



Trade Union and Labour Relations Act 1974

1974 CHAPTER 52

An Act to repeal the Industrial Relations Act 1971; to make provision with respect to the law relating to trade unions, employers' associations, workers and employers, including the law relating to unfair dismissal, and with respect to the jurisdiction and procedure of industrial tribunals; and for connected purposes. [31st July 1974]

Repeal of Industrial Relations Act 1971

1 Repeal of Industrial Relations Act 1971 and re-enactment of certain provisions.

- (1) ^{F1}
- (2) ^{F1} Schedule 1 to this Act shall have effect. ^{Fi}
- (3) ^{F1}

Textual Amendments

F1 S. 1, except in subsection (2) the words "Schedule 1 to this Act shall have effect" repealed by [Statute Law Repeals Act 1986 \(c. 12\)](#), s. 1(1), [Sch. 1 Pt. V](#)

1A ^{F2}

Textual Amendments

F2 S. 1A (which was inserted by [Trade Union and Labour Relations \(Amendment\) Act 1976 \(c. 7\)](#), s. 2) repealed by [Employment Act 1980 \(c. 42, SIF 43:5\)](#), ss. 19(a), 21(2), [Sch. 2](#)

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Trade Union and Labour Relations Act 1974 (repealed 16.10.1992). (See end of Document for details)

Status and regulation of trade unions and employers' associations

2 Status of trade unions.

- (1) A trade union which is not a special register body shall not be, or be treated as if it were, a body corporate, but—
- (a) it shall be capable of making contracts;
 - (b) all property belonging to the trade union shall be vested in trustees in trust for the union;
 - (c)^{F3}, it shall be capable of suing and being sued in its own name, whether in proceedings relating to property or founded on contract or tort or any other cause of action whatsoever;
 - (d) proceedings for any offence alleged to have been committed by it or on its behalf may be brought against it in its own name; and
 - (e) any judgment, order or award made in proceedings of any description brought against the trade union on or after the commencement of this section shall be enforceable, by way of execution, diligence, punishment for contempt or otherwise, against any property held in trust for the trade union to the like extent and in the like manner as if the union were a body corporate.
- (2) A trade union which is not a special register body shall not be registered as a company under the [^{F4}Companies Act 1985] and accordingly any registration of any such union under that Act (whenever effected) shall be void.
- (3) No trade union shall be registered under the ^{M1}Friendly Societies Act 1896 or the ^{M2}Industrial and Provident Societies Act 1965 and accordingly any registration of a trade union under either of those Acts (whenever effected) shall be void.
- (4) A trade union (other than a special register body) which, immediately before the commencement of this section, was a body corporate shall, on that commencement, cease to be a body corporate and the provisions of section 19 below (as well as this section and section 4 below) shall apply to the trade union on and after that commencement.
- (5) The purposes of any trade union which is not a special register body and, in so far as they relate to the regulation of relations between employers or employers' associations and workers, the purposes of any trade union which is such a body, shall not, by reason only that they are in restraint of trade, be unlawful so as—
- (a) to make any member of the trade union liable to criminal proceedings for conspiracy or otherwise; or
 - (b) to make any agreement or trust void or voidable;
- nor shall any rule of a trade union which is not a special register body or, in so far as it so relates, any rule of any other trade union be unlawful or unenforceable by reason only that it is in restraint of trade.

Textual Amendments

F3 Words repealed by [Employment Act 1982 \(c. 46, SIF 43:5\)](#), s. 21(3), [Sch. 4](#)

F4 Words substituted by [Companies Consolidation \(Consequential Provisions\) Act 1985 \(c. 9, SIF 27\)](#), s. 30, [Sch. 2](#)

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Marginal Citations

M1 1896 c. 25.

M2 1965 c. 12.

