

SCHEDULE 3

TRANSITIONAL AND SAVING PROVISIONS

The Certification Officer

5.—(1) The following amendments of the 1992 Act made by the following provisions of Schedule 6 to the Act, and the repeals specified in Part 7 of Schedule 9 to the Act, shall have effect only in relation to applications (or as the case may be complaints) to the Certification Officer made on or after 25th October 1999.

<i>Paragraph of Schedule 6</i>	<i>Provision of the 1992 Act affected</i>	<i>Subject matter</i>
2 to 5	Sections 24 to 26	Register of union members.
7	Section 45C	Union positions not to be held by certain offenders.
8	New section 45D	Appeals from Certification Officer's decision.
9 to 12	Sections 54 to 56 and new section 56A	Elections.
14 to 17	Sections 79 to 82	Political ballot and political fund rules.
18	Section 103	Procedure relating to amalgamation or transfer of engagements.
20 and 21	Sections 132 and 133	Unincorporated employers' associations.
22	Section 256	Procedure before the Certification Officer.
23	New section 256A	Power of Certification Officer to refuse to entertain application or complaint made by vexatious litigant.

(2) The amendments to section 31 (remedy for failure to comply with request for access to union's accounting records) of the 1992 Act made by paragraph 6 of Schedule 6 to the Act shall have effect only in relation to requests made on or after 27th July 1999.

(3) The following provisions of the 1992 Act (inserted by paragraphs 13 and 19 of Schedule 6 to the Act)—

- (a) section 72A (application to the Certification Officer where union has applied its funds in breach of section 71 of the 1992 Act), and
- (b) Chapter VIIA of Part I (Right to apply to the Certification Officer in case of breach or threatened breach of certain union rules),

shall have effect only in relation to breaches which take place (or, in the case of threatened breaches, are threatened) on or after 27th July 1999, and subject to sub-paragraph (4).

(4) If, before 25th October 1999, a person has applied to the court in relation to—

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- (a) an alleged breach of section 71 of the 1992 Act, or
- (b) an alleged breach or threatened breach of the rules of a trade union relating to any of the matters mentioned in section 108A(2) of the 1992 Act (inserted by paragraph 19 of Schedule 6 to the Act),

he may not apply to the Certification Officer in relation to that breach or threatened breach.

(5) The Certification Officer shall, as soon as practicable after 31st March 2000, make to the Secretary of State a report of his activities during the period beginning on 1st January 1999 and ending with 31st March 2000; and the amendment to section 258(1) of the 1992 Act made by paragraph 24 of Schedule 6 to the Act (annual report to the Secretary of State) has effect subject to this sub-paragraph.