



# House of Commons

## NOTICES OF AMENDMENTS

given up to and including

**Thursday 22 October 2015**

*New Amendments handed in are marked thus ★*

☆ *Amendments which will comply with the required notice period at their next appearance*

### PUBLIC BILL COMMITTEE

### TRADE UNION BILL

#### NOTE

**This document includes all amendments remaining before the Committee and includes any withdrawn amendments at the end. The amendments have been arranged in accordance with the Order of the Committee [13 October 2015].**

Ms Angela Eagle [R]  
 Stephen Doughty [R]  
 Ian Murray [R]

**101**

Clause 13, page 9, line 31, at end insert—

“(c) Save that no such regulation shall have the effect of altering, in respect of any of the matters to which the reserve powers may be directed, any provision of a contract of employment or a collective agreement or of limiting an employer’s discretion as to the contents of contracts of employment or collective agreements to which the employer is a party”.

Ms Angela Eagle [R]  
 Stephen Doughty [R]  
 Ian Murray [R]

**102**

Clause 13, page 9, line 45, leave out paragraph (b)

[R] Relevant registered interest declared.

---

**Trade Union Bill, *continued***

Chris Stephens [R]  
Dr Lisa Cameron [R]

85

Clause 13, page 10, line 44, at end insert—

“(14) For the avoidance of doubt, the powers in this section shall only apply with the consent of the Scottish Government, Welsh Government, Northern Ireland Executive, the Mayor of London and Local Authorities in England in their areas of responsibility.”

---

Ms Angela Eagle [R]  
Stephen Doughty [R]  
Ian Murray [R]

53

Clause 14, page 11, line 7, leave out subsection (2)

Ms Angela Eagle [R]  
Stephen Doughty [R]  
Ian Murray [R]

54

Clause 14, page 11, line 9, leave out subsection (3)

Ms Angela Eagle [R]  
Stephen Doughty [R]  
Ian Murray [R]

55

Clause 14, page 11, line 11, at end insert—

“(4) For the purposes of this section and the Schedules to which it gives effect complainant and applicant must be—  
(a) a member of the union which is the subject of the complaint or application.”

Chris Stephens [R]  
Dr Lisa Cameron [R]

86

Clause 14, page 11, line 11, at end insert—

“(4) This section and the Schedules it inserts shall not apply in Scotland.”

---

Ms Angela Eagle [R]  
Stephen Doughty [R]  
Ian Murray [R]

66

Schedule 1, page 17, line 7, leave out “or any other person”

***Member’s explanatory statement***

*The amendment would restrict the power to require the production of documents to the Certification Officer and his or her staff.*

---

**Trade Union Bill, continued**

Ms Angela Eagle [R]  
 Stephen Doughty [R]  
 Ian Murray [R]

67

Schedule 1, page 17, line 47, after “obligation,” insert “where a complaint has been received from a member of the relevant trade union, and where there the Certification Officer reasonably believes there is evidence that indicates a breach of a relevant obligation”

**Member’s explanatory statement**

*The amendment would require a complaint to be made by a union member and for the Certification Officer to reasonably believe there was evidence of a breach of an obligation before the Certification Officer initiated an investigation.*

Ms Angela Eagle [R]  
 Stephen Doughty [R]  
 Ian Murray [R]

68

Schedule 1, page 18, line 1, leave out “or other persons”

**Member’s explanatory statement**

*The amendment would require a person investigating a breach of an obligation by a union to be a member of staff of the Certification Officer.*

Ms Angela Eagle [R]  
 Stephen Doughty [R]  
 Ian Murray [R]

69

Schedule 1, page 18, line 4, at end insert—

“(b) to take representations from the trade union or unions who are the subject of such an investigation”

**Member’s explanatory statement**

*The amendment would require a person investigating a breach of an obligation by a union to take representations from the union concerned.*

Ms Angela Eagle [R]  
 Stephen Doughty [R]  
 Ian Murray [R]

70

Schedule 1, page 19, line 4, after “Certification Officer”, insert “and the trade union or unions who are the subject of such an investigation”

**Member’s explanatory statement**

*The amendment would require the interim report of the person investigating a breach of an obligation by a union to be sent to the union concerned.*

Ms Angela Eagle [R]  
 Stephen Doughty [R]  
 Ian Murray [R]

