



Trade Union Act 2016

2016 CHAPTER 15

Picketing

10 Union supervision of picketing

- (1) In section 219 of the 1992 Act (protection from certain tort liabilities), in subsection (3), for the words after “actionable in tort” substitute “unless—
 - (a) it is done in the course of attendance declared lawful by section 220 (peaceful picketing), and
 - (b) in the case of picketing to which section 220A applies, the requirements in that section (union supervision of picketing) are complied with.”
- (2) After section 220 of the 1992 Act insert—

“220A Union supervision of picketing

- (1) Section 220 does not make lawful any picketing that a trade union organises, or encourages its members to take part in, unless the requirements in subsections (2) to (8) are complied with.
- (2) The union must appoint a person to supervise the picketing.
- (3) That person (“the picket supervisor”) must be an official or other member of the union who is familiar with any provisions of a Code of Practice issued under section 203 that deal with picketing.
- (4) The union or picket supervisor must take reasonable steps to tell the police—
 - (a) the picket supervisor’s name;
 - (b) where the picketing will be taking place;
 - (c) how to contact the picket supervisor.
- (5) The union must provide the picket supervisor with a letter stating that the picketing is approved by the union.

Status: This is the original version (as it was originally enacted).

- (6) If an individual who is, or is acting on behalf of, the employer asks the picket supervisor for sight of the approval letter, the picket supervisor must show it to that individual as soon as reasonably practicable.
- (7) While the picketing is taking place, the picket supervisor must—
- (a) be present where it is taking place, or
 - (b) be readily contactable by the union and the police, and able to attend at short notice.
- (8) While present where the picketing is taking place, the picket supervisor must wear something that readily identifies the picket supervisor as such.
- (9) In this section—
- “approval letter” means the letter referred to in subsection (5);
 - “employer” means the employer to which the trade dispute relates;
 - “picketing” means attendance at or near a place of work, in contemplation or furtherance of a trade dispute, for the purpose of—
 - (a) obtaining or communicating information, or
 - (b) persuading any person to work or abstain from working.
- (10) In relation to picketing that two or more unions organise or encourage members to take part in—
- (a) in subsection (2) “the union” means any one of those unions, and
 - (b) other references in this section to “the union” are to that union.”