3 Status of employers' associations.

- (1) An employers' association may be either a body corporate or an unincorporated association.
- (2) Where an employers' association is unincorporated—
 - (a) it shall be capable of making contracts;
 - (b) all property belonging to the employers' association shall be vested in trustees in trust for the association;
 - (c)^{F5}, it shall be capable of suing and being sued in its own name, whether in proceedings relating to property or founded on contract or tort or any other cause of action whatsoever;
 - (d) proceedings for any offence alleged to have been committed by it or on its behalf may be brought against it in its own name; and
 - (e) any judgment, order or award made in proceedings of any description brought against the employers' association on or after the commencement of this section shall be enforceable, by way of execution, diligence, punishment for contempt or otherwise, against any property held in trust for the employers' association to the like extent and in the like manner as if the association were a body corporate.
- (3) Any employers' association which became a body corporate by virtue of section 74 of the 1971 Act shall cease to be a body corporate by virtue of that section at the expiration of the period of six months beginning with the commencement of this section and the provisions of section 19 below (as well as this section and section 4 below) shall apply to it on and after the expiration of that period, unless before the expiration of that period it has again become a body corporate.
- (4) Nothing in [^{F6}section 716 of the Companies Act 1985] (associations of over twenty members for certain purposes must be incorporated or otherwise formed in special ways) shall be taken to prevent the formation of an employers' association which is neither registered as a company under that Act nor otherwise incorporated.
- (5) The purposes of an unincorporated employers' association and, in so far as they relate to the regulation of relations between employers and workers or trade unions, the purposes of an employers' association which is a body corporate, shall not, by reason only that they are in restraint of trade, be unlawful so as—
 - (a) to make any member of the association liable to criminal proceedings for conspiracy or otherwise; or
 - (b) to make any agreement or trust void or voidable;nor shall any rule of an unincorporated employers' association or, in so far as it so relates, any rule of an employers' association which is a body corporate be unlawful or unenforceable by reason only that it is in restraint of trade.

Textual Amendments

F5 Words repealed by [Employment Act 1982 \(c. 46, SIF 43:5\)](#), s. 21(3), [Sch. 4](#)

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F6 Words substituted by [Companies Consolidation \(Consequential Provisions\) Act 1985 \(c. 9, SIF 27\)](#), s. 30, [Sch. 2](#)

4 Supplementary provisions about property of trade unions and unincorporated employers' associations.

- (1) Sections 39 and 40 of the ^{M3}Trustee Act 1925 and sections 38 and 39 of the ^{M4}Trustee Act (Northern Ireland) 1958 (vesting of property on retirement of trustee or appointment of new trustee) shall, in their application to trustees in whom any property is vested in trust for a trade union or an unincorporated employers' association to which this subsection applies, each have effect as if for any reference to a deed there were substituted a reference to an instrument in writing and as if in subsection (4) of section 40 of the said Act of 1925 and of section 39 of the said Act of 1958 paragraphs (a) and (c) were omitted.
- (2) Subsection (1) above applies to a trade union (other than a special register body) and to an unincorporated employers' association whose name is (in either case) for the time being entered in the list of trade unions or of employers' associations under section 8 below.
- (3) An instrument in writing appointing a new trustee of a trade union or unincorporated employers' association to which subsection (1) above applies is referred to in this section as an "instrument of appointment" and an instrument in writing discharging a trustee of such a union or association is referred to as an "instrument of discharge"; and for the purposes of this section (and the sections of the Acts of 1925 and 1958 applied by subsection (1) above), where a trustee of such a union or association is appointed or discharged by a resolution taken by or on behalf of the union or association, the written record of the resolution shall be treated as if it were the instrument in writing appointing or, as the case may be, discharging that trustee.
- (4) Where by any enactment or instrument the transfer of securities of any description is required to be effected or recorded by means of entries in a register, then, if—
 - (a) there is produced to the person who is authorised or required to keep the register, a copy of an instrument of appointment or of an instrument of discharge which contains or has attached to it a list identifying the securities of that description held in trust for the union or association to which the instrument relates at the date of the appointment or discharge; and
 - (b) it appears to that person that any of the securities so identified are included in the register kept by him,
 he shall, notwithstanding anything in [^{F7}section 183(1) or 360 of the Companies Act 1985] or any other enactment or instrument regulating the keeping of the register, make such entries as may be necessary to give effect to the instrument of appointment or of discharge.
- (5) A document which purports to be a copy of an instrument of appointment or of an instrument of discharge containing or having attached to it such a list and to be certified to be a copy of such an instrument in accordance with subsection (6) below shall be taken to be a copy of such an instrument unless the contrary is proved.
- (6) The certificate referred to in subsection (5) above shall be given by the president and general secretary (or persons occupying positions equivalent to those of president and general secretary) of the union or association to which the instrument relates and, in

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the case of an instrument to which the list of securities is attached, shall appear both on the instrument and on the list.

(7) Nothing done for the purposes of or in pursuance of subsection (4) above shall be taken to affect any person with notice of any trust or to impose on any person a duty to inquire into any matter.

(8) In relation to a trade union or an employers' association whose principal office is situated in Scotland, references in this section to the appointment and to the discharge of a trustee shall be construed as including respectively references to the assumption and to the resignation of a trustee, and references to an instrument appointing, and to an instrument discharging, a trustee shall be construed accordingly.

