



Trade Union and Labour Relations (Consolidation) Act 1992

1992 CHAPTER 52

PART I

TRADE UNIONS

CHAPTER V

RIGHTS OF TRADE UNION MEMBERS

[^{F1}Right not to suffer deduction of unauthorised or excessive union subscriptions]

[^{F1}68 Right not to suffer deduction of unauthorised or excessive subscriptions.

- (1) Where arrangements (“subscription deduction arrangements”) exist between the employer of a worker and a trade union relating to the making from workers’ wages of deductions representing payments to the union in respect of the workers’ membership of the union (“subscription deductions”), the employer shall ensure—
 - (a) that no subscription deduction is made from wages payable to the worker on any day (“the relevant day”) unless it is an authorised deduction, and
 - (b) that the amount of any subscription deduction which is so made does not exceed the permitted amount.
- (2) For the purposes of subsection (1)(a) a subscription deduction is an authorised deduction in relation to the relevant day if—
 - (a) a document containing the worker’s authorisation of the making from his wages of subscription deductions has been signed and dated by the worker, and
 - (b) the authorisation is current on that day.

Status: Point in time view as at 30/08/1993. This version of this provision has been superseded.

Changes to legislation: Trade Union and Labour Relations (Consolidation) Act 1992, Section 68 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)

- (3) For the purposes of subsection (2)(b) an authorisation is current on the relevant day if that day falls within the period of three years beginning with the day on which the worker signs and dates the document containing the authorisation and subsection (4) does not apply.
- (4) This subsection applies if a document containing the worker’s withdrawal of the authorisation has been received by the employer in time for it to be reasonably practicable for him to secure that no subscription deduction is made from wages payable to the worker on the relevant day.
- (5) For the purposes of subsection (1)(b) the permitted amount in relation to the relevant day is—
- (a) the amount of the subscription deduction which falls to be made from wages payable to the worker on that day in accordance with the subscription deduction arrangements, or
 - (b) if there is a relevant increase in the amount of subscription deductions and appropriate notice has not been given by the employer to the worker at least one month before that day, the amount referred to in paragraph (a) less the amount of the increase.
- (6) So much of the increase referred to in subsection (5)(b) is relevant as is not attributable solely to an increase in the wages payable on the relevant day.
- (7) In subsection (5)(b) “appropriate notice” means, subject to subsection (8) below, notice in writing stating—
- (a) the amount of the increase and the increased amount of the subscription deductions, and
 - (b) that the worker may at any time withdraw his authorisation of the making of subscription deductions by giving notice in writing to the employer.
- (8) Where the relevant increase is attributable to an increase in any percentage by reference to which the worker’s subscription deductions are calculated, subsection (7) above shall have effect with the substitution, in paragraph (a), for the reference to the amount of the increase and the increased amount of the deductions of a reference to the percentage before and the percentage after the increase.
- (9) A worker’s authorisation of the making of subscription deductions from his wages shall not give rise to any obligation on the part of the employer to the worker to maintain or continue to maintain subscription deduction arrangements.
- (10) Where arrangements, whether included in subscription deduction arrangements or not, exist between the parties to subscription deduction arrangements for the making from workers’ wages of deductions representing payments to the union which are additional to subscription deductions, the amount of the deductions representing such additional payments shall be treated for the purposes of this section (where they would otherwise not be so treated) as part of the subscription deductions.
- (11) In this section and section 68A “employer”, “wages” and “worker” have the same meanings as in Part I of the ^{M1}Wages Act 1986.]

Textual Amendments

F1 Ss. 68, 68A substituted (30.8.1993) for s. 68 by 1993 c. 19, s.15, Sch. 9 para. 2; S.I. 1993/1908 art. 2(1), Sch.1

Status: Point in time view as at 30/08/1993. This version of this provision has been superseded.

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Modifications etc. (not altering text)

C1 S. 68 amended (30.8.1993) by 1993 c. 19, s. 50, **Sch. 9 para.2:** S.I. 1993/1908, art. 2(1), **Sch.1**

Marginal Citations

M1 1986 c. 48.

Status:

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