

SCHEDULES

SCHEDULE 1

Section 19.

COMMISSIONER FOR THE RIGHTS OF TRADE UNION MEMBERS

Terms of appointment

- 1
- (1) The appointment of a person to hold office as the Commissioner shall be for a term not exceeding five years; but previous appointment to that office shall not affect eligibility for re-appointment.
 - (2) The Secretary of State may remove any person from the office of Commissioner if he is satisfied—
 - (a) that that person has been adjudged bankrupt, that his estate has been sequestrated or that he has made a composition or arrangement with, or granted a trust deed for, his creditors;
 - (b) that that person is incapacitated by physical or mental illness; or
 - (c) that that person is otherwise unable or unfit to discharge his functions as the Commissioner.
 - (3) Subject to sub-paragraphs (1) and (2) above, the Commissioner shall hold and vacate office as such in accordance with the terms of his appointment.

Remuneration, pensions etc.

- 2
- (1) There shall be paid to the Commissioner such remuneration, and such travelling and other allowances, as the Secretary of State may determine.
 - (2) In the case of any such holder of the office of the Commissioner as may be determined by the Secretary of State, there shall be paid such pension, allowance or gratuity to or in respect of him on his retirement or death, or such contributions or payments towards provision for such a pension, allowance or gratuity, as may be so determined.
 - (3) If, when any person ceases to hold office as the Commissioner, the Secretary of State determines that there are special circumstances which make it right that he should receive compensation, there may be paid to him a sum by way of compensation of such amount as may be so determined.
 - (4) The consent of the Treasury shall be required for the making of a determination under this paragraph.
 - (5) Payments required to be made under this paragraph shall be made by the Secretary of State out of money provided by Parliament.

Status: This is the original version (as it was originally enacted).

Staff

- 3 (1) The Commissioner may, with the approval of the Secretary of State as to numbers and terms and conditions of service, appoint such staff as the Commissioner may determine.
- (2) The consent of the Treasury shall be required for the giving of an approval under sub-paragraph (1) above.
- 4 (1) Anything authorised or required by or under this Act to be done by the Commissioner may be done by any member of the staff of the Commissioner who is authorised for the purpose, whether generally or specially, by the Commissioner.
- (2) An authorisation given for the purposes of this paragraph shall continue to have effect during any vacancy in the office of Commissioner.
- 5 (1) Employment as a member of the staff of the Commissioner shall be included among the kinds of employment to which a superannuation scheme under section 1 of the Superannuation Act 1972 may apply.
- (2) Where a person who is employed by the Commissioner and is by reference to that employment a participant in a scheme under section 1 of the Superannuation Act 1972 becomes the Commissioner, the Treasury may determine that his service as the Commissioner shall be treated for the purposes of the scheme as service as an employee of the Commissioner; and his rights under the scheme shall not be affected by any of the preceding provisions of this Schedule.
- 6 The Employers' Liability (Compulsory Insurance) Act 1969 shall not require insurance to be effected by the Commissioner.

Payment of travelling expenses etc. to applicants

- 7 (1) The Commissioner may, with the approval of the Secretary of State, make such provision as the Commissioner considers appropriate for the payment by him to persons who apply for assistance under section 20 of this Act of sums in respect of travelling and other expenses incurred by them in connection with their applications.
- (2) The consent of the Treasury shall be required for the giving of an approval under sub-paragraph (1) above.

Financial provisions

- 8 (1) The Secretary of State shall, out of money provided by Parliament, pay to the Commissioner such sums as the Secretary of State may determine are required by the Commissioner for the purpose of carrying out his functions.
- (2) The consent of the Treasury shall be required for the making of a determination under sub-paragraph (1) above.
- 9 (1) It shall be the duty of the Commissioner—
- (a) to keep proper accounts and proper records in relation to the accounts;
 - (b) to prepare in respect of each financial year a statement of accounts in such form as the Secretary of State may with the approval of the Treasury direct;
- and

Status: This is the original version (as it was originally enacted).

