

SCHEDULES

SCHEDULE 2

CERTIFICATION OFFICER: EXERCISE OF POWERS WITHOUT APPLICATION ETC

Elections for certain positions

- 3 (1) Section 55 of the 1992 Act (application to Certification Officer) is amended as follows.
- (2) In the heading, for “Application to” substitute “Powers of”.
- (3) For subsections (1) and (2) substitute—
- “ (1) Where the Certification Officer is satisfied that a trade union has failed to comply with any of the requirements of this Chapter, either—
- (a) on an application by a person having a sufficient interest (see section 54(2)), or
- (b) without any such application having been made, the Officer may make a declaration to that effect.
- (2) Before deciding the matter the Certification Officer—
- (a) may make such enquiries as the Officer thinks fit,
- (b) must give the union and the applicant (if any) an opportunity to make written representations, and
- (c) may give the union and the applicant (if any) an opportunity to make oral representations.”
- (4) In subsection (5C), for “the application on which the order was made” substitute “an application under this section”.
- (5) In subsection (7) omit “of the application”.