
STATUTORY INSTRUMENTS

1998 No. 1529

**The Deregulation (Deduction from Pay
of Union Subscriptions) Order 1998**

Amendment of Part I of the Trade Union and Labour Relations (Consolidation) Act 1992

2.—(1) For section 68 of the Trade Union and Labour Relations (Consolidation) Act 1992 (“the 1992 Act”) (right not to suffer deduction of unauthorised or excessive subscriptions) there shall be substituted—

“68 Right not to suffer deduction of unauthorised subscriptions

(1) Where arrangements (“subscription deduction arrangements”) exist between the employer of a worker and a trade union relating to the making from workers' wages of deductions representing payments to the union in respect of the workers' membership of the union (“subscription deductions”), the employer shall ensure that no subscription deduction is made from wages payable to the worker on any day unless—

- (a) the worker has authorised in writing the making from his wages of subscription deductions; and
- (b) the worker has not withdrawn the authorisation.

(2) A worker withdraws an authorisation given for the purposes of subsection (1), in relation to a subscription deduction which falls to be made from wages payable to him on any day, if a written notice withdrawing the authorisation has been received by the employer in time for it to be reasonably practicable for the employer to secure that no such deduction is made.

(3) A worker's authorisation of the making of subscription deductions from his wages shall not give rise to any obligation on the part of the employer to the worker to maintain or continue to maintain subscription deduction arrangements.

(4) In this section and section 68A, “employer”, “wages” and “worker” have the same meanings as in the Employment Rights Act 1996.”

(2) In section 68A of the 1992 Act (complaint of infringement of rights), for subsection (2) there shall be substituted—

“(2) Where a tribunal finds that a complaint under this section is well founded, it shall make a declaration to that effect and shall order the employer to pay to the worker the whole amount of the deduction, less any such part of the amount as has already been paid to the worker by the employer.”