
DRAFT STATUTORY INSTRUMENTS

2010 No.

**The Employment Relations Act
1999 (Blacklists) Regulations 2010**

General prohibition

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- 3.—(1) Subject to regulation 4, no person shall compile, use, sell or supply a prohibited list.
- (2) A “prohibited list” is a list which—
- (a) contains details of persons who are or have been members of trade unions or persons who are taking part or have taken part in the activities of trade unions, and
 - (b) is compiled with a view to being used by employers or employment agencies for the purposes of discrimination in relation to recruitment or in relation to the treatment of workers.
- (3) “Discrimination” means treating a person less favourably than another on grounds of trade union membership or trade union activities.
- (4) In these Regulations references to membership of a trade union include references to—
- (a) membership of a particular branch or section of a trade union, and
 - (b) membership of one of a number of particular branches or sections of a trade union;
- and references to taking part in the activities of a trade union have a corresponding meaning.