- (c) to send copies of each such statement to the Secretary of State and the Comptroller and Auditor General not later than the 30th November following the end of the financial year to which the statement relates.
- (2) The Comptroller and Auditor General shall examine, certify and report on each statement of accounts sent to him by the Commissioner and shall lay a copy of every such statement and of his report before each House of Parliament.

Annual report

- 10 (1) As soon as reasonably practicable after the end of each financial year the Commissioner shall prepare a report on his activities during that year and shall send a copy of that report to the Secretary of State.
- (2) The Secretary of State shall lay a copy of every such report before each House of Parliament.

Miscellaneous

11 The Commissioner shall have an official seal for the authentication of documents required for the purposes of his functions.

12 In the Parliamentary Commissioner Act 1967, in Schedule 2 (departments and authorities subject to investigation), there shall be inserted (at the appropriate place) the following entry—

“Office of the Commissioner for the Rights of Trade Union Members.”

13 In the House of Commons Disqualification Act 1975, in Part III of Schedule 1 (other disqualifying offices), there shall be inserted (at the appropriate place) the following entry—

“Commissioner for the Rights of Trade Union Members.”;

and the like insertion shall be made in Part III of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975.

Interpretation

14 In this Schedule “financial year” means the twelve months ending with 31st March.

SCHEDULE 2

Section 25.

PROVISIONS SUPPLEMENTAL TO SECTION 25

Further amendments of the 1973 Act

1 In section 11(3) of the 1973 Act (power of Commission to make payments in respect of injuries or diseases)—

- (a) for the word “Commission”, in the first and third places where it occurs, there shall be substituted the words “Secretary of State”; and
- (b) for the words “by the Commission or” there shall be substituted the words “by or on behalf of the Secretary of State or by”.

Status: This is the original version (as it was originally enacted).

- 2 (1) In subsection (1) of section 12 of the 1973 Act (duty of Commission to give preference to certain categories of disabled persons)—
- (a) for the word “Commission” there shall be substituted the words “Secretary of State”; and
 - (b) for the words from “and of the Secretary of State” to “section 3(4) of this Act” there shall be substituted the words “and of the Commission in exercising any such power by virtue of an authorisation or direction under section 2 or 3 of this Act”; and
 - (c) for the words “it or he” there shall be substituted the words “he or it”.
- (2) After that subsection, there shall be inserted the following subsection—
- “(1A) It shall be the duty of the Commission and of each local education authority to furnish the Secretary of State with such information in its possession as the Secretary of State may specify as being information required by him in connection with the determination of questions relating to the exercise by him of any power under this Act to make payments to any persons; and any information falling to be furnished in pursuance of this subsection shall be furnished in such form and at such times as the Secretary of State may direct.”
- (3) In subsection (4) of that section (power of Commission to make payments in connection with an examination for the purposes of a claim for a payment under section 11(3))—
- (a) for the word “Commission”, in the first and third places where it occurs, there shall be substituted the words “Secretary of State”; and
 - (b) for the words “are approved by the Secretary of State and which the Commission” there shall be substituted the words “, in the case of payments by such a board, are approved by the Secretary of State and which the Secretary of State”.
- 3 In Schedule 1 to the 1973 Act (supplemental provisions in relation to Commission), after paragraph 10A there shall be inserted the following paragraph—
- “10B (1) Without prejudice to any power conferred on the Commission under section 2 or 3 of this Act, the Commission may—
- (a) appoint persons to advise the Commission in connection with the carrying out of any of its functions; and
 - (b) with the consent of the Secretary of State, pay sums by way of subsistence or travelling allowances, or compensation for loss of remuneration, to persons so appointed.
- (2) The approval of the Treasury shall be required for the giving of a consent under sub-paragraph (1)(b) above.”

