



Employment Relations Act 2004

2004 CHAPTER 24

PART 1

UNION RECOGNITION

18 Power to make provision about effect of amalgamations etc.

After paragraph 169 of Schedule A1 to the 1992 Act insert—

“Effect of union amalgamations and transfers of engagements

- 169A (1) The Secretary of State may by order make provision for any case where—
- (a) an application has been made, a declaration has been issued, or any other thing has been done under or for the purposes of this Schedule by, to or in relation to a union, or
 - (b) anything has been done in consequence of anything so done, and the union amalgamates or transfers all or any of its engagements.
- (2) An order under this paragraph may, in particular, make provision for cases where an amalgamated union, or union to which engagements are transferred, does not have a certificate of independence.

Effect of change of identity of employer

- 169B (1) The Secretary of State may by order make provision for any case where—
- (a) an application has been made, a declaration has been issued, or any other thing has been done under or for the purposes of this Schedule in relation to a group of workers, or
 - (b) anything has been done in consequence of anything so done, and the person who was the employer of the workers constituting that group at the time the thing was done is no longer the employer of all of the workers constituting that group (whether as a result of a transfer of the whole or part of an undertaking or business or otherwise).

Changes to legislation: There are currently no known outstanding effects for the Employment Relations Act 2004, Section 18. (See end of Document for details)

(2) In this paragraph “group” includes two or more groups taken together.

Orders under paragraphs 169A and 169B: supplementary

169C (1) An order under paragraph 169A or 169B may—

- (a) amend this Schedule;
 - (b) include supplementary, incidental, saving or transitional provisions;
 - (c) make different provision for different cases or circumstances.
- (2) An order under paragraph 169A or 169B shall be made by statutory instrument.
- (3) No such order shall be made unless a draft of it has been laid before Parliament and approved by a resolution of each House of Parliament.”

Commencement Information

II S. 18 in force at 31.12.2004 by S.I. 2004/3342, art. 4(a)

Changes to legislation:

There are currently no known outstanding effects for the Employment Relations Act 2004, Section 18.