



# Trade Union Act 2016

## CHAPTER 15

### TRADE UNION ACT 2016

#### *Introduction*

- 1 Meaning of “the 1992 Act”

#### *Ballot thresholds for industrial action*

- 2 Ballots: 50% turnout requirement
- 3 Ballots: 40% support requirement in important public services

#### *Electronic balloting*

- 4 Provision for electronic balloting: review and piloting scheme

#### *Information requirements relating to industrial action*

- 5 Information to be included on voting paper
- 6 Information to members etc about result of ballot
- 7 Information to Certification Officer about industrial action etc

#### *Timing and duration of industrial action*

- 8 Two weeks’ notice to be given to employers of industrial action
- 9 Expiry of mandate for industrial action

#### *Picketing*

- 10 Union supervision of picketing

#### *Application of funds for political objects*

- 11 Opting in by union members to contribute to political funds

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*Status: This is the original version (as it was originally enacted).*

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- 12 Union's annual return to include details of political expenditure

*Facility time and check-off*

- 13 Publication requirements  
14 Reserve powers  
15 Restriction on deduction of union subscriptions from wages in public sector

*Certification Officer*

- 16 Certification Officer not subject to ministerial direction  
17 Investigatory powers etc  
18 Enforcement by Certification Officer of new annual return requirements  
19 Further powers of Certification Officer where enforcement order made  
20 Power to impose levy  
21 Rights of appeal not limited to questions of law

*General*

- 22 Minor and consequential amendments  
23 Financial provision  
24 Extent  
25 Commencement  
26 Short title

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SCHEDULES

SCHEDULE 1 — Certification Officer: investigatory powers: Schedule to be inserted into the 1992 Act

SCHEDULE 2 — Certification Officer: exercise of powers without application etc

- 1 Duty to secure positions not held by certain offenders  
2 Elections for certain positions  
3 (1) Section 55 of the 1992 Act (application to Certification...  
4 Application of a trade union's funds in the furtherance of political objects  
5 Compliance with political ballot rules  
6 (1) Section 80 of the 1992 Act (application to Certification...  
7 Rules as to political fund  
8 Ballots on amalgamations or transfers

SCHEDULE 3 — Certification Officer: power to impose financial penalties: Schedule to be inserted into the 1992 Act

SCHEDULE 4 — Minor and consequential amendments

- 1 Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52)  
2 In section 25 of the 1992 Act (remedy for failure:...  
3 In section 45D of the 1992 Act (appeals from Certification...  
4 In section 62 of the 1992 Act (right to a...  
5 In section 71 of the 1992 Act (restriction on use...  
6 (1) Section 82 of the 1992 Act (rules as to...  
7 (1) Section 86 of the 1992 Act is amended as...

- 8 In section 91 of the 1992 Act (rules to cease...
- 9 (1) Section 94 of the 1992 Act (overseas members of...
- 10 In section 118 of the 1992 Act (federated trade unions),...
- 11 In section 135 of the 1992 Act (federated employers' associations),...
- 12 In section 226 of the 1992 Act (requirement of ballot...
- 13 In section 233 of the 1992 Act (calling of industrial...
- 14 In section 234 of the 1992 Act (period after which...
- 15 (1) Section 254 of the 1992 Act (the Certification Officer)...
- 16 In section 256 of the 1992 Act (procedure before the...
- 17 After section 297 of the 1992 Act insert— Meaning of...
- 18 In section 298 of the 1992 Act (minor definitions: general),...
- 19 In section 299 of the 1992 Act (index of defined...
- 20 Trade Union and Labour Relations (Northern Ireland) Order 1995 (S.I.  
1995/1980 (N.I. 12)
- 21 Consequential repeals