Incidental and transitional provisions

- 4 (1) For the purpose of securing (subject to sub-paragraph (3) below) that the Commission continues to carry on the same activities after the time when section 25 of this Act comes into force as it was carrying on immediately before that time, sub-paragraph (2) below shall apply to the following functions of the Commission, that is to say—
- (a) the powers which immediately before that time were exercisable by the Commission for the purposes of, or in connection with, the performance of

Status: This is the original version (as it was originally enacted).

- the duty which by virtue of that section is transferred from the Commission to the Secretary of State;
- (b) the powers and duties which immediately before that time were exercisable, or fell to be performed, by the Commission under any arrangements for the carrying out by the Commission of any functions on behalf of a Minister of the Crown; and
 - (c) the powers which immediately before that time were exercisable by the Commission and which are transferred from the Commission to the Secretary of State by virtue of paragraphs 1 and 2(3) above.
- (2) So far as necessary for the purpose mentioned in sub-paragraph (1) above, the functions to which this sub-paragraph applies shall continue to be exercisable or performed by the Commission after the coming into force of section 25 of this Act as if the Commission had been authorised or, in the case of any duties, directed by the Secretary of State to carry out those functions under section 2 or, as the case may require, section 3 of the 1973 Act.
- (3) The power of the Secretary of State to revoke or vary an authorisation or direction given by him under section 2 or 3 of the 1973 Act shall apply to any authorisation or direction that is deemed by virtue of this paragraph to have been given under that section.
- 5 (1) The Secretary of State may, with the consent of the Treasury, by order transfer to the Commission—
- (a) any interest of the Crown or a government department in any land which, in the opinion of the Secretary of State, is occupied by him or the Commission for the purpose of carrying out any functions conferred or imposed by or under the 1973 Act or any other enactment or otherwise; and
 - (b) any rights or liabilities to which the Crown or a government department is entitled or subject in connection with such an interest.
- (2) The Secretary of State may, with the consent of the Treasury, by order transfer to himself—
- (a) any interest of the Commission in any land which, in the opinion of the Secretary of State, is or has been occupied by the Commission for the purpose mentioned in sub-paragraph (1) above; and
 - (b) any rights or liabilities to which the Commission is entitled or subject in connection with such an interest.
- 6 (1) The Secretary of State may by order make such incidental and transitional provision as he considers appropriate for the purposes of, or in connection with—
- (a) the giving to the Commission of any authorisation or direction under section 2 or 3 of the 1973 Act;
 - (b) the revocation or variation of any authorisation or direction under the said section 2 or 3, or of any authorisation or direction which is deemed by virtue of paragraph 4 above to have been given under the said section 2 or 3;
 - (c) the termination or variation at any time before the coming into force of this paragraph of any arrangements for the carrying out by the Commission of any functions on behalf of a Minister of the Crown;
 - (d) the making by the Secretary of State at any time before the coming into force of this paragraph of any arrangements under subsection (4) of the said section 3, as that section had effect before the substitutions made by section 25 of this Act.

Status: This is the original version (as it was originally enacted).

- (2) Without prejudice to the generality of sub-paragraph (1) above, an order under this paragraph may provide—
- (a) for the transfer of property (other than land), and of rights and liabilities, from a Minister of the Crown to the Commission or from the Commission to a Minister of the Crown; and
 - (b) for things done, or in the process of being done, by or in relation to a Minister of the Crown or the Commission (including, in particular, agreements and legal proceedings) to be treated as done, or to be continued, by or in relation to the person to whom any property, rights or liabilities are transferred by the order.
- 7 The power to make an order under paragraph 5 or 6 above shall be exercisable by statutory instrument.