71

Schedule 1, page 19, line 7, after “Officer”, insert “and the trade union or unions who are the subject of such an investigation”

**Member’s explanatory statement**

*The amendment would require the final report of the person investigating a breach of an obligation by a union to be sent to the union concerned.*

---

---

**Trade Union Bill, continued**

Ms Angela Eagle [R]  
 Stephen Doughty [R]  
 Ian Murray [R]

56

Clause 15, page 11, line 16, after “32ZB”, insert “and where a valid complaint has been made by a member of the trade union or unions relevant”

**Member’s explanatory statement**

*The amendment would provide that only after a valid complaint from a union member can the Certification Officer make a declaration that he is satisfied that a union has failed to comply with the requirements for the annual return in respect of industrial action or political expenditure.*

Ms Angela Eagle [R]  
 Stephen Doughty [R]  
 Ian Murray [R]

57

Clause 15, page 12, leave out lines 16 to 19

**Member’s explanatory statement**

*The amendment would prevent a union member who was not party to a complaint giving rise to an enforcement order implementing the order.*

Nick Boles

94

Clause 15, page 12, line 23, at end insert—

“( ) In section 45D of that Act (appeals from Certification Officer), after “31” insert “, 32ZC”.”

**Member’s explanatory statement**

*The amendment adds a reference to the new section 32ZC (inserted by clause 15) in section 45D of the 1992 Act. The effect is that decisions made by the Certification Officer in relation to the enforcement of the new annual return requirements provided for by clause 15 are subject to a right of appeal.*

Chris Stephens [R]  
 Dr Lisa Cameron [R]

87

Clause 15, page 12, line 23, at end insert—

“(4) This section shall not apply in Scotland.”

---

Ms Angela Eagle [R]  
 Stephen Doughty [R]  
 Ian Murray [R]

58

Clause 16, page 13, line 3, leave out “the applicant or a person mentioned in subsection (5B)”

**Member’s explanatory statement**

*The amendment would limit enforcement powers to the Certification Officer.*

---

**Trade Union Bill, continued**

Ms Angela Eagle [R]  
Stephen Doughty [R]  
Ian Murray [R]

59

Clause 16, page 13, line 6, leave out “or the applicant”

***Member’s explanatory statement***

*The amendment would limit enforcement powers to the Certification Officer.*

Ms Angela Eagle [R]  
Stephen Doughty [R]  
Ian Murray [R]

60

Clause 16, page 13, line 9, leave out “the applicant or a person mentioned in subsection (6)”

***Member’s explanatory statement***

*The amendment would limit enforcement powers to the Certification Officer.*

Ms Angela Eagle [R]  
Stephen Doughty [R]  
Ian Murray [R]

61

Clause 16, page 13, line 12, leave out “the applicant or a person mentioned in subsection (5C)”

***Member’s explanatory statement***

*The amendment would limit enforcement powers to the Certification Officer.*

Ms Angela Eagle [R]  
Stephen Doughty [R]  
Ian Murray [R]

62

Clause 16, page 13, line 15, leave out “the applicant or a person mentioned in subsection (8)”

***Member’s explanatory statement***

*The amendment would limit enforcement powers to the Certification Officer.*

Ms Angela Eagle [R]  
Stephen Doughty [R]  
Ian Murray [R]

63

Clause 16, page 13, line 18, leave out “the applicant or a person mentioned in subsection (5C)”

***Member’s explanatory statement***

*The amendment would limit enforcement powers to the Certification Officer.*

Ms Angela Eagle [R]  
Stephen Doughty [R]  
Ian Murray [R]

64

Clause 16, page 13, line 21, leave out “the complainant or a person mentioned in subsection (4A)”

***Member’s explanatory statement***

*The amendment would limit enforcement powers to the Certification Officer.*

---

**Trade Union Bill, continued**

Ms Angela Eagle [R]  
 Stephen Doughty [R]  
 Ian Murray [R]

65

Clause 16, page 13, line 25, leave out “the applicant or a person mentioned in subsection (7)”

**Member’s explanatory statement**

*The amendment would limit enforcement powers to the Certification Officer.*

Chris Stephens [R]  
 Dr Lisa Cameron [R]

88

Clause 16, page 13, line 26, at end insert—

“(5) This section and the Schedule it inserts shall not apply in Scotland.”

