STATUTORY INSTRUMENTS

1982 No. 1108

TRADE UNIONS

The Funds for Trade Union Ballots (Amendment) Regulations 1982

Made - - - -	*2nd August* 1982
Laid before Parliament	*10th August* 1982
Coming into Operation	*1st September* 1982

The Secretary of State in exercise of the powers conferred on him by section 1 of the Employment Act 1980(**a**) and of all other powers enabling him in that behalf hereby makes the following Regulations:—

Citation and commencement

1.—(1) These Regulations may be cited as the Funds for Trade Union Ballots (Amendment) Regulations 1982 and shall come into operation on 1st September 1982.

(2) Regulations 4 and 5 shall apply to a ballot if the end of the period for voting falls on or after 1st September 1982.

Interpretation

2. In these Regulations "the Principal Regulations" means The Funds for Trade Union Ballots Regulations 1980(**b**).

Amendments to the Principal Regulations

3. In Regulation 2 of the Principal Regulations, for the definition of "the post", there shall be substituted—

" "the post" means a postal service provided by the Post Office or a postal service which by reason of a licence granted under section 68(1) of the British Telecommunications Act 1981(**c**) or of an order made under section 69(1) of that Act does not constitute an infringement of the privilege conferred on the Post Office by section 66(1) of that Act, and cognate expressions shall be construed accordingly;".

4. In Regulation 4 of the Principal Regulations, after paragraph (*e*), there shall be inserted:

"(*f*) obtaining a decision or ascertaining the views of members of a trade union as to the acceptance or rejection of a proposal made by an employer which relates in whole or in part to remuneration (whether in money or money's worth), hours of work, level of performance, holidays or pensions.".

(**a**) 1980 c. 42. (**b**) S.I. 1980/1252. (**c**) 1981 c. 38.

5. In regulation 11 of the Principal Regulations, after paragraph (*g*), there shall be inserted:

"(*h*) in the case of a ballot containing a question within paragraph (*f*) of Regulation 4 above, that only persons who were union members and were affected by the proposal were entitled to vote.".

6. Regulations 14(2) and 15(2) of the Principal Regulations shall cease to have effect and after Regulation 15 of the Principal Regulations there shall be inserted:

"15A. Subject to Regulation 16 below, the amount of the payments referred to in Regulations 14 and 15 above shall be—

(*a*) to the extent that second class post or a cheaper postal means was used, the amount spent on such use;

(*b*) to the extent that a means more expensive than second class post was used, the amount which would have been spent if second class post had been used, or, if the Certification Officer considers the use of the more expensive means to have been reasonable in the circumstances, the amount spent on such use.".

Norman Tebbit,

2nd August 1982. Secretary of State for Employment.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations, which come into operation on 1st September 1982, amend the scheme under which the Certification Officer makes payments to independent trade unions in respect of postal, printing and stationery expenses which they have incurred in holding secret postal ballots for certain purposes. In particular the Regulations add to those purposes by providing for payments to be made if a ballot is held to take a decision on a wage offer or on an offer affecting certain other major conditions of employment. The Regulations also make other minor amendments to the scheme.

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