Interpretation

- 8 (1) In this Schedule “the Commission” means the Commission established by section 1 of the 1973 Act and, by virtue of section 24 of this Act, to be known as the Training Commission.
- (2) References in this Schedule to any property (including an interest in land), right or liability, in relation to the making of an order for the transfer of the property, right or liability from a Minister of the Crown or from the Commission, shall include references to any property, right or liability which is not capable, apart from this Schedule, of being assigned or otherwise transferred by the Minister or the Commission.

SCHEDULE 3

Section 33.

MINOR AND CONSEQUENTIAL AMENDMENTS

PART I

TRADE UNIONS

The Trade Union Act 1913 (c. 30)

- 1 (1) In section 4 of the 1913 Act (ballots on the application of funds for political purposes)
-
- (a) in subsection (1), after the words “subsections (1A) to (1F) below” there shall be inserted the words “and of subsections (2) to (7) of section 15 of the Employment Act 1988”; and
 - (b) in subsection (1B), at the end there shall be inserted the words “; and each voting paper—
 - (a) must clearly specify the address to which, and the date by which, the voting paper is to be returned;
 - (b) must be given one of a series of consecutive whole numbers every one of which is used in giving a different number

Status: This is the original version (as it was originally enacted).

in that series to each voting paper printed or otherwise produced for the purposes of the ballot; and
(c) must be marked with its number.”

- (2) The approval which is required under section 4 of the 1913 Act to be given in relation to any ballot taken after the coming into force of this paragraph shall be an approval given after the coming into force of this paragraph.

The Employment Protection (Consolidation) Act 1978 (c. 44)

- 2 (1) For subsection (7) of section 23 of the 1978 Act (references to a trade union to include references to a branch or section of a trade union) there shall be substituted the following subsection—

“(7) In this section references to being, becoming or ceasing to remain a member of a trade union shall include references to being, becoming or ceasing to remain a member of a particular branch or section of that union and to being, becoming or ceasing to remain a member of one of a number of particular branches or sections of that union, and references to taking part in the activities of a trade union shall be similarly construed.”

- (2) In section 58 of that Act (dismissal relating to union membership)—

- (a) in subsection (13), in the words after paragraph (b), for the words “subsections (1)(c) and (3)(b)” there shall be substituted the words “subsection (1)(c)”; and
(b) for subsection (14) there shall be substituted the following subsection—

“(14) In this section references to being, becoming or ceasing to remain a member of a trade union shall include references to being, becoming or ceasing to remain a member of a particular branch or section of that union and to being, becoming or ceasing to remain a member of one of a number of particular branches or sections of that union, and references to taking part in the activities of a trade union shall be similarly construed.”

- (3) In section 133(1) of that Act (industrial tribunal proceedings in relation to which conciliation officers exercise functions), after paragraph (e) there shall be inserted “; or

(f) arising out of an infringement, or alleged infringement, of the right conferred by section 3 of the Employment Act 1988.”

- (4) In section 136(5) of that Act (appeals under certain enactments to lie only to the Employment Appeal Tribunal), after the words “the Employment Act 1980” there shall be inserted the words “or section 4 or 5 of the Employment Act 1988”.

- (5) In paragraphs 18 and 21A of Schedule 11 to that Act (rules and powers of the Employment Appeal Tribunal), after the words “section 5 of the Employment Act 1980”, wherever they occur, there shall be inserted the words “or section 5 of the Employment Act 1988”.

The Employment Act 1980 (c. 42)

- 3 (1) In section 2 of the Employment Act 1980 (secret ballots on employers' premises)—

Status: This is the original version (as it was originally enacted).

- (a) in subsection (1), at the end there shall be inserted the words “unless the ballot is one in which every person who is entitled to vote must be given a convenient opportunity to vote by post.”; and
- (b) in subsection (9), at the end there shall be inserted the words “; and in this section “post” has the same meaning as in Part I of the Trade Union Act 1984.”

