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STATUTORY INSTRUMENTS

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**2003 No. 1190**

The Employment Act 2002 (Commencement  
No. 4 and Transitional Provisions) Order 2003

**Transitional provisions**

**3.** For the purposes of section 168A of the 1992 Act (inserted by section 43 of the Act), the requirements of subsection (3) of the section (notice to employer and training condition) shall be treated as being satisfied in relation to an employee if—

- (a) immediately before 27th April 2003 he has the function of carrying on any or all of the activities mentioned in section 168A(2) in relation to qualifying members of the union and has had that function for a continuous period of six months or more, and
- (b) he acquired that function by reason of being appointed or elected, in accordance with the rules of the union, to carry it on.