



Trade Union and Labour Relations (Consolidation) Act 1992

1992 CHAPTER 52

PART I

TRADE UNIONS

CHAPTER IX

MISCELLANEOUS AND GENERAL PROVISIONS

[^{F1}Deduction of trade union subscriptions from wages

[^{F1}116B Restriction on deduction of union subscriptions from wages in public sector

- (1) A relevant public sector employer may make deductions from its workers' wages in respect of trade union subscriptions only if—
 - (a) those workers have the option to pay their trade union subscriptions by other means, and
 - (b) arrangements have been made for the union to make reasonable payments to the employer in respect of the making of the deductions.
- (2) Payments are “reasonable” for the purposes of subsection (1) if the employer is satisfied that the total amount of the payments is substantially equivalent to the total cost to public funds of making the deductions.
- (3) An employer is a relevant public sector employer if the employer is a public authority specified, or of a description specified, in regulations made by a Minister of the Crown.

[But regulations under subsection (3) may not specify—

- ^{F2}(3A)
 - (a) a devolved Welsh authority, or
 - (b) a description of public authority that applies to a devolved Welsh authority.]

Changes to legislation: *Trade Union and Labour Relations (Consolidation) Act 1992, Section 116B is up to date with all changes known to be in force on or before 23 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (4) A Minister of the Crown may by regulations provide, in relation to a body or other person that is not a public authority but has functions of a public nature and is funded wholly or mainly from public funds, that the body or other person is to be treated as a public authority for the purposes of this section.
- (5) Regulations under this section may make provision specifying the person or other entity that is to be treated for the purposes of this section as the employer of a person who is employed by the Crown.
- (6) The regulations may—
- (a) deem a category of persons holding an office or employment under the Crown (or two or more such categories taken together) to be an entity for the purposes of provision made under subsection (5);
 - (b) make different provision under subsection (5) for different categories of persons holding an office or employment under the Crown.
- (7) Regulations under this section may—
- (a) make different provision for different purposes;
 - (b) make transitional provision in connection with the coming into force of any provision of the regulations;
 - (c) make consequential provision amending or otherwise modifying contracts of employment or collective agreements.
- (8) Regulations under this section are to be made by statutory instrument.
- (9) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.
- (10) In this section—
- “trade union subscriptions” means payments to a trade union in respect of a worker’s membership of the union;
 - “wages” has the same meaning as in Part 2 of the Employment Rights Act 1996 (see section 27);
 - “worker” has the same meaning as in that Act.]

Textual Amendments

- F1** S. 116B and cross-heading inserted (1.3.2017 for specified purposes) by [Trade Union Act 2016 \(c. 15\), ss. 15\(1\), 25\(1\)](#); [S.I. 2017/139, reg. 2\(l\)](#)
- F2** S. 116B(3A) inserted (E.W.) (13.9.2017) by [Trade Union \(Wales\) Act 2017 \(anaw 4\), ss. 1\(2\), 3](#); [S.I. 2017/903, art. 2](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 212A(1)(zb) inserted by [2023 c. 46 Sch. para. 1](#)