

Status: Point in time view as at 06/06/2000.

Changes to legislation: Trade Union and Labour Relations (Consolidation) Act 1992, Cross Heading: Introduction is up to date with all changes known to be in force on or before 13 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)

SCHEDULES

^{F1}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)

C1 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 VII

LOSS OF INDEPENDENCE

Introduction

- 149 (1) This Part of this Schedule applies if the CAC has issued a declaration that a union is (or unions are) recognised as entitled to conduct collective bargaining on behalf of a bargaining unit.
- (2) In such a case references in this Part of this Schedule to the bargaining arrangements are to the declaration and to the provisions relating to the collective bargaining method.
- (3) For this purpose the provisions relating to the collective bargaining method are—
- the parties' agreement as to the method by which collective bargaining is to be conducted,
 - anything effective as, or as if contained in, a legally enforceable contract and relating to the method by which collective bargaining is to be conducted, or
 - any provision of Part III of this Schedule that a method of collective bargaining is to have effect.
- 150 (1) This Part of this Schedule also applies if—
- the parties have agreed that a union is (or unions are) recognised as entitled to conduct collective bargaining on behalf of a bargaining unit,
 - the CAC has specified to the parties under paragraph 63(2) the method by which they are to conduct collective bargaining, and
 - the parties have not agreed in writing to replace the method or that paragraph 63(3) shall not apply.

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- (2) In such a case references in this Part of this Schedule to the bargaining arrangements are to—
- (a) the parties' agreement mentioned in sub-paragraph (1)(a), and
 - (b) anything effective as, or as if contained in, a legally enforceable contract by virtue of paragraph 63.
- 151 References in this Part of this Schedule to the parties are to the employer and the union (or unions) concerned.

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