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STATUTORY INSTRUMENTS

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**1990 No. 601**

**TRADE UNIONS**

**The Employment Code of Practice (Trade Union Ballots on Industrial Action) Order 1990**

<i>Made</i>	- - - -	<i>13th March 1990</i>
<i>Laid before Parliament</i>		<i>21st March 1990</i>
<i>Coming into force</i>	- -	<i>11th April 1990</i>

Whereas—

- (1) in pursuance of section 3(1) of the Employment Act 1980<sup>(1)</sup> (hereinafter referred to as “the Act”) the Secretary of State may issue Codes of Practice containing such practical guidance as he thinks fit for the purpose of promoting the improvement of industrial relations or of promoting what appear to him to be desirable practices in relation to the conduct by trade unions of ballots and elections;
- (2) in pursuance of section 3(2) of the Act the Secretary of State, after consultation with the Advisory, Conciliation and Arbitration Service, prepared and published in draft a Code of Practice on trade union industrial action balloting;
- (3) in pursuance of section 3(3) of the Act the Secretary of State considered representations made to him about the draft;
- (4) in pursuance of section 3(4) of the Act the Secretary of State laid the draft of the Code of Practice before both Houses of Parliament, the draft was approved by resolution of each House of Parliament and the Secretary of State issued the Code of Practice in the form of the draft;

**Citation and commencement**

1. This Order may be cited as the Employment Code of Practice (Trade Union Ballots on Industrial Action) Order 1990 and shall come into force on 11th April 1990.

**Operation of code and transitional provision**

2.—(1) The Code of Practice on Trade Union Ballots on Industrial Action issued by the Secretary of State under section 3(1) and (4) of the Act shall come into operation on 11th April 1990.

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(1) 1980 c. 42; section 3(1) was amended by section 18(1) of the Employment Act 1988 (c. 19) to enable the Secretary of State to issue Codes of Practice containing such practical guidance as he thinks fit for the purpose of promoting what appear to him to be desirable practices in relation to the conduct by trade unions of ballots and elections.

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(2) Section 3(8)(b) of the Act shall not require a provision of the Code of Practice to be taken into account in determining a question arising in proceedings if the act or failure to act giving rise to that question occurred before, or was part of a step in the balloting procedure commenced before, 11th April 1990.

13th March 1990

*Michael Howard*  
Secretary of State for Employment

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order specifies 11th April 1990 as the date upon which the Code of Practice on Trade Union Ballots on Industrial Action issued by the Secretary of State under section 3 of the Employment Act 1980 comes into operation.

The Order contains a transitional provision.