



Trade Union Act 2016

2016 CHAPTER 15

Timing and duration of industrial action

8 Two weeks' notice to be given to employers of industrial action

(1) In section 234A of the 1992 Act (notice to employers of industrial action), in subsection (4), for paragraph (b) substitute—

“(b) ending with the 14th day before the starting date, or the seventh day before that date if the union and the employer so agree.

In paragraph (b) “starting date” means the day, or the first of the days, specified in the relevant notice.”

(2) Subsection (1) does not apply to any industrial action in relation to which the employer receives a relevant notice before the day on which this section comes into force.

“Relevant notice” here has the same meaning as in section 234A of the 1992 Act (see subsection (3) of that section).

9 Expiry of mandate for industrial action

(1) In section 234 of the 1992 Act (period after which ballot ceases to be effective), for subsection (1) substitute—

“(1) Industrial action that is regarded as having the support of a ballot shall cease to be so regarded at the end of the period, beginning with the date of the ballot—

- (a) of six months, or
- (b) of such longer duration not exceeding nine months as is agreed between the union and the members' employer.

(1A) Subsection (1) has effect—

- (a) without prejudice to the possibility of the industrial action getting the support of a fresh ballot; and
- (b) subject to the following provisions.”

Status: This is the original version (as it was originally enacted).

- (2) Subsection (1) and paragraphs 13 and 14 of Schedule 4 do not apply to any industrial action the ballot for which opened before the day on which this section comes into force.

For this purpose a ballot is “opened” on the first day when a voting paper is sent to any person entitled to vote in the ballot.