

1989 No. 31

TRADE UNIONS

The Trade Union Ballots and Elections (Independent Scrutineer Qualifications) (Amendment) Order 1989

Made - - - - 12th January 1989

Laid before Parliament 18th January 1989

Coming into force 1st February 1989

The Secretary of State, in exercise of the powers conferred on him by section 15(3) of the Employment Act 1988(a), and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Trade Union Ballots and Elections (Independent Scrutineer Qualifications) (Amendment) Order 1989 and shall come into force on 1st February 1989.

(2) In this Order, “the principal Order” means the Trade Union Ballots and Elections (Independent Scrutineer Qualifications) Order 1988(b).

Amendment of the principal Order

2. In Article 7 of the principal Order, after “7.” there shall be inserted “—(1)” and after “the 1988 Act.” there shall be inserted a new paragraph—

“(2) References in this Article to an officer shall be construed as not including an auditor.”.

Signed by order of the Secretary of State.

12th January 1989

John Cope
Minister of State,
Department of Employment

EXPLANATORY NOTE

(This note is not part of the Order)

Section 15 of the Employment Act 1988 requires certain ballots and elections held by trade unions to be supervised by a qualified independent person (known as a "scrutineer") appointed by the trade union. The Trade Union Ballots and Elections (Independent Scrutineer Qualifications) Order 1988 ("the principal Order") specifies the conditions which a person must meet to be eligible for appointment as a scrutineer and specifies three bodies by name as being eligible for appointment as scrutineers.

The purpose of the amendment contained in this Order is to secure that an individual potentially qualified to be a scrutineer under the principal Order will not be prevented from acting as a scrutineer in relation to ballots and elections held by a trade union by reason only that the office of auditor of a trade union may for some purposes be regarded as an office of that union.

The Order comes into force on 1st February 1989, the same date as that on which section 15 and the principal Order come into force.

45p net

ISBN 0 11 096031 9