker's authorisation of the making of subscription deductions from his wages shall not give rise to any obligation on the part of the employer to the worker to maintain or continue to maintain subscription deduction arrangements.

(4) In this Article and Article 36, “employer”, “wages” and “worker” have the same meanings as in the Employment Rights Order.”.

(2) In Article 36 of the 1995 Order (complaint of infringement of rights), for paragraph (2) there shall be substituted—

“(2) Where a tribunal finds that a complaint under this Article is well-founded, it shall make a declaration to that effect and shall order the employer to pay to the worker the whole amount of the deduction, less any such part of the amount as has already been paid to the worker by the employer.”.