

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 226(2B) of the Trade Union and Labour Relations (Consolidation) Act 1992 (“the 1992 Act”) (inserted by the Trade Union Act 2016 (c.15)) introduces a new 40% threshold of support that must be satisfied in ballots for industrial action in important public services. This applies unless the union reasonably believes that a majority of those balloted are workers who are not normally engaged in the provision of important public services.

These Regulations specify for the purposes of section 226 of the 1992 Act the important public services in the transport sector. Separate Regulations specify the important public services in the health, education, fire, and border security sectors.

A full impact assessment of the effect that this instrument, and the related Regulations, will have on the costs of business and the public sector is available from the Department for Business, Energy and Industrial Strategy, 1 Victoria Street, London, SW1H 0ET, and is annexed to the Explanatory Memorandum which is available alongside the instrument on www.legislation.gov.uk.