---

Nick Boles

95

Clause 17, page 14, line 1, leave out “(b) payments made by ACAS under section 254(6),”

**Member’s explanatory statement**

*Section 254(6) of the 1992 Act is spent: it depends on section 115 of that Act, which has been repealed. The reference to section 254(6) in the new section inserted by clause 17(1) was included in error, and this amendment removes it. Amendment 97 repeals section 254(6) itself and the reference to it in section 254(5A).*

Chris Stephens [R]  
 Dr Lisa Cameron [R]

89

Clause 17, page 14, line 43, at end insert—

“(11) Trade union members resident in Scotland shall not be required through their union to contribute to a levy imposed by this section.”

---

Nick Boles

96

Schedule 4, page 29, line 11, at end insert—

“ In section 93 of the 1992 Act (effect of amalgamation), after subsection (2) insert—

“(2A) Where—

(a) subsection (1) applies, and

(b) at the time of the amalgamation there has already been a renewal date under section 84 for one or more of the amalgamating unions,

the first renewal date under that section for the amalgamated union is the earliest date after that time which would (but for the

**Trade Union Bill**, *continued*

amalgamation) have been the first renewal date for any of the amalgamating unions.””

**Member’s explanatory statement**

*This amendment deals with the effect of an amalgamation of unions on the new opt-in rules. It fixes the “first renewal date” for the amalgamated union where at least one of the amalgamating unions has already had a renewal date at the time of the amalgamation.*

Nick Boles

97

Schedule 4, page 29, line 39, at end insert—

“(1) Section 254 of the 1992 Act (certification officer) is amended as follows.

(2) In subsection (5A) omit “Subject to subsection (6).”

(3) Omit subsection (6).”

**Member’s explanatory statement**

*See the explanatory statement for amendment 95.*

Nick Boles

111

Schedule 4, page 30, line 29, leave out from “subsection (6)” to end of line 30 and insert—

“(a) omit “24C.”;

(b) at the end insert “and after “45C” insert “or paragraph 5 of Schedule A3”.”

**Member’s explanatory statement**

*This amendment is to correct a drafting error.*

**NEW CLAUSES**

Nick Boles

NC11

To move the following Clause—

**“Prohibition on deduction of union subscriptions from wages in public sector**

(1) After section 116A of the 1992 Act insert—

*“Deduction of trade union subscriptions from wages*

**116B Prohibition on deduction of union subscriptions from wages in public sector**

5

(1) No relevant public sector employer may make trade union subscription deductions from wages payable to workers.

(2) An employer is a relevant public sector employer if the employer is a public authority specified, or of a description specified, in regulations made by a Minister of the Crown.

10

(3) A Minister of the Crown may by regulations provide, in relation to a body or other person that is not a public authority but has functions of a public nature and is funded wholly or partly from public funds, that the body or

---

**Trade Union Bill, *continued***

- 15 other person is to be treated as a public authority for the purposes of this section.
- (4) Regulations under this section may make provision specifying the person or other entity that is to be treated for the purposes of this section as the employer of a person who is employed by the Crown.
- 20 (5) The regulations may—
- (a) deem a category of persons holding an office or employment under the Crown (or two or more such categories taken together) to be an entity for the purposes of provision made under subsection (4);
- 25 (b) make different provision under subsection (4) for different categories of persons holding an office or employment under the Crown.
- (6) Regulations under this section may—
- (a) make different provision for different purposes;
- 30 (b) make transitional provision in connection with the coming into force of any provision of the regulations;
- (c) make consequential provision amending or otherwise modifying contracts of employment or collective agreements.
- (7) Regulations under this section are to be made by statutory instrument.
- 35 (8) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.
- (9) In this section—
- 40 “trade union subscription deductions” means deductions representing payments to a trade union in respect of a worker’s membership of the union;
- “wages” has the same meaning as in Part 2 of the Employment Rights Act 1996 (see section 27);
- “worker” has the same meaning as in that Act.”
- 45 (2) In section 296 of that Act (meaning of “worker” and related expressions), in subsection (3), after “68(4),” insert “116B(9),”.

