



# House of Commons

## NOTICES OF AMENDMENTS

given up to and including

**Monday 25 April 2016**

*New Amendments handed in are marked thus ★*

*Amendments tabled since the last publication: LAs 2(a) and (b), 17 (a) to (c), 8 (a) to (j)*

## CONSIDERATION OF LORDS AMENDMENTS

### TRADE UNION BILL

*On Consideration of Lords Amendments to the Trade Union Bill*

#### NOTE

**This document includes all amendments tabled to date and includes any withdrawn amendments at the end. The amendments have been arranged in the order in which they relate to the Bill.**

Lords Amendment No. 2

As Amendments to the Lords Amendment:—

Secretary Sajid Javid

- ★ Line 12, leave out from “Parliament” to end of line 13 and insert “his or her response to it” (a)

---

**Trade Union Bill, *continued***

Secretary Sajid Javid

- ★ Line 14, leave out “strategy” and insert “response”

(b)

---

Lords Amendment No. 17

Secretary Sajid Javid

To move, That this House disagrees with the Lords in their Amendment.

Secretary Sajid Javid

To move the following Amendment to the words so restored to the Bill:—

Secretary Sajid Javid

- ★ Page 9, leave out lines 30 to 32 and insert—

(a)

- “(1) After the end of the period of three years beginning with the day on which the first regulations under section 172A come into force, a Minister of the Crown may exercise the reserve powers (see subsection (2)) if the Minister considers it appropriate to do so having regard to—
- (a) information published by employers in accordance with publication requirements;
  - (b) the cost to public funds of facility time in relation to each of those employers;
  - (c) the nature of the various undertakings carried on by those employers;
  - (d) any particular features of those undertakings that are relevant to the reasonableness of the amount of facility time;
  - (e) any other matters that the Minister thinks relevant.
- (1A) The reserve powers may not be exercised so as to apply to any particular employer unless—
- (a) a Minister of the Crown has given notice in writing to the employer—
    - (i) setting out the Minister’s concerns about the amount of facility time in the employer’s case, and
    - (ii) informing the employer that the Minister is considering exercising the reserve powers in relation to that employer;
  - (b) the employer has had a reasonable opportunity to respond to the notice under paragraph (a) and to take any action that may be appropriate in view of the concerns set out in it;
- and the powers may not be exercised until after the end of the period of 12 months beginning with the day on which the notice under paragraph (a) was given.”

---

Trade Union Bill, *continued*

Secretary Sajid Javid

- ★ Page 9, line 37, leave out from “for” to “that” in line 43 and insert “the purpose of ensuring” (b)

Secretary Sajid Javid

- ★ Page 10, line 25, at end insert— (c)  
“( ) The regulations may confer power on a Minister of the Crown, by notice in writing to a particular employer, to suspend the application of the regulations to that employer for such period and to such extent as the Minister may specify in the notice.”

---

Lords Amendment No. 7

Secretary Sajid Javid

To move, That this House disagrees with the Lords in their Amendment.

---

Lords Amendment No. 8

Secretary Sajid Javid

To move, That this House disagrees with the Lords in their Amendment.

Secretary Sajid Javid

To move the following Amendments to the Bill in lieu of the Lords Amendments Nos. 7 and 8:—

Secretary Sajid Javid

- ★ Page 6, line 9, leave out “has been” and insert “is” (a)

Secretary Sajid Javid

- ★ Page 6, line 11, leave out “ending” and insert “starting” (b)

Trade Union Bill, *continued*

Secretary Sajid Javid

- (c)
- ★ Page 6, leave out lines 14 to 21 and insert—
- “(3) The first renewal date is the first date falling more than five years after the commencement date on which a political resolution is passed on a ballot held by the union.
- (4) Each subsequent renewal date is the date on which each subsequent political resolution is passed on a ballot held by the union.”

Secretary Sajid Javid

- (d)
- ★ Page 6, leave out lines 27 to 31 and insert—
- “(7) A member of a trade union may give an opt-in notice, a renewal notice or a withdrawal notice—
- (a) by delivering it (either personally or by an authorised agent or by post) at the head office or a branch office of the union;
- (b) by sending it by e-mail to an address that the union has told its members can be used for sending such notices;
- (c) by completing an electronic form provided by the union which sets out the notice, and sending it to the union by electronic means in accordance with instructions given by the union; or
- (d) by such other electronic means as may be prescribed.”

Secretary Sajid Javid

- (e)
- ★ Page 6, line 36, at end insert—
- “( ) After that section insert—
- “84A Information to members about contributing to political fund**
- (1) A trade union shall take all reasonable steps to secure that, not later than the end of the period of eight weeks beginning with the day on which the annual return of the union is sent to the Certification Officer, all the members of the union are notified of their right to give a withdrawal notice under section 84(5).
- (2) The notification may be given —
- (a) by sending individual copies of it to members; or
- (b) by any other means (whether by including the notification in a publication of the union or otherwise) which it is the practice of the union to use when information of general interest to all its members needs to be provided to them;
- and, in particular, the notification may be included with the statement required to be given by section 32A.
- (3) A trade union shall send to the Certification Officer a copy of the notification which is provided to its members in pursuance of this section as soon as is reasonably practicable after it is so provided.
- (4) Where the same form of notification is not provided to all the members of a trade union, the union shall send to the Certification Officer in accordance with subsection (3) a copy of each form of notification provided to any of them.
- (5) Where the Certification Officer is satisfied that a trade union has failed to comply with a requirement of this section, the Officer may make such order for remedying the failure as he thinks just under the circumstances.
- (6) Before deciding the matter the Certification Officer—
- (a) may make such enquiries as the Officer thinks fit;

**Trade Union Bill, *continued***

- (b) must give the union, and any member of the union who made a complaint to the Officer regarding the matter, an opportunity to make written representations; and
- (c) may give the union, and any such member as is mentioned in paragraph (b), an opportunity to make oral representations.””

Secretary Sajid Javid

- ★ Page 7, line 6, at end insert— (f)
  - “( ) In section 82 of the 1992 Act (*rules as to political fund*), in subsection (1), for the word “and” at the end of paragraph (c) substitute—
    - “(ca) that, if the union has a political fund, any form (including an electronic form) that a person has to complete in order to become a member of the union shall include—
      - (i) a statement to the effect that the person may opt to be a contributor to the fund, and
      - (ii) a statement setting out the effect of paragraph (c); and”

Secretary Sajid Javid

- ★ Page 7, line 11, leave out “three” and “12” (g)

Secretary Sajid Javid

- ★ Page 7, line 15, leave out subsection (5) and insert— (h)
  - “(5) If during the transitional period the member gives an exemption notice as mentioned in subsection (1) of existing section 84—
    - (a) the exemption notice has effect in accordance with subsection (4) of existing section 84; but
    - (b) where the 1st January next after the exemption notice is given falls after the end of the exemption period, subsection (4)(b) of existing section 84 has effect with the substitution of “the date on which” for “the 1st January next after”.

In this subsection “existing section 84” means section 84 of the 1992 Act as it had effect immediately before the commencement date.”

Secretary Sajid Javid

- ★ Page 26, line 27, at end insert— (i)
  - “( ) section 84A(5) (*order on failure by union to provide required information to members about contributing to political fund*);”

Secretary Sajid Javid

- ★ Page 30, line 12, leave out paragraph 7 (j)