Textual Amendments

F7 Words substituted by [Companies Consolidation \(Consequential Provisions\) Act 1985 \(c. 9, SIF 27\)](#), s. 30, [Sch. 2](#)

Marginal Citations

M3 1925 c. 19.

M4 1958 c. 23 (N.I.)

5 ^{F8}

Textual Amendments

F8 [S. 5](#) repealed by [Trade Union and Labour Relations \(Amendment\) Act 1976 \(c. 7\)](#), [s. 1\(a\)](#)

6 ^{F9}

Textual Amendments

F9 [S. 6](#) repealed by [Trade Union and Labour Relations \(Amendment\) Act 1976 \(c. 7\)](#), [s. 1\(b\)](#)

[^{F107} **Right to terminate membership of trade union.**

In every contract of membership of a trade union, whether made before or after the passing of this Act, there shall be implied a term conferring a right on the member, on giving reasonable notice and complying with any reasonable conditions, to terminate his membership of the union.]

Textual Amendments

F10 [S. 7](#) substituted by [Trade Union and Labour Relations \(Amendment\) Act 1976 \(c. 7\)](#), [s. 3\(1\)](#)

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8 Lists of trade unions and employers' associations.

- (1) The [F11Certification Officer] . . . F12 shall maintain a list of trade unions and a list of employers' associations containing the names of those organisations which are entitled to have their names entered therein under the following provisions of this section.
- (2) The [F11Certification Officer] shall enter in the list of trade unions or employers' associations, as the case may be, the name of every organisation of workers or of employers which—
 - (a) was on 30th September 1971 registered (whether by that or any other name) as a trade union under the Trade Union Acts 1871 to 1964; or
 - (b) has since that date been formed by the amalgamation of a number of such organisations each of which was so registered; or
 - (c) was immediately before the commencement of this section affiliated to the Trades Union Congress; or
 - (d) was immediately before that commencement registered as a trade union under section 68(4) of the 1971 Act or as an employers' association under section 72(4) of that Act;

except an organisation which appears to him not to be a trade union or, as the case may be, employers' association within the meaning of this Act.
- (3) Any organisation of workers or of employers, whenever formed whose name is not entered in the relevant list may apply to the [F11Certification Officer] to have its name so entered and, subject to subsection (5) below, the [F11Certification Officer] shall, if satisfied that the organisation is a trade union or employers' association and that subsection (4) below has been complied with, enter the name of that organisation in the relevant list.
- (4) An application under subsection (3) above shall be made in such form and manner as the [F11Certification Officer] may require and be accompanied by a fee of [F13£40] or such other fee as may be prescribed by regulations made by the Secretary of State and also by—
 - (a) a copy of the rules of the organisation;
 - (b) a list of its officers;
 - (c) the address of its head or main office; and
 - (d) the name under which it is or is to be known.
- (5) The [F11Certification Officer] shall not under subsection (3) above enter the name of an organisation in the relevant list if that name is—
 - (a) the same as a name under which another organisation was registered as a trade union under the Trade Union Acts 1871 to 1964 on 30th September 1971 or was registered at any time as a trade union or employers' association under the 1971 Act or is for the time being entered in either list; or
 - (b) a name so nearly resembling any such name as to be likely to deceive the public.
- (6) If it appears to the [F11Certification Officer], whether on application made to him or otherwise, that an organisation whose name is entered in the relevant list is not a trade union or employers' association . . . F14 he may remove its name from the relevant list, but shall not do so without giving the organisation notice of his intention to do so and without considering any representations made to him by the organisation during a period specified in the notice (being not less than twenty-eight days beginning with the date of the notice). [F15(6A)]

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- (6A) The Certification Officer shall remove the name of an organisation from the relevant list—
- (a) if he is requested by the organisation to do so, or
 - (b) if he is satisfied that the organisation has ceased to exist.]
- [^{F16}(7) Any organisation aggrieved by the refusal of the Certification Officer to enter its name in the relevant list or by a decision of his to remove its name from that list may appeal, in accordance with [^{F17}section 136(3) of The ^{M5}Employment Protection (Consolidation) Act 1978], to the Employment Appeal Tribunal; and on any such appeal the Tribunal, if satisfied that the name should be or remain so entered, shall declare that fact and give directions to the Certification Officer accordingly.]
- (8) ^{F18}
- (9) The [^{F11}Certification Officer] shall at all reasonable hours keep available for public inspection (free of charge) copies of the lists of trade unions and employers' associations, as for the time being in force, and a copy of each list shall be included in the annual report made by the Chief [^{F19}Certification Officer under paragraph 13(2) of schedule 1 to The ^{M6}Employment Protection Act 1975].
- (10) [^{F20}The fact that the name of an organisation is included in the list of trade unions or employers associations shall be evidence (and in Scotland sufficient evidence) that the organisation is a trade union or, as the case may be, an employers' association, and on the application of the organisation] the [^{F11}Certification Officer] shall issue it with a certificate that its name is included in the relevant list; and any document purporting to be such a certificate shall be evidence (and in Scotland sufficient evidence) that the name of the organisation is entered in the relevant list . . . ^{F12}