***Member’s explanatory statement***

*This amendment would prohibit public sector employers prescribed by regulations from deducting trade union subscriptions from workers’ wages and sending these to the unions concerned, a service called ‘check-off’. Commencement of the ban would allow a reasonable period for affected workers and unions to make alternative arrangements to check-off.*



**Trade Union Bill**, *continued*

As an Amendment to Nick Bole’s proposed New Clause (*Prohibition on deduction of union subscriptions from wages in public sector*) (NC11):—

Chris Stephens [R]  
Dr Lisa Cameron [R]

(a)

☆ Line 43, at end insert—

“(10) The provisions in this section shall only apply with the consent of the Scottish Government, Welsh Government, Northern Ireland Executive, the Mayor of London and local authorities in England in their areas of responsibility.”

Ms Angela Eagle [R]  
Stephen Doughty [R]  
Ian Murray [R]

NC1

To move the following Clause—

**“Voting by electronic means in trade union ballots for industrial action**

- (1) Trade union members shall be permitted to vote by electronic means for the purposes of Part V of the 1992 Act (Industrial Action) with effect from the commencement date for sections 2 and 3.
- (2) In this section “electronic means” means such electronic means, including means of secure voting electronically in the workplace, as is, or are determined by the union and, in a case in which section 226B of the 1992 Act (Appointment of Scrutineer) imposes an obligation on the union, confirmed by the person appointed in accordance with that section, before the opening day of the ballot as meeting the required standard.
- (3) Where electronic means are determined by the union, and, if applicable, confirmed by the person appointed under section 226B of the Act as meeting the required standard as provided for in subsection (2), the means of voting in the ballot shall also include postal voting where determined by the union and, in a case in which section 226B of the 1992 Act (Appointment of Scrutineer) imposes an obligation on the union, confirmed by the person appointed in accordance with that section as being reasonably necessary to ensure that the required standard is satisfied.
- (4) For the purpose of subsections (2) and (3), a means of electronic voting satisfies “the required standard” for the ballot if, so far as reasonably practicable:
  - (a) those entitled to vote have an opportunity to do so;
  - (b) votes cast are secret; and
  - (c) the risk of any unfairness or malpractice is minimised.
- (5) In relation to the ballots referred to in subsection (1):
  - (a) the employer shall be under a duty to co-operate generally in connection with the ballot with the union, which shall include not undertaking surveillance of, intercepting or otherwise interfering with any communications between the union and its members, and with any person appointed in accordance with section 226B of the 1992 Act (Appointment of Scrutineer); and
  - (b) every person who is entitled to vote in the ballot shall be permitted to do so without interference or constraint imposed by any employer of the union’s members, or any of its employees or any person its behalf.

**Trade Union Bill, continued**

- (6) Where in any proceedings an employer claims, or will claim, that a union has failed to comply with any requirement referred to in section 226 of the 1992 Act (Requirement of ballot before action by trade union), the union will have a complete defence to those proceedings if the employer has failed to comply with any part of its duty under subsection (5)(a) or it, or any of its employees or any person on its behalf, has imposed any interference or constraint of a type referred to in subsection (5)(b).
- (7) Any provision of the Act shall be disapplied to the extent necessary to give effect to this section.”

**Member’s explanatory statement**

*The new clause would permit electronic voting in ballots for industrial action.*

---

Ms Angela Eagle [R]  
 Stephen Doughty [R]  
 Ian Murray [R]

NC2

To move the following Clause—

**“Voting by electronic means in trade union ballots**

- (1) The provisions in section [new clause 2] apply to ballots and elections for the purposes of Chapters IV (elections for certain positions), VI (political resolutions) and VII (approval of instruments of amalgamation or transfer) of the 1992 Act.
- (2) The electronic means adopted for the purposes of subsection (1) must also be capable of allowing union members to vote in ballots and elections for the purposes of Chapters IV (elections for certain positions), VI (political resolutions) and VII (approval of instruments of amalgamating or transfer) of the 1992 Act.”

**Member’s explanatory statement**

*The new clause would permit electronic voting in union elections and ballots other than those for industrial action..*

---

Ms Angela Eagle [R]  
 Stephen Doughty [R]  
 Ian Murray [R]

NC4

To move the following Clause—

**“Secure workplace ballots for industrial action**

- (1) Trade union members shall be permitted to vote in person at their place of work by means of a secure workplace ballot for the purposes of Part V of the 1992 Act (Industrial Action) with effect from the commencement date for sections 2 and 3.
- (2) In this section “secure workplace ballot” means a ballot in which votes may be cast in the workplace by such means as is or are determined by the union. These may, but are not required to, include electronic means and, in a case in which section 226B of the 1992 Act (Appointment of Scrutineer) imposes an obligation on the union to ensure that the required standard is satisfied, confirmed by the

**Trade Union Bill**, *continued*

person appointed in accordance with that section, before the opening day of the ballot as meeting the required standard.