(2) In section 5 of that Act—

- (a) in subsection (8) (limit in certain cases on compensation for unreasonable exclusion or expulsion from a trade union), at the beginning there shall be inserted the words “Subject to subsection (8A) below,” and at the end there shall be inserted the words—

“and shall not be less than the amount for the time being specified in section 73(4A) of that Act (minimum basic award in certain cases of unfair dismissal).”;

and

- (b) after that subsection there shall be inserted the following subsection—

“(8A) In determining the amount of any compensation to be awarded against a trade union on an application under this section, any reduction or increase which is required to be made by virtue of subsection (7) or (8) above shall be made—

- (a) before any reduction is made by virtue of subsection (5) or (6) above; and
- (b) before any reduction is made on account of sums already paid by the union by way of compensation in respect of the subject matter of the application;

and, accordingly, where the case so requires, the reductions mentioned in paragraphs (a) and (b) above shall be applied to the maximum or, as the case may be, minimum award under subsection (7) or (8) above.”

The Employment Act 1982 (c. 46)

4 For subsections (3) and (4) of section 14 of the 1982 Act (pressure to impose union membership or recognition requirements) there shall be substituted the following subsection—

“(3) This subsection is satisfied if—

- (a) the supplier of the goods or services is not the employer under the contract of employment mentioned in subsection (2) above; and
- (b) the reason, or one of the reasons, for which the act is done is the fact or belief that the supplier does not, or that the supplier might not, recognise, negotiate or consult as mentioned in section 13.”

The Trade Union Act 1984 (c. 49)

5 (1) In subsection (1)(a) of section 1 of the 1984 Act (duty of trade union to hold elections for certain positions), for the word “has” there shall be substituted the words “and, in the case of an election held after the coming into force of any provision of section 13

Status: This is the original version (as it was originally enacted).

or 15 of the Employment Act 1988, the requirements imposed by virtue of that provision have”.

(2) In section 2 of that Act—

- (a) in subsection (5) (method of voting in election), at the end there shall be inserted the words “; and each voting paper—
 - (a) must clearly specify the address to which, and the date by which, the voting paper is to be returned;
 - (b) must be given one of a series of consecutive whole numbers every one of which is used in giving a different number in that series to each voting paper printed or otherwise produced for the purposes of the election; and
 - (c) must be marked with its number.”;

and

- (b) in subsection (13) (exclusion of overseas members), at the end there shall be inserted the words “except, in the case of subsections (5) to (8), where the union has chosen to accord that member entitlement to vote in the ballot.”

(3) In section 4 of that Act (register of members' names and addresses), after subsection (2) there shall be inserted the following subsection—

“(2A) It shall be the duty of every trade union—

- (a) free of charge and at any reasonable time, to allow a member of the union who gives the union reasonable notice of his intention to do so to ascertain from the register whether there is an entry on the register relating to that member; and
- (b) if requested to do so by any member of the union, to supply that member, as soon as reasonably practicable after receiving the request and either free of charge or on payment of a reasonable fee, with a copy of any such entry.”

(4) In section 5 of that Act (remedy for failure to comply with one or more of the provisions of Part I of that Act)—

- (a) in subsections (1) and (10), after the word “Part” there shall be inserted the words “or, in relation to any election which has been or is proposed to be held for the purposes of this Part, with one or more of the provisions of section 13 or 15 of the Employment Act 1988”;
- (b) in subsection (8), for paragraphs (a) and (b) there shall be substituted the words “in accordance with section 2 of this Act and such other provisions as may be made by the order and for the requirements of sections 13 and 15 of the Employment Act 1988 to be satisfied in relation to the election.”; and
- (c) after subsection (12) there shall be inserted the following subsection—

“(12A) The requirements of subsection (1) or (12) above that a person making an application under this section in relation to an election or seeking to enforce obedience to an enforcement order in relation to an election must be or have been a member of the union at a particular time shall not apply where the person who makes the application or seeks to enforce obedience to the order is or was a candidate in the election.”

