STATUTORY INSTRUMENTS

2010 No. 436

TRADE UNIONS

The Trade Union Ballots and Elections (Independent Scrutineer Qualifications) (Amendment) Order 2010

Made - - - -	*22nd February 2010*
Laid before Parliament	*25th February 2010*
Coming into force - -	*6th April 2010*

The Secretary of State, in exercise of the powers conferred by sections 49(2), 75(2), 100A(2) and 226B(2) of the Trade Union and Labour Relations (Consolidation) Act 1992(**a**), makes the following Order:

Citation, commencement and interpretation

1. This Order may be cited as the Trade Union Ballots and Elections (Independent Scrutineer Qualifications) (Amendment) Order 2010 and shall come into force on 6th April 2010.

Amendments to the Trade Union Ballots and Elections (Independent Scrutineer Qualifications) Order 1993.

2. For Article 7 of the Trade Union Ballots and Elections (Independent Scrutineer Qualifications) Order 1993(**b**), substitute—

"**7.** The following persons are specified for the purpose of the relevant provisions—

Association of Electoral Administrators;

DRS Data Services Limited;

Electoral Reform Services Limited;

Involvement and Participation Association;

Opt2Vote Limited; and

Popularis Limited."

(**a**) 1992 c. 52. Sections 49 and 75 were amended by the Trade Union Reform and Employment Rights Act 1993 (c. 19) (the 1993 Act), section 1 and Schedule 1, paragraph 2, respectively; sections 100A and 226B were inserted by the 1993 Act, sections 4 and 20(1) respectively.

(**b**) S.I. 1993/1909, amended by S.I. 2002/2267.

Lord Young of Norwood Green
Minister of State for Employment Relations and Postal Affairs
Department for Business, Innovation and Skills

22nd February 2010

EXPLANATORY NOTE

(This note is not part of the Order)

Sections 49, 75, 100A and 226B of the Trade Union and Labour Relations (Consolidation) Act 1992 require certain ballots and elections that trade unions are required to hold by statute to be supervised by a qualified independent person, known as a "scrutineer" appointed by the trade union.

The ballots and elections in question are those relating to the election of members of the executive committee and certain officers, the maintenance of a political fund, mergers with another union and the taking of industrial action.

The Trade Union Ballots and Elections (Independent Scrutineer Qualifications) Order 1993 specifies conditions which must be satisfied in order for an individual or partnership to qualify for appointment as a scrutineer. It also specifies certain bodies by name as being qualified.

This Order amends the 1993 Order by replacing the list at Article 7 of bodies specified by name as being qualified for appointment. That list was previously amended in October 2002 by the Trade Union Ballots and Elections (Independent Scrutineer Qualifications) Order 1993 (Amendment) Order 2002.

An impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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