- (3) For the purpose of subsection (2), a workplace ballot satisfies “the required standard” if, so far as reasonably practicable:
  - (a) those entitled to vote have an opportunity to do so;
  - (b) those entitled to vote can do so in privacy;
  - (c) votes cast are secret; and
  - (d) the risk of any unfairness or malpractice is minimised.
- (4) In relation to the ballots referred to in subsection (1):
  - (a) the employer shall be under a duty to co-operate generally in connection with the ballot with the union, which shall include not undertaking surveillance of, intercepting or otherwise interfering with any communications between the union and its members, and with any person appointed in accordance with section 226B of the 1992 Act (Appointment of Scrutineer); and
  - (b) every person who is entitled to vote in the ballot shall be permitted to do so without interference or constraint imposed by any employer of the union’s members, or any of its employees or any person its behalf.
- (5) Where in any proceedings an employer claims, or will claim, that a union has failed to comply with any requirement referred to in section 226 of the 1992 Act (Requirement of ballot before action by trade union), the union will have a complete defence to those proceedings if the employer has failed to comply with any part of its duty under subsection (5)(a) or it, or any of its employees or any person on its behalf, has imposed any interference or constraint of a type referred to in subsection (5)(b).
- (6) Any provision of the Act shall be disapplied to the extent necessary to give effect to this section.”

**Member’s explanatory statement**

*The new clause would permit secure workplace ballots for industrial action. These can involve electronic or non-electronic means.*

---

Ms Angela Eagle [R]  
 Stephen Doughty [R]  
 Ian Murray [R]

NC5

To move the following Clause—

**“Workplace balloting and voting for trade union elections and other matters**

- (1) The provisions in section [NC4] shall apply to ballots and elections for the purposes of Chapters IV (elections for certain positions), VI (political resolutions) and VII (approval of instruments of amalgamation or transfer) of the 1992 Act.
- (2) The arrangements adopted for the purposes of subsection (1) shall allow union members to vote in workplace ballots for the purposes of Chapters IV (elections

---

**Trade Union Bill, *continued***

for certain positions), VI (political resolutions) and VII (approval of instruments of amalgamating or transfer) of the 1992 Act.”

***Member’s explanatory statement***

*The new clause would permit secure workplace ballots in union elections and ballots other than those for industrial action.*

---

Ms Angela Eagle [R]  
Stephen Doughty [R]  
Ian Murray [R]

NC6

To move the following Clause—

**“Methods of voting in ballots for industrial action, trade union elections and other matters**

- (1) Voting in a ballot or election carried out to meet the requirements of the 1992 Act as amended can be carried out by postal ballot, electronic means, secure workplace ballot or a combination of these methods.
- (2) The combination of methods is to be determined by the union and, in a case in which section 226B of the 1992 Act (Appointment of Scrutineer) imposes an obligation on the union, confirmed by the person appointed in accordance with that section, before the opening day of the ballot.”

---

Chris Stephens [R]  
Dr Lisa Cameron [R]

NC7

To move the following Clause—

**“Certification Officer**

For subsections (2) to (4) of section 254 of the 1992 Act substitute—

- “(2) The Certification Officer shall be appointed by the Judicial Appointments Commission, and the person appointed shall have expertise in trade union law.
  - (3) There shall be a Certification Officer for Scotland, equal in status to the Certification Officer in subsections (1) and (2) above.
  - (4) The Certification Officer for Scotland shall be appointed by the Judicial Appointments Board for Scotland, and the person appointed shall have expertise in trade union law.””
-

---

**Trade Union Bill, *continued***

Chris Stephens [R]  
Dr Lisa Cameron [R]

