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*Changes to legislation: There are currently no known outstanding effects for the Trade Union Act 2016, Paragraph 4. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 2

#### CERTIFICATION OFFICER: EXERCISE OF POWERS WITHOUT APPLICATION ETC

##### *Application of a trade union's funds in the furtherance of political objects*

- 4 (1) Section 72A of the 1992 Act (application of funds in breach of section 71) is amended as follows.
- (2) In subsection (1), for “so.” substitute “ so; but the Certification Officer may also exercise the powers under this section where no application is made. ”
- (3) After that subsection insert—
- “(1A) Where an application is made under subsection (1), the Certification Officer must ensure that, so far as is reasonably practicable, it is determined within six months of being made.”
- (4) For subsection (2) substitute—
- “(2) Where the Certification Officer is satisfied that a trade union has applied its funds in breach of section 71, the Officer may make a declaration to that effect.
- (2A) 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.
- (2B) The Certification Officer—
- (a) must give reasons for the Officer's decision in writing, and
- (b) may make written observations on any matter arising from, or connected with, the proceedings.”
- (5) In subsection (6) omit “of the application”.
- (6) In subsection (8), for “the application on which the order was made” substitute “ an application under this section ”.

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#### **Commencement Information**

**II** Sch. 2 para. 4 in force at 1.4.2022 by S.I. 2021/1373, reg. 4(b) (with reg. 10)

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