

2015 No. 716

TRADE UNIONS

The Membership Audit Certificate (Qualified Independent Person) (Specified Conditions) Order 2015

<i>Made</i>	- - - -	<i>16th March 2015</i>
<i>Laid before Parliament</i>		<i>16th March 2015</i>
<i>Coming into force</i>	- -	<i>6th April 2015</i>

The Secretary of State makes the following Order in exercise of the powers conferred by section 24ZB(3)(a) of the Trade Union and Labour Relations (Consolidation) Act 1992(a).

Citation and commencement

1. This Order may be cited as the Membership Audit Certificate (Qualified Independent Person) (Specified Conditions) Order 2015 and comes into force on 6th April 2015.

Qualified independent person

2. A qualified independent person for the purposes of section 24ZB of the Trade Union and Labour Relations (Consolidation) Act 1992 must satisfy one or more of the conditions specified in articles 3, 4 and 5.

3. The condition specified in this article is that the person has in force a practising certificate issued by the Law Society of England and Wales or the Law Society of Scotland.

4. The condition specified in this article is that the person is eligible for appointment as a statutory auditor under Part 42 of the Companies Act 2006(b).

5. The condition specified in this article is that the person is specified by article 7 of the Trade Union Ballots and Elections (Independent Scrutineer Qualifications) Order 1993(c).

Jo Swinson

Parliamentary Under Secretary of State for Employment Relations and Consumer Affairs
16th March 2015

Department for Business Innovation and Skills

(a) 1992 c.52; section 24ZB was inserted by section 41(1) and (2) of the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 (c. 4).
(b) 2006 c.46.
(c) S.I. 1993/1909; article 7 was substituted by S.I. 2010/436, article 2.

EXPLANATORY NOTE

(This note is not part of the Order)

Section 24ZB of the Trade Union and Labour Relations (Consolidation) Act 1992 (“the 1992 Act”) (inserted by the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 (c. 4)) provides that a trade union with more than 10,000 members and that is subject to the duty in section 24 of the 1992 Act (duty to maintain register of members’ names and addresses) must appoint an assurer. The assurer must be a qualified independent person as defined in section 24ZB(3) of the 1992 Act. A qualified independent person must meet conditions specified by the Secretary of State or be specified by name. This Order specifies for the purposes of section 24ZB(3) the conditions that a person must meet to be a qualified independent person.

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