NC8

To move the following Clause—

**“Workplace ballots and ballots by electronic means**

- (1) Workplace ballots and balloting by electronic means, shall be permitted in the types of trade union ballots specified in subsection (2) with effect from the commencement date for sections 2 and 3 (Ballot thresholds for industrial action);
- (2) The types of trade union ballots to which subsections (1) and (3) apply are those referred to in Chapters IV (elections for certain positions), V (industrial action), VI (political resolutions) and VII (approval of instruments of amalgamation or transfer).
- (3) In relation to the ballots referred to in subsection (2):
  - (a) the employer shall be under a duty to co-operate generally in connection with the ballot with the union, which shall include not undertaking surveillance of, intercepting or otherwise interfering with any communications between the union and its members, and with any person appointed in accordance with section 226B of the Act (Appointment of Scrutineer); and
  - (b) every person who is entitled to vote in the ballot shall be permitted to do so without interference or constraint imposed by any employer of the union’s members, or any of its employees or any person its behalf.
- (4) Where in any proceedings an employer claims, or will claim, that a union has failed to comply with any requirement referred to in subsection 226 of the Act (Requirement of ballot before action by trade union), the union will have a complete defence to those proceedings if the employer has failed to comply with any part of its duty under subsection (3)(a) or it, or any of its employees or any person on its behalf, has imposed any interference or constraint of a type referred to in subsection (3)(b).
- (5) In this section:
  - (a) “Workplace ballot” means a ballot in which votes may be cast in the workplace by such means as is or are determined by the union. Such means of voting in the workplace determined by the union may, but are not required to, include electronic means; and
  - (b) “electronic means” means such electronic means as is or determined by the union and, in each case, where section 226B of the Act (Appointment of Scrutineer) imposes an obligation on the union, is confirmed by the person appointed in accordance with that section, before the opening day of the ballot as meeting the required standard.
- (6) Where electronic means are determined by the union, and, if applicable, confirmed by the person appointed under section 226B of the Act as meeting the required standard as provided for in subsection (5), the means of voting in the ballot shall also include postal voting, or some means of voting in a workplace ballot other than electronic means, where determined by the union and, in a case in which section 226B of the Act imposes an obligation on the union (Appointment of Scrutineer), confirmed by the person appointed in accordance with that section as being reasonably necessary to ensure that the required standard is satisfied.
- (7) For the purpose of subsections (5) and (6), a workplace ballot or means of electronic voting satisfies ‘the required standard’ for the ballot if, so far as reasonably practicable:
  - (a) those entitled to vote have an opportunity to do so;
  - (b) votes cast are secret; and

**Trade Union Bill, *continued***

- (c) the risk of any unfairness or malpractice is minimised.
- (8) Any provision of the Act shall be disapplied to the extent necessary to give effect to this section.”
- 

Chris Stephens [R]  
Dr Lisa Cameron [R]

NC9

To move the following Clause—

**“Statements on Bills affecting Trade Union political funds**

- (1) A Minister of the Crown in charge of a Bill in either House of Parliament must, before Second Reading of the Bill, if the Bill contains provisions which are likely to affect the machinery of Trade Union political funds:
- (a) make a statement to the effect that the Bill has been introduced with the agreement of the leaders of all the political parties represented in the House of Commons, or
  - (b) make a statement to the effect that the Bill has been introduced without the agreement of the leaders of all the political parties represented in the House of Commons
- as the case may be.
- (2) The statement must be in writing and be published in such manner as the Minister making it considers appropriate.”
- 

Ms Angela Eagle [R]  
Stephen Doughty [R]  
Ian Murray [R]

NC10

To move the following Clause—

**“The Certification Officer**

In section 254 of the 1992 Act (The Certification Officer) for subsections (2), (3) and (4) substitute—

- “(2) The Certification Officer shall be appointed by the Judicial Appointments Commission, and the person appointed shall have expertise in trade union law.”
-

---

**Trade Union Bill, *continued***

Chris Stephens [R]  
Dr Lisa Cameron [R]

