

**Changes to legislation:** Trade Union and Labour Relations (Consolidation) Act 1992, Paragraph 20 is up to date with all changes known to be in force on or before 09 June 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) View outstanding changes

## SCHEDULES

### <sup>F1</sup>SCHEDULE A1

#### COLLECTIVE BARGAINING: RECOGNITION

##### Textual Amendments

**F1** Sch. A1 (paras. 1-173) inserted (6.6.2000) by 1999 c. 26, s. 1(3), **Sch. 1**; S.I. 2000/1338, **art. 2(d)**

##### Modifications etc. (not altering text)

**C1** Sch. A1 (paras. 1-173) applied (14.8.2000) by S.I. 2000/1282, **art. 2(5)(a)**

**C2** Sch. A1 modified (temp. from 6.4.2005) by The Employment Relations Act 2004 (Commencement No.3 and Transitional Provisions) Order 2005 (S.I. 2005/872), arts. 4, **21**, Sch. (with arts. 6-21)

### PART I

#### RECOGNITION

##### *Union recognition*

- 20 (1) This paragraph applies if—
- (a) the CAC accepts an application under paragraph 11(2) or 12(2),
  - (b) the parties have agreed an appropriate bargaining unit at the end of the appropriate period [<sup>F2</sup>(defined by paragraph 18)], or the CAC has decided an appropriate bargaining unit, and
  - (c) that bargaining unit differs from the proposed bargaining unit.
- (2) Within the decision period the CAC must decide whether the application is invalid within the terms of paragraphs 43 to 50.
- (3) In deciding whether the application is invalid, the CAC must consider any evidence which it has been given by the employer or the union (or unions).
- (4) If the CAC decides that the application is invalid—
- (a) the CAC must give notice of its decision to the parties,
  - (b) the CAC must not proceed with the application, and
  - (c) no further steps are to be taken under this Part of this Schedule.
- (5) If the CAC decides that the application is not invalid it must—
- (a) proceed with the application, and
  - (b) give notice to the parties that it is so proceeding.
- (6) The decision period is—

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- (a) the period of 10 working days starting with the day after that on which the parties agree an appropriate bargaining unit or the CAC decides an appropriate bargaining unit, or
- (b) such longer period (so starting) as the CAC may specify to the parties by notice containing reasons for the extension.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 212A(1)(zb) inserted by [2023 c. 46 Sch. para. 1](#)