



Employment Relations Act 2004

2004 CHAPTER 24

PART 1

UNION RECOGNITION

2 Power of the CAC to end period for agreement on bargaining unit

- (1) Paragraph 18 of Schedule A1 to the 1992 Act (appropriate bargaining unit) is amended as follows.
- (2) In sub-paragraph (2), after “is” insert “ (subject to any notice under sub-paragraph (3), (4) or (5)) ”.
- (3) After that sub-paragraph add—
 - “(3) If, during the appropriate period, the CAC concludes that there is no reasonable prospect of the parties' agreeing an appropriate bargaining unit before the time when (apart from this sub-paragraph) the appropriate period would end, the CAC may, by a notice given to the parties, declare that the appropriate period ends with the date of the notice.
 - (4) If, during the appropriate period, the parties apply to the CAC for a declaration that the appropriate period is to end with a date (specified in the application) which is earlier than the date with which it would otherwise end, the CAC may, by a notice given to the parties, declare that the appropriate period ends with the specified date.
 - (5) If the CAC has declared under sub-paragraph (4) that the appropriate period ends with a specified date, it may before that date by a notice given to the parties specify a later date with which the appropriate period ends.
 - (6) A notice under sub-paragraph (3) must contain reasons for reaching the conclusion mentioned in that sub-paragraph.
 - (7) A notice under sub-paragraph (5) must contain reasons for the extension of the appropriate period.”

Changes to legislation: There are currently no known outstanding effects for the
Employment Relations Act 2004, Section 2. (See end of Document for details)

Commencement Information

II S. 2 in force at 6.4.2005 by S.I. 2005/872, art. 4, Sch. (with art. 6)

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