

**Changes to legislation:** Trade Union and Labour Relations (Consolidation) Act 1992, Paragraph 146 is up to date with all changes known to be in force on or before 04 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### <sup>F1</sup>SCHEDULE A1

#### COLLECTIVE BARGAINING: RECOGNITION

##### Textual Amendments

**F1** Sch. A1 (paras. 1-173) inserted (6.6.2000) by 1999 c. 26, s. 1(3), **Sch. 1**; S.I. 2000/1338, **art. 2(d)**

##### Modifications etc. (not altering text)

**C1** Sch. A1 (paras. 1-173) applied (14.8.2000) by S.I. 2000/1282, **art. 2(5)(a)**

**C1** Sch. A1 modified (temp. from 6.4.2005) by The Employment Relations Act 2004 (Commencement No.3 and Transitional Provisions) Order 2005 (S.I. 2005/872), arts. 4, **21**, Sch. (with arts. 6-21)

### PART VI

#### DERECOGNITION WHERE UNION NOT INDEPENDENT

##### *Workers' application to end arrangements*

- 146 (1) This paragraph applies if—
- (a) the CAC accepts an application under paragraph 137,
  - (b) paragraph 143 does not apply, and
  - (c) during the relevant period the CAC is satisfied that a certificate of independence has been issued to the union (or any of the unions) under section 6.
- (2) In such a case the relevant period is the period starting with the first day of the negotiation period (as defined in paragraph 142(2)) and ending with the first of the following to occur—
- (a) any agreement by the employer and the union (or unions) to end the bargaining arrangements;
  - (b) any withdrawal of the application by the worker (or workers);
  - (c) the CAC being informed of the result of a relevant ballot by the person conducting it;
- and a relevant ballot is a ballot held by virtue of this Part of this Schedule.
- (3) This paragraph also applies if—
- (a) the CAC gives notice under paragraph 145(2), and
  - (b) during the relevant period the CAC is satisfied that a certificate of independence has been issued to the union (or any of the unions) under section 6.

---

**Changes to legislation:** Trade Union and Labour Relations (Consolidation) Act 1992, Paragraph 146 is up to date with all changes known to be in force on or before 04 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

---

- (4) In such a case, the relevant period is the period starting with the first day of the new negotiation period (as defined in paragraph 145(4)) and ending with the first of the following to occur—
- (a) any agreement by the employer and the union (or unions) to end the bargaining arrangements;
  - (b) any withdrawal of the application by the worker (or workers);
  - (c) the CAC being informed of the result of a relevant ballot by the person conducting it;
- and a relevant ballot is a ballot held by virtue of this Part of this Schedule.
- (5) If this paragraph applies—
- (a) the CAC must give the worker (or workers), the employer and the union (or unions) notice that it is satisfied as mentioned in sub-paragraph (1)(c) or (3)(b), and
  - (b) the application under paragraph 137 shall be treated as not having been made.

**Changes to legislation:**

Trade Union and Labour Relations (Consolidation) Act 1992, Paragraph 146 is up to date with all changes known to be in force on or before 04 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 212A(1)(zb) inserted by [2023 c. 46 Sch. para. 1](#)