
STATUTORY INSTRUMENTS

2004 No. 3078

The Employment Relations (Northern Ireland) Order 2004

PART VI

MISCELLANEOUS

Additional case in which election for president of union not required

26.—(1) Article 12 of the 1995 Order (requirement to hold elections for certain positions in trade unions) is amended as follows.

(2) In paragraph (2), omit the words after sub-paragraph (d).

(3) After paragraph (4) insert—

“(4A) This Part also does not apply to the position of president if—

(a) the holder of that position was elected or appointed to it in accordance with the rules of the union,

(b) at the time of his election or appointment as president he held a position mentioned in sub-paragraph (a), (b) or (d) of paragraph (2) by virtue of having been elected to it at a qualifying election,

(c) it is no more than five years since—

(i) he was elected, or re-elected, to the position mentioned in sub-paragraph (b) which he held at the time of his election or appointment as president, or

(ii) he was elected to another position of a kind mentioned in that sub-paragraph at a qualifying election held after his election or appointment as president of the union, and

(d) he has, at all times since his election or appointment as president, held a position mentioned in sub-paragraph (a), (b) or (d) of paragraph (2) by virtue of having been elected to it at a qualifying election.” .

(4) In paragraph (5), at the beginning, insert “ In paragraph (4) ”.

(5) After paragraph (5) insert—

“(5A) In paragraph (4A) “qualifying election” means an election satisfying the requirements of this Part.

(5B) The “requirements of this Part” referred to in paragraphs (1) and (5A) are those set out in Articles 13 to 19.” .

Changes to legislation:

There are currently no known outstanding effects for the The Employment Relations (Northern Ireland) Order 2004, Section 26.