(5) In section 8 of that Act (exemption for certain persons nearing retirement)—

- (a) in subsection (1), the word “voting” shall be omitted;

Status: This is the original version (as it was originally enacted).

- (b) in subsection (2)(a), for the word “has” there shall be substituted the words “and the requirements of sections 13 and 15 of the Employment Act 1988 have”;
- (c) in subsection (4), at the end there shall be inserted the words “; and where that election was held before the coming into force of a provision of section 13 or 15 of the Employment Act 1988, that paragraph shall apply as if it did not require the requirements imposed by virtue of that provision to be satisfied in relation to that election.”; and
- (d) after the said subsection (4) there shall be inserted the following subsection—
 - “(5) Where any person holds any such position as is mentioned in paragraph (a) of subsection (2) above by virtue of an election held at any time before the coming into force of section 14(2) of the Employment Act 1988 (requirement of postal ballot), section 3 of this Act (non-postal ballots) shall be disregarded in determining for the purposes of that paragraph whether any election is an election in relation to which section 2 of this Act has been satisfied, unless the position to which that person was elected in that election was, at the time of the election, either—
 - (a) a position as a voting member of the principal executive committee of a trade union; or
 - (b) a position by virtue of election to which the person elected would become such a voting member.”
- (6) In section 9(1) of that Act (interpretation of Part I), the following definitions shall be inserted after the definitions of “the Certification Officer” and “single transferable vote”, respectively, that is to say—
 - ““member”, in relation to a trade union’s principal executive committee, shall be construed in accordance with section 1(6A) to (6C) of this Act;”
 - ““special register body” has the same meaning as it has in the 1974 Act by virtue of section 30;”.
- (7) In section 10 of that Act (liability in tort in respect of action authorised or endorsed without the support of a ballot), for subsection (4) there shall be substituted the following subsections—
 - “(4) Subject to subsection (4A) below, in this section and section 11 of this Act references to the appropriate question are references to whichever of the questions set out in subsection (4) of section 11 of this Act is applicable to the strike or other industrial action in question.
 - (4A) Where both the questions mentioned in subsection (4) above are applicable in relation to any industrial action, an act inducing a breach or interference such as is mentioned in subsection (1) above shall be treated as an act for the purposes of which the requirement of paragraph (b) of subsection (3) above is satisfied if but only if that paragraph (or, as the case may be, that paragraph as it has effect by virtue of subsection (3A) above) is satisfied in relation to the question applicable to that part of the action in the course of which the breach or interference occurred.”
- (8) In section 11 of that Act (requirements to be satisfied in relation to the ballot)—

Status: This is the original version (as it was originally enacted).

- (a) in paragraph (a) of subsection (1) (persons entitled to vote), for the words from “called” to the end of the paragraph there shall be substituted the words “induced to take part or, as the case may be, to continue to take part in the strike or other industrial action; and”;
- (b) in paragraph (b) of subsection (2) (persons denied entitlement to vote), for the words from “, in”, where it first occurs, to the end of the paragraph there shall be substituted the words “to take part or, as the case may be, to continue to take part in the strike or other industrial action;”
- (c) in subsection (3) (method of voting), at the end there shall be inserted the words “and the following statement must (without being qualified or commented upon by anything else on the voting paper) appear on every voting paper, namely—

“If you take part in a strike or other industrial action, you may be in breach of your contract of employment.”;

- (d) in subsection (4) (appropriate questions), for paragraphs (a) and (b) there shall be substituted the following paragraphs—
 - “(a) a question (however framed) which requires the person answering it to say, by answering “Yes” or “No”, whether he is prepared to take part or, as the case may be, to continue to take part in a strike;
 - (b) a question (however framed) which requires the person answering it to say, by answering “Yes” or “No”, whether he is prepared to take part or, as the case may be, to continue to take part in action short of a strike.”;
- (e) for paragraphs (b) and (c) of subsection (8) there shall be substituted the following paragraphs—
 - “(b) individuals answering “Yes” to the question, or as the case may be, to each question;
 - (c) individuals answering “No” to the question or, as the case may be, to each question; and”;
- (f) in subsection (11) (interpretation), at the end there shall be inserted the words—

“and section 1(6) of the Employment Act 1988 shall apply for construing references in this section to a person being induced to take part or to continue to take part in any strike or other industrial action as it applies for the purposes of that section.”

