

## SCHEDULES

### SCHEDULE 3

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### PART I

##### TRADE UNIONS

###### *The Wages Act 1986 (c. 48)*

- 6 (1) In subsection (6) of section 1 of the Wages Act 1986 (restrictions in section 1 to be without prejudice to other enactments prohibiting deductions), at the end there shall be inserted the words “; and where a certificate has been given by a worker to his employer for the purposes of section 18 of the Trade Union Act 1984 (deduction of contributions to a trade union’s political fund), nothing in the worker’s contract, or in any agreement or consent signified by the worker, shall be taken for the purposes of this section as authorising the making of deductions in contravention of any obligation imposed on the employer in consequence of the giving of that certificate.”
- (2) After subsection (3) of section 5 of that Act (which relates to the time limit for the presentation of a complaint) there shall be inserted the following subsection—
- “(3A) Where a deduction has been made in contravention of an obligation imposed on an employer in consequence of the giving of any certificate for the purposes of section 18 of the Trade Union Act 1984 (deduction of contributions to a trade union’s political fund)—
- (a) no complaint under this section shall be presented in respect of that deduction unless a declaration has been made under subsection (4) of that section, either before or after the date of payment of the wages from which the deduction was made, that the employer has failed to comply with the obligation imposed in consequence of the giving of that certificate; and
- (b) subsection (2) shall be read, in relation to any complaint in respect of that deduction or of a series of deductions of which that is the last, as referring, if it is later, to the date of the declaration instead of to the date of payment of the wages from which the deduction was made.”
- (3) Nothing in this paragraph shall affect the operation of the Wages Act 1986 in relation to any deduction from wages paid before the coming into force of this paragraph.