

## SCHEDULES

### SCHEDULE 8

#### CONSEQUENTIAL AMENDMENTS

*The Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52)*

- 47 In section 62 of the 1992 Act (right of trade union members to obtain order to prevent inducement to take part in industrial action not having support of a ballot)—
- (a) at the end of subsection (1) (stating the right) there shall be inserted the following paragraph—
    - “In this section “the relevant time” means the time when the application is made.”; and
  - (b) in subsection (2) (circumstances in which action has such support), for paragraphs (a) to (c) there shall be substituted—
    - “(a) the union has held a ballot in respect of the action—
      - (i) in relation to which the requirements of section 226B so far as applicable before and during the holding of the ballot were satisfied,
      - (ii) in relation to which the requirements of sections 227 to 231 were satisfied, and
      - (iii) in which the majority voting in the ballot answered “Yes” to the question applicable in accordance with section 229(2) to industrial action of the kind which the applicant has been or is likely to be induced to take part in;
    - (b) such of the requirements of the following sections as have fallen to be satisfied at the relevant time have been satisfied, namely—
      - (i) section 226B so far as applicable after the holding of the ballot, and
      - (ii) section 231B; and
    - (c) the requirements of section 233 (calling of industrial action with support of ballot) are satisfied.

Any reference in this subsection to a requirement of a provision which is disappplied or modified by section 232 has effect subject to that section.”.