Textual Amendments

- F11** Words substituted by [Employment Protection Act 1975 \(c. 71\)](#), [Sch. 16 Pt. III para. 1](#)
- F12** Words repealed by [Employment Protection Act 1975 \(c. 71\)](#), [Sch. 18](#)
- F13** Figure substituted by virtue of [S.I. 1988/310](#), [reg. 3](#)
- F14** Words repealed by [Trade Union and Labour Relations \(Amendment\) Act 1976 \(c. 7\)](#), [s. 1\(c\)](#)
- F15** [S. 8\(6A\)](#) inserted by [Employment Protection Act 1975 \(c. 71\)](#), [Sch. 16 Pt. III para. 2](#)
- F16** [S. 8\(7\)](#) substituted by [Employment Protection Act 1975 \(c. 71\)](#), [Sch. 16 Pt. III para. 3](#)
- F17** Words substituted by [Employment Protection \(Consolidation\) Act 1978 \(c. 44\)](#), [Sch. 16 para. 18](#)
- F18** [S. 8\(8\)](#) repealed by [Employment Protection Act 1975 \(c. 71\)](#), [Sch. 18](#)
- F19** Words substituted by [Employment Protection Act 1975 \(c. 71\)](#), [Sch. 16 Pt. III para. 4](#)
- F20** Words substituted by [Employment Protection Act 1975 \(c. 71\)](#), [Sch. 16 Pt. III para. 5](#)

Marginal Citations

- M5** [1978 c. 44.](#)
- M6** [1975 c. 71.](#)

9 Application of existing Acts referring to registered trade unions, employers' associations, etc.

- (1) An enactment passed, or an instrument made under an enactment, before the commencement of this section which refers (or is to be construed as referring) to a trade union registered under the Trade Union Acts 1871 to 1964 or a trade union or employers' association registered under the 1971 Act, shall, on and after that

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commencement, have effect as if it referred to a trade union or employers' association within the meaning of this Act.

- (2) Where an enactment passed, or an instrument made under an enactment, before the commencement of this section refers (or is to be construed as referring) to an organisation of workers or to an organisation of employers (within the meaning of the 1971 Act), it shall, on and after that commencement, have effect as if it referred to a trade union or an employers' association, as the case may be.
- (3) Subsections (1) and (2) above shall not apply to any enactment contained in the ^{M7}Income and Corporation Taxes Act 1970 or any other enactment relating to income tax or corporation tax.

Marginal Citations

M7 1970 c. 10.

10 Duty to keep accounting records.

- (1) This section applies to every trade union and every employers' association except one which consists wholly or mainly of representatives of constituent or affiliated organisations (of the description referred to in subsection (1)(b)(ii) or subsection (2)(b)(ii) of section 28 below).
- (2) Every trade union and every employers' association to which this section applies shall—
 - (a) cause to be kept proper accounting records with respect to its transactions and its assets and liabilities; and
 - (b) establish and maintain a satisfactory system of control of its accounting records, its cash holdings and all its receipts and remittances.
- (3) For the purposes of paragraph (a) above proper accounting records shall not be taken to be kept with respect to the matters mentioned in that paragraph if there are not kept such records as are necessary to give a true and fair view of the state of the affairs of the trade union or employers' association and to explain its transactions.
- (4) Where a trade union or employers' association consists of or includes branches or sections, then—
 - (a) any duty falling upon the union or association in relation to a branch or section under this section shall be treated as having been discharged to the extent to which a branch or section discharges that duty instead of the union or association; and
 - (b) any duty falling upon a branch or section under this section by reason of its being a trade union or employers' association shall be treated as having been discharged to the extent to which the union or association of which it is a branch or section discharges that duty instead of the branch or section.

11 Duties as to annual returns, auditors and members' superannuation schemes.

- (1) This section applies to every trade union and every employers' association to which section 10 above applies except a union or association which has been in existence for less than 12 months.