- (9) In section 22(6) of that Act (extent and application of Act), after the words “in Northern Ireland” there shall be inserted the words “or in relation to any unincorporated employers' association which has its head or main office in Northern Ireland”.

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

Status: This is the original version (as it was originally enacted).

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.

PART II

EMPLOYMENT AND TRAINING

Enactments referring to the Manpower Services Commission

7 In the following enactments, for the words “Manpower Services Commission”, wherever they occur, there shall be substituted the words “Training Commission”—

- (a) sections 27(2)(b) and (3) and 55(1)(a) of the Health and Safety at Work etc. Act 1974;
- (b) section 20(5) of the Social Security Act 1975;
- (c) section 14(2)(b) of the Sex Discrimination Act 1975;
- (d) section 11(6) of the Scottish Development Agency Act 1975;
- (e) section 24(6) of the Welsh Development Agency Act 1975;
- (f) section 13(2)(b) of the Race Relations Act 1976;
- (g) section 17(1) of the Development of Rural Wales Act 1976;
- (h) section 20(4) of the Local Government, Planning and Land Act 1980;
- (i) section 10(2) of the Employment and Training Act 1981;
- (j) paragraph 6 of Schedule 1 to the Agricultural Training Board Act 1982;
- (k) section 1(2) of and paragraph 7(1) of Schedule 1 to the Industrial Training Act 1982;
- (l) section 45(1) of the Local Government (Miscellaneous Provisions) Act 1982; and
- (m) section 8 of the Local Government and Planning (Scotland) Act 1982.

Status: This is the original version (as it was originally enacted).

The Parliamentary Commissioner Act 1967 (c. 13)

- 8 In Schedule 2 to the Parliamentary Commissioner Act 1967, there shall be inserted (at the appropriate place) the following entry—

“Training Commission.”

The House of Commons Disqualification Act 1975 (c. 24)

- 9 In Part III of Schedule 1 to the House of Commons Disqualification Act 1975, there shall be inserted (at the appropriate place) the following entry—

“Chairman of the Training Commission.”

The Northern Ireland Assembly Disqualification Act 1975 (c. 25)

- 10 In Part III of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975, there shall be inserted (at the appropriate place) the following entry—

“Chairman of the Training Commission.”

The Sex Discrimination Act 1975 (c. 65)

- 11 (1) In subsection (2) of section 14 of the Sex Discrimination Act 1975 (under which it is unlawful for the specified persons to discriminate in the provision of vocational training), paragraph (a) shall become paragraph (aa) of that subsection and before that paragraph there shall be inserted the following paragraph—

“(a) the Secretary of State,”.

- (2) In subsection (1) of section 16 of that Act (under which it is unlawful for the Manpower Services Commission to discriminate in the provision of facilities or services under section 2 of the 1973 Act), for the words “Manpower Services Commission” there shall be substituted the words “Secretary of State or the Training Commission”.

The Race Relations Act 1976 (c. 74)

- 12 (1) In subsection (2) of section 13 of the Race Relations Act 1976 (under which it is unlawful for the specified persons to discriminate in the provision of vocational training), paragraph (a) shall become paragraph (aa) of that subsection and before that paragraph there shall be inserted the following paragraph—

“(a) the Secretary of State,”.

- (2) In subsection (1) of section 15 of that Act (under which it is unlawful for the Manpower Services Commission to discriminate in the provision of facilities or services under section 2 of the 1973 Act), for the words “Manpower Services Commission” there shall be substituted the words “Secretary of State or the Training Commission”.

