



Trade Union and Labour Relations (Consolidation) Act 1992

1992 CHAPTER 52

PART IV

INDUSTRIAL RELATIONS

CHAPTER III

CODES OF PRACTICE

Codes of Practice issued by the Secretary of State

203 Issue of Codes of Practice by the Secretary of State.

- (1) The Secretary of State may issue Codes of Practice containing such practical guidance as he thinks fit for the purpose—
 - (a) of promoting the improvement of industrial relations, or
 - (b) of promoting what appear to him to be to be desirable practices in relation to the conduct by trade unions of ballots and elections [^{F1}or for purposes connected with trade union learning representatives].
- (2) The Secretary of State may from time to time revise the whole or any part of a Code of Practice issued by him and issue that revised Code.

Textual Amendments

- F1** Words in s. 203(1)(b) inserted (27.4.2003) by 2002 c. 22, ss. 43(7), 55(2); S.I. 2003/1190, art. 2(1) (with art. 3)

Status: Point in time view as at 13/09/2017.

Changes to legislation: Trade Union and Labour Relations (Consolidation) Act 1992, Cross Heading: Codes of Practice issued by the Secretary of State is up to date with all changes known to be in force on or before 30 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

204 Procedure for issue of Code by Secretary of State.

- (1) When the Secretary of State proposes to issue a Code of Practice, or a revised Code, he shall after consultation with ACAS prepare and publish a draft of the Code, shall consider any representations made to him about the draft and may modify the draft accordingly.
- (2) If he determines to proceed with the draft, he shall lay it before both Houses of Parliament and, if it is approved by resolution of each House, shall issue the Code in the form of the draft.
- (3) A Code issued under this section shall come into effect on such day as the Secretary of State may by order appoint.
The order may contain such transitional provisions or savings as appear to him to be necessary or expedient.
- (4) An order under subsection (3) shall be made by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

205 Consequential revision of Code issued by Secretary of State.

- (1) A Code of Practice issued by the Secretary of State may be revised by him in accordance with this section for the purpose of bringing it into conformity with subsequent statutory provisions by the making of consequential amendments and the omission of obsolete passages.
“Subsequent statutory provisions” means provisions made by or under an Act of Parliament and coming into force after the Code was issued (whether before or after the commencement of this Act).
- (2) Where the Secretary of State proposes to revise a Code under this section, he shall lay a draft of the revised Code before each House of Parliament.
- (3) If within the period of 40 days beginning with the day on which the draft is laid before Parliament, or, if copies are laid before the two Houses on different days, with the later of the two days, either House so resolves, no further proceedings shall be taken thereon, but without prejudice to the laying before Parliament of a new draft.
In reckoning the period of 40 days no account shall be taken of any period during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.
- (4) If no such resolution is passed the Secretary of State shall issue the Code in the form of the draft and it shall come into effect on such day as he may appoint by order made by statutory instrument.
The order may contain such transitional provisions and savings as appear to him to be appropriate.

206 Revocation of Code issued by Secretary of State.

- (1) A Code of Practice issued by the Secretary of State may be revoked by him by order made by statutory instrument.
The order may contain such transitional provisions and savings as appear to him to be appropriate.

Status: Point in time view as at 13/09/2017.

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- (2) An order shall not be made under this section unless a draft of it has been laid before and approved by resolution of each House of Parliament.

Status:

Point in time view as at 13/09/2017.

Changes to legislation:

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