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STATUTORY INSTRUMENTS

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**1993 No. 233**

**TRADE UNIONS**

**The Funds for Trade Union Ballots  
Regulations (Revocation) Regulations 1993**

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| <i>Made</i>                   | - - - - | <i>8th February 1993</i>  |
| <i>Laid before Parliament</i> |         | <i>18th February 1993</i> |
| <i>Coming into force</i>      | - -     | <i>1st April 1993</i>     |

The Secretary of State, in exercise of the powers conferred on her by section 115 of the Trade Union and Labour Relations (Consolidation) Act 1992<sup>(1)</sup>, and of all other powers enabling her in that behalf, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Funds for Trade Union Ballots Regulations (Revocation) Regulations 1993 and shall come into force on 1st April 1993.

**Interpretation**

2. In these Regulations “the 1984 Regulations” means the Funds for Trade Union Ballots Regulations 1984<sup>(2)</sup>, and expressions used in these Regulations and in the 1984 Regulations have the same meanings in these Regulations as in the 1984 Regulations.

**Revocation**

3.—(1) The 1984 Regulations and the Regulations mentioned in paragraph (2) shall be revoked on 1st April 1996.

(2) Those Regulations are—

The Funds for Trade Union Ballots (Amendment) Regulations 1988<sup>(3)</sup>

The Funds for Trade Union Ballots (Amendment No. 2) Regulations 1988<sup>(4)</sup>

The Funds for Trade Union Ballots (Amendment) Regulations 1990<sup>(5)</sup>.

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(1) 1992 c. 52.

(2) S.I.1984/1654; amended by the statutory instruments mentioned in regulation 3(2) of these Regulations.

(3) S.I. 1988/1123.

(4) S.I. 1988/2116.

(5) S.I. 1990/2379.

**Progressive reduction in refunds payable during period before revocation**

4.—(1) The total amount of the payments made to a trade union by the Certification Officer under regulations 14 to 18 of the 1984 Regulations in respect of the expenditure incurred on a ballot shall be reduced—

- (a) by a quarter, if the date of the ballot falls after 31st March 1993 but before 1st April 1994;
- (b) by a half, if the date of the ballot falls after 31st March 1994 but before 1st April 1995; and
- (c) by three-quarters, if the date of the ballot falls after 31st March 1995.

(2) Paragraph (1) shall apply in relation to payments made in respect of arrangements to hold a ballot which is not proceeded with as if, for the words “the date of the ballot”, there were substituted the words “the date which would have been the date of the ballot, had the ballot been held.”

**No payments if statutory requirement not satisfied**

5. Nothing in the 1984 Regulations shall be construed as requiring or permitting the Certification Officer to make payments towards the expenditure incurred in respect of a ballot, or in respect of arrangements to hold a ballot which is not proceeded with, if the Certification Officer considers that any statutory requirement applying in relation to the conduct of the ballot has not been complied with.

Signed by order of the Secretary of State.

8th February 1993

*Michael Forsyth*  
Minister of State,  
Department of Employment

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations come into force on 1st April 1993 and, with effect from 1st April 1996, abolish the scheme under which, on application, the Certification Officer refunds independent trade unions in respect of certain expenditure incurred by them in conducting certain ballots. The Regulations also (i) progressively reduce the proportion of that expenditure which is to be refunded in respect of ballots conducted during the intervening period and (ii) ensure that no refund is to be made if the Certification Officer considers that a statutory requirement applying to the conduct of a ballot has not been satisfied.