- (3) In subsection (3) of section 37 of that Act (definition of “training body”), for the words “section 13(2)(a) or (b)” there shall be substituted the words “section 13(2) (a), (aa) or (b)”.

Status: This is the original version (as it was originally enacted).

The Agricultural Training Board Act 1982 (c. 9)

- 13 In section 4(1)(f) of the Agricultural Training Board Act 1982 (power of Board to take part in arrangements in pursuance of the 1973 Act), for the words “section 2(1) or (2), 3(4)” there shall be substituted the words “section 2, 3”.

The Industrial Training Act 1982 (c. 10)

- 14 (1) In section 5(3)(e) of the Industrial Training Act 1982 (power of industrial training board to take part in arrangements in pursuance of the 1973 Act), for the words “section 2(1) or (2), 3(4)” there shall be substituted the words “section 2, 3”.
- (2) In section 15(3) of that Act (directions in pursuance of directions under section 3(1)(b) of the 1973 Act), for the words “section 3(1)(b)” there shall be substituted the words “section 2 or 3”.

The Income and Corporation Taxes Act 1988 (c. 1)

- 15 In section 127(1)(a) of the Income and Corporation Taxes Act 1988 (enterprise allowance), for the words “by the Manpower Services Commission” there shall be substituted the words “(whether before or after the coming into force of section 25 of the Employment Act 1988)”.

SCHEDULE 4

Section 33.

REPEALS

2 & 3 Geo. V c. 30.	The Trade Union Act 1913.	In section 4(1F), the definition of “working hours” and the word “and” immediately preceding that definition.
1964 c. 24.	The Trade Union (Amalgamations, etc.) Act 1964.	Section 4(6). Schedule 1.
1967 c. 13.	The Parliamentary Commissioner Act 1967.	In Schedule 2, the words “Manpower Services Commission”.
1973 c. 50.	The Employment and Training Act 1973.	In section 4(2), the words from “Without” to “preceding section,”. In section 5, subsection (1) and, in subsection (4), the words “(1) or”. In section 11(3), the words from “and the Secretary of State” onwards.

Status: This is the original version (as it was originally enacted).

		In section 12(4), the words from “and the Secretary of State” onwards.
1975 c. 14.	The Social Security Act 1975.	In section 20(1), the word “or” at the end of paragraph (d).
1975 c. 24.	The House of Commons Disqualification Act 1975.	In Part III of Schedule 1, the words “Chairman of the Manpower Services Commission.”
1975 c. 25.	The Northern Ireland Assembly Disqualification Act 1975.	In Part III of Schedule 1, the words “Chairman of the Manpower Services Commission.”
1975 c. 71.	The Employment Protection Act 1975.	In Schedule 14, paragraph 2(1).
1977 c. 5.	The Social Security (Miscellaneous Provisions) Act 1977.	Section 22(6).
1978 c. 44.	The Employment Protection (Consolidation) Act 1978.	In section 23, in subsection (1), the words “Subject to the following provisions of this section,” and subsections (2A) and (2B). In section 58, in subsection (1), the words “Subject to subsection (3),” and subsections (3) to (12). Section 58A. In section 153(1), the words from ““union membership agreement”” to “section 30(5A) of that Act;”.
1980 c. 39.	The Social Security (No. 2) Act 1980.	Section 7(7).
1980 c. 42.	The Employment Act 1980.	Section 15(2).
1982 c. 46.	The Employment Act 1982.	Section 10(1) and (2). In Schedule 3, paragraph 16.
1984 c. 49.	The Trade Union Act 1984.	In section 1(1) to (3), the word “voting”, wherever it occurs. Section 3. Section 6(6).

Status: This is the original version (as it was originally enacted).

In section 8(1), the word
“voting”.

In section 9(1), the definition
of “working hours” and the
word “and” immediately
preceding that definition.
