

## SCHEDULES

### SCHEDULE 2

#### UNION MEMBERSHIP: DETRIMENT

##### *Time limit for proceedings*

- 3 (1) Section 147 shall be amended as follows.
- (2) Before “An” insert “(1)”.
- (3) In paragraph (a) of subsection (1) (as created by sub-paragraph (2) above) for the words from “action to which” to “those actions” substitute “act or failure to which the complaint relates or, where that act or failure is part of a series of similar acts or failures (or both) the last of them”.
- (4) After subsection (1) (as created by sub-paragraph (2) above) insert—
- “ (2) For the purposes of subsection (1)—
- (a) where an act extends over a period, the reference to the date of the act is a reference to the last day of that period;
- (b) a failure to act shall be treated as done when it was decided on.
- (3) For the purposes of subsection (2), in the absence of evidence establishing the contrary an employer shall be taken to decide on a failure to act—
- (a) when he does an act inconsistent with doing the failed act, or
- (b) if he has done no such inconsistent act, when the period expires within which he might reasonably have been expected to do the failed act if it was to be done.”