

SCHEDULE 3

Article 3

TRANSITIONAL PROVISIONS

1. For the purposes of Article 92A of the 1996 Order (inserted by Article 31 of the 2003 Order), the requirements of paragraph (3) of the Article (notice to employer and training condition) shall be treated as being satisfied in relation to an employee if –

- (a) immediately before 1st May 2004 he has the function of carrying on any or all of the activities mentioned in Article 92A(2) in relation to qualifying members of the trade union and has had that function for a continuous period of six months or more; and
- (b) he acquired that function by reason of being appointed or elected, in accordance with the rules of the trade union, to carry it on.