
Changes to legislation: There are currently no known outstanding effects for the Trade Union Reform and Employment Rights Act 1993, Paragraph 73. (See end of Document for details)

SCHEDULES

SCHEDULE 8

CONSEQUENTIAL AMENDMENTS

The Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52)

73 In section 226 of the 1992 Act (act of trade union not protected unless industrial action has support of a ballot)—

(a) at the end of subsection (1) (requiring the ballot) there shall be inserted the following paragraph —

“In this section “the relevant time”, in relation to an act by a trade union to induce a person to take part, or continue to take part, in industrial action, means the time at which proceedings are commenced in respect of the act.”;

(b) in subsection (2) (circumstances in which action has such support) for paragraphs (a) to (c) there shall be substituted—

“(a) the union has held a ballot in respect of the action—

(i) in relation to which the requirements of section 226B so far as applicable before and during the holding of the ballot were satisfied,

(ii) in relation to which the requirements of sections 227 to 231A were satisfied, and

(iii) in which the majority voting in the ballot answered Yes to the question applicable in accordance with section 229(2) to industrial action of the kind to which the act of inducement relates;

(b) such of the requirements of the following sections as have fallen to be satisfied at the relevant time have been satisfied, namely—

(i) section 226B so far as applicable after the holding of the ballot, and

(ii) section 231B; and

(c) the requirements of section 233 (calling of industrial action with support of ballot) are satisfied.

Any reference in this subsection to a requirement of a provision which is disapplied or modified by section 232 has effect subject to that section.”; and

(c) in subsection (3) (separate workplace ballots), for the words from section 228(1), to in relation there shall be substituted the words “section 228(1)—

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- (a) industrial action shall be regarded as having the support of a ballot if the conditions specified in subsection (2) are satisfied, and
- (b) the trade union shall be taken to have complied with the requirements relating to a ballot imposed by section 226A if those requirements are complied with,

in relation ”.

Changes to legislation:

There are currently no known outstanding effects for the Trade Union Reform and Employment Rights Act 1993, Paragraph 73.