STATUTORY INSTRUMENTS

2017 No. 139 (C. 14)

TRADE UNIONS

The Trade Union Act 2016 (Commencement No. 3 and Transitional) Regulations 2017

Made - - - - 9th February 2017

The Secretary of State, in exercise of the powers conferred by section 25 of the Trade Union Act 2016(**1**) makes the following Regulations.

Citation

1. These Regulations may be cited as the Trade Union Act 2016 (Commencement No. 3 and Transitional) Regulations 2017.

Provisions coming into force on 1st March 2017

2. The following provisions of the Trade Union Act 2016 come into force on 1st March 2017—

(a) section 2 (ballots: 50% turnout requirement);

(b) section 3 (40% support requirement for industrial action ballots in important public services), to the extent that it is not already in force;

(c) section 5 (information to be included on the voting paper);

(d) section 6 (information to members etc about result of the ballot);

(e) section 7 (information to Certification Officer about industrial action etc);

(f) section 8 (two weeks' notice to be given to employers of industrial action);

(g) section 9 (expiry of mandate for industrial action);

(h) section 10 (union supervision of picketing);

(i) section 11 (opting in by union members to contribute to political funds), to the extent that it is not already in force;

(j) section 12 (union's annual return to include details of political expenditure);

(k) section 13 (publication requirements in relation to facility time);

(**1**) 2016 c.15.

(l) section 15 (restriction on deduction of union subscriptions from wages in public sector) for the purpose of making regulations under section 116B of the Trade Union and Labour Relations (Consolidation) Act 1992(**2**) (as inserted by section 15);

(m) section 18 (enforcement by Certification Officer of new annual return requirements);

(n) section 22 (minor and consequential amendments), in so far as it relates to the following paragraphs of Schedule 4—

(i) paragraphs 4 to 14;

(ii) paragraphs 17 to 20; and

(iii) paragraph 21(a) and (c).

Transitional Provisions

3. The amendments made by section 10 apply in relation to a trade union organising or encouraging members after 1st March 2017 to take part in picketing (in accordance with section 220A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992).

4. The amendments made by paragraphs 5 to 11 and paragraph 20 of Schedule 4 apply only after the end of the transition period of 12 months beginning on 1st March 2017(**3**) specified under section 11(6) of the Trade Union Act 2016, and only in relation to a person—

(a) who after the end of that period joins a trade union that has a political fund, or

(b) who is a member of a trade union that has a political fund but did not have one immediately before the end of that period.

Margot James
Parliamentary Under Secretary of State for
Small Business, Consumers and Corporate
Responsibility
Department for Business, Energy and Industrial
Strategy

9th February 2017

(**2**) 1992 c.52.
(**3**) In accordance with The Trade Union Act 2016 (Political Funds) (Transition Period) Regulations 2017 No. 130.