

SCHEDULE 3

TRANSITIONAL AND SAVING PROVISIONS

Commissioners: continuing cases and final report and accounts

- 4.—(1) The following provisions have effect subject to sub-paragraphs (2) to (5)—
- (a) section 28(1) of the Act (abolition of Commissioners),
 - (b) the amendments of the 1992 Act made by section 28(2) and (3) of the Act (consequential provisions relating to abolition of Commissioners), and
 - (c) the repeals specified in Part 6 of Schedule 9 to the Act.
- (2) Sub-paragraph (3) shall apply where before 25th October 1999—
- (a) an individual has applied for assistance to the Commissioner for the Rights of Trade Union Members (“the Commissioner”) under section 110 of the 1992 Act, and
 - (b) the Commissioner either—
 - (i) has decided to provide assistance under that section, or
 - (ii) has not decided whether to provide assistance.
- (3) Where this sub-paragraph applies—
- (a) Chapter VIII of Part I of the 1992 Act (assistance for certain legal proceedings) shall remain in force to the extent necessary to enable the Commissioner (if he has not already done so) to decide whether to provide assistance and to provide it, until the date (“the final date”) when all of the assistance which the Commissioner decides to provide has been given;
 - (b) As soon as practicable after the final date, the Commissioner—
 - (i) shall prepare a report on his activities from 1st April 1999 until the final date and shall send a copy of it to the Secretary of State, who shall lay a copy of it before both Houses of Parliament, and
 - (ii) shall prepare a statement of accounts in such form as the Secretary of State may, with the approval of the Treasury, direct and send copies of it to the Secretary of State and the Comptroller and Auditor General,and the Comptroller and Auditor General shall examine, verify and report on the statement of accounts and shall lay a copy of the statement and of his report before both Houses of Parliament;
 - (c) the Commissioner shall remain in existence, and sections 266 to 270 of the 1992 Act and the provisions repealed by Part 6 of Schedule 9 to the Act shall remain in force as they apply to him, until the requirements of paragraph (b) have been satisfied.
- (4) As soon as practicable after 25th October 1999, the Commissioner for Protection Against Unlawful Industrial Action (“CPAUIA”)—
- (a) shall prepare a report on his activities from 1st April 1999 until 25th October 1999 and send a copy of it to the Secretary of State, who shall lay a copy of it before both Houses of Parliament, and
 - (b) shall prepare a statement of accounts in such form as the Secretary of State may, with the approval of the Treasury, direct and send copies of it to the Secretary of State and the Comptroller and Auditor General,
- and the Comptroller and Auditor General shall examine, verify and report on the statement of accounts and shall lay a copy of the statement and of his report before both Houses of Parliament.

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(5) CPAUIA shall remain in existence, and sections 266 to 270 of the 1992 Act and the provisions repealed by Part 6 of Schedule 9 to the Act shall remain in force as they apply to him, until the requirements of sub-paragraph (4) have been satisfied.

(6) The amendment to section 32A(6)(a) of the 1992 Act made by section 28(3) of the Act (statement to members of union following annual return) shall have effect in relation to a statement only where it is provided to all the members after 25th October 1999.