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- (2) Every trade union and every employers' association to which this section applies shall send the [^{F21}Certification Officer] as respects every calendar year a return relating to its affairs.
- (3) Every trade union and every employers' association to which this section applies shall appoint an auditor or auditors to audit the accounts contained in its annual return.
- (4) Every trade union and every employers' association to which this section applies shall at the request of any person, supply him with a copy of its rules and of its most recent annual return either free of charge or on payment of a reasonable charge.
- (5) The [^{F21}Certification Officer] shall at all reasonable hours keep available for public inspection, either free of charge or on payment of a reasonable charge, copies of all annual returns sent to him under this section.
- (6) The provisions of Part I of Schedule 2 to this Act shall have effect with respect to the annual return and to the qualifications, appointment, removal and functions of auditors of trade unions and employers' associations to which this section applies.
- (7) The provisions of Part II of Schedule 2 to this Act shall have effect with respect to members' superannuation schemes maintained or to be maintained by trade unions or employers' associations to which this section applies.
- (8) Where a trade union or employers' association consists of or includes branches or sections, then—
 - (a) any duty falling upon the union or association in relation to a branch or section under this section or Schedule 2 to this Act shall be treated as having been discharged to the extent to which a branch or section discharges that duty instead of the union or association; and
 - (b) any duty falling upon a branch or section under this section or Schedule 2 to this Act by reason of its being a trade union or employers' association shall be treated as having been discharged to the extent to which the union or association of which it is a branch or section discharges that duty instead of the branch or section.
- [^{F22}(9) Where a trade union or employers' association to which this section applies is a company within the meaning of the Companies Act 1985—
 - (a) subsection (3) above, and the provisions of paragraphs 6 to 15 of Schedule 2 to this Act, do not apply, and
 - (b) the rights and powers conferred, and duties imposed, by paragraphs 16 to 21 of that Schedule belong to the auditors of the company appointed under Chapter V of Part XI of that Act.]

Textual Amendments

F21 Words substituted by [Employment Protection Act 1975 \(c. 71\), Sch. 16 Pt. III para. 1](#)

F22 [S. 11\(9\)](#) inserted (1.4.1990 but subject to the transitional and saving provisions referred to in [S.I. 1990/355 art. 4\(a\)](#)) by [Companies Act 1989 \(c. 40, SIF 27\), s. 124](#)

Modifications etc. (not altering text)

C2 [S. 11\(3\)](#) excluded by [Companies Act 1985 \(c. 6, SIF 27\), s. 394\(2\)](#)

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12 Offences.

- (1) If a trade union or an employers' association refuses or wilfully neglects to perform a duty imposed on it by or under any of the provisions of section 10 or 11 above or Schedule 2 to this Act the trade union or employers' association shall be guilty of an offence.
- (2) Subject to subsection (3) below, any offence committed by a trade union or an employers' association under subsection (1) above shall be deemed to have been also committed by—
 - (a) every officer of that trade union or employers' association who is bound by the rules of the union or association to discharge on its behalf the duty breach of which constitutes that offence; or
 - (b) if there is no such officer, every member of the general committee of management of the union or association.
- (3) In any proceedings brought against an officer or member by virtue of subsection (2) above in respect of any breach of duty, it shall be a defence for him to prove that he had reasonable cause to believe, and did believe, that some other person who was competent to discharge that duty was authorised to discharge it instead of him and had discharged it or would do so.
- (4) A person who wilfully alters or causes to be altered a document which is required for the purposes of any of the provisions of section 10 or 11 above or Schedule 2 to this Act, with intent to falsify the document or to enable a trade union or employers' association to evade any of those provisions, shall be guilty of an offence.
- (5) For every offence committed under this section the trade union, employers' association or other person guilty of the offence shall be liable on summary conviction—
 - (a) in the case of an offence under subsection (1) above, to a fine not exceeding [^{F23}level 3 on the standard scale];
 - (b) in the case of an offence under subsection (4) above, to a fine not exceeding [^{F23}level 5 on the standard scale].

Textual Amendments

F23 Words substituted by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **ss. 38, 46** and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), **ss. 289F, 289G**

Modifications etc. (not altering text)

C3 [S. 12](#) applied by [Employment Act 1988 \(c. 19, SIF 43:5\)](#), **s. 6(8)(10)**

Restrictions on legal liability and legal proceedings

13 Acts in contemplation or furtherance of trade disputes.

- [^{F24}(1) An act done by a person in contemplation or furtherance of a trade dispute shall not be actionable in tort on the ground only—
- (a) that it induces another person to break a contