

*These notes refer to the Trade Union (Wales) Act 2017  
(c.4) which received Royal Assent on 07 September 2017*

# TRADE UNION (WALES) ACT 2017

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### *Section 2 – Prohibition on using temporary workers to cover industrial action*

24. [Section 2](#) prohibits devolved Welsh public authorities from hiring a worker supplied by an employment business (commonly known as “agency workers”) to cover the normal duties of a member of its staff undertaking industrial action, or a member of staff who is covering the duties of the worker taking industrial action.
25. The industrial action in question must be “official” – a notion that is defined by reference to section 237 of the 1992 Act.
26. This provision does not affect existing law on the conduct of employment businesses set out in the Employment Agencies Act 1973 or the [Conduct of Employment Agencies and Employment Businesses Regulations 2003 \(S.I. 2003/3319\)](#) made under section 5 of that Act. (Regulation 7 of the 2003 Regulations prohibits employment businesses from supplying workers to cover industrial action).