NC12

☆ To move the following Clause—

**“Industrial action and agency workers**

- (1) Subject to subsection (3), an employment business shall not introduce or supply a work-seeker to a hirer to perform—
  - (a) the duties normally performed by a worker who is taking part in a strike or other industrial action (“the first worker“), or
  - (b) the duties normally performed by any other worker employed by the hirer and who is assigned by the hirer to perform the duties normally performed by the first worker,
 unless in either case the employment business does not, and has no reasonable grounds for knowing, that the first worker is taking part in a strike or other industrial action.
- (2) Subject to subsection (3) an employer (“the hirer“) shall not procure an employment agency to supply a work-seeker to perform—
  - (a) the duties normally performed by a worker who is taking part in a strike or other industrial action (“the first worker“), or
  - (b) the duties normally performed by any other worker employed by the hirer and who is assigned by the hirer to perform the duties normally performed by the first worker, unless in either case the hirer does not, and has no reasonable grounds for knowing, that the first worker is taking part in a strike or other industrial action.
- (3) Subsections (2) and (3) shall not apply if, in relation to the first workers, the strike or other industrial action in question is an unofficial strike or other unofficial industrial action for the purposes of section 237 of the 1992 Act.
- (4) For the purposes of this section an “employment business” means an employment business as defined by the Employment Agencies Act 1973.
- (5) Breach of the provisions of this section shall be actionable against both the employment business and the hirer for breach of statutory duty.
- (6) For the avoidance of doubt, the duty in subsections (1) and (2) above are owed to—
  - (a) any worker who is taking part in the strike or industrial action; and
  - (b) any trade union of which such a worker is a member.”

---

ORDER OF THE HOUSE [14 SEPTEMBER 2015]

That the following provisions shall apply to the Trade Union Bill:

*Committal*

1. The Bill shall be committed to a Public Bill Committee.

*Proceedings in Public Bill Committee*

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Tuesday 27 October.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

**Trade Union Bill, continued***Consideration and Third Reading*

4. Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

*Other proceedings*

7. Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further messages from the Lords) may be programmed.

---

ORDER OF THE COMMITTEE [13 OCTOBER 2015, AS AMENDED ON 15  
OCTOBER 2015]

That—

- (1) the Committee shall (in addition to its first meeting at 9.25am on Tuesday 13 October) meet—
  - (a) at 2.00 pm on Tuesday 13 October;
  - (b) at 11.30am and 2.00pm on Thursday 15 October;
  - (c) at 9.25am and 2.00 pm on Tuesday 20 October;
  - (d) at 11.30am and 2.00 pm on Thursday 22 October;
  - (e) at 9.25am and 2.00 pm on Tuesday 27 October;
- (2) the Committee shall hear oral evidence in accordance with the following Table:

**TABLE**

<i>Date</i>	<i>Time</i>	<i>Witness</i>
Tuesday 13 October	Until no later than 10.15 am	Confederation of British Industry; British Chamber of Commerce; Arriva
Tuesday 13 October	Until no later than 10.45 am	Community; Union of Shop, Distributive and Allied Workers
Tuesday 13 October	Until no later than 11.15 am	Thompsons Solicitors; Chartered Institute of Personnel and Development
Tuesday 13 October	Until no later than 2.30 pm	2020 Health
Tuesday 13 October	Until no later than 3.15 pm	London Travel Watch; Transport Focus
Tuesday 13 October	Until no later than 3.45 pm	Amnesty; Liberty; Blacklist Support Group
Tuesday 13 October	Until no later than 4.15 pm	TaxPayers' Alliance; Abellio



**Trade Union Bill**, *continued*

<i>Date</i>	<i>Time</i>	<i>Witness</i>
Tuesday 13 October	Until no later than 5.00 pm	Welsh Government; Scottish Government; Scottish Trade Union Congress
Thursday 15 October	Until no later than 12 noon	National Police Chiefs' Council; Police Federation
Thursday 15 October	Until no later than 12.30 pm	SITA UK; London Fire Brigade
Thursday 15 October	Until no later than 1.00 pm	Trade Union and Labour Party Liaison
Thursday 15 October	Until no later than 2.30 pm	Professor Keith Ewing, Professor of Public Law, King's College London
Thursday 15 October	Until no later than 3.00 pm	Royal College of Nursing; Royal College of Midwives; Public and Commercial Services Union; Fire Brigades Union; NASUWT
Thursday 15 October	Until no later than 4.15 pm	Unite; Unison; GMB; Trade Union Congress
Thursday 15 October	Until no later than 5.00 pm	Department for Business, Innovation and Skills; Cabinet Office

- (3) proceedings on consideration of the Bill in Committee shall be taken in the following order: Clauses 1 to 14; Schedules 1 and 2; Clauses 15 and 16; Schedule 3; Clauses 17 and 18; Schedule 4; Clauses 19 to 22; remaining proceedings on the Bill;
- (4) the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Tuesday 27 October.

**NOTICES WITHDRAWN**

*The following Notices were withdrawn on 14 October:*

25

*The following Notices were withdrawn on 15 October:*

76