

Changes to legislation: There are currently no known outstanding effects for the Trade Union Reform and Employment Rights Act 1993, Paragraph 2. (See end of Document for details)

SCHEDULES

SCHEDULE 1

POLITICAL FUND BALLOTS

Extent Information

E1 Sch. 1 extends to Northern Ireland for limited purposes, see s. 54(3)(a).

Modifications etc. (not altering text)

C1 Sch. 1 restricted (27.7.1993) by S.I. 1993/1908, art. 3(2).

- 2 In section 75 of that Act (appointment of independent scrutineer for political fund ballot)—
- (a) in paragraph (a) (scrutineer to supervise certain matters) of subsection (3) (terms of appointment of scrutineer), for the words and distribution of the voting papers there shall be substituted the words “ of the voting papers and (unless he is appointed under section 77A to undertake the distribution of the voting papers) their distribution ”,
 - (b) after that paragraph there shall be inserted—
 - “(aa) to—
 - (i) inspect the register of names and addresses of the members of the trade union, or
 - (ii) examine the copy of the register as at the relevant date which is supplied to him in accordance with subsection (5A)(a),whenever it appears to him appropriate to do so and, in particular, when the conditions specified in subsection (3A) are satisfied;”
 - (c) in paragraph (d) (scrutineer to retain custody of voting papers) of that subsection—
 - (i) after the words purposes of the ballot there shall be inserted the words “ and the copy of the register supplied to him in accordance with subsection (5A)(a) ”, and
 - (ii) after the words of the papers there shall be inserted the words “ or copy ”,
 - (d) after that subsection there shall be inserted—
 - “(3A) The conditions referred to in subsection (3)(aa) are—
 - (a) that a request that the scrutineer inspect the register or examine the copy is made to him during the appropriate period by a member of the trade union who suspects that the register is not, or at the relevant date was not, accurate and up-to-date, and

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- (b) that the scrutineer does not consider that the member’s suspicion is ill-founded.
- (3B) In subsection (3A) “the appropriate period” means the period—
 - (a) beginning with the day on which the scrutineer is appointed, and
 - (b) ending with the day before the day on which the scrutineer makes his report to the trade union.
- (3C) The duty of confidentiality as respects the register is incorporated in the scrutineer’s appointment.”,
- (e) after subsection (5) there shall be inserted—
 - “(5A) The trade union shall—
 - (a) supply to the scrutineer as soon as is reasonably practicable after the relevant date a copy of the register of names and addresses of its members as at that date, and
 - (b) comply with any request made by the scrutineer to inspect the register.
 - (5B) Where the register is kept by means of a computer the duty imposed on the trade union by subsection (5A)(a) is either to supply a legible printed copy or (if the scrutineer prefers) to supply a copy of the computer data and allow the scrutineer use of the computer to read it at any time during the period when he is required to retain custody of the copy.”, and
- (f) after subsection (7) there shall be inserted—
 - “(8) In this section “the relevant date” means—
 - (a) where the trade union has rules determining who is entitled to vote in the ballot by reference to membership on a particular date, that date, and
 - (b) otherwise, the date, or the last date, on which voting papers are distributed for the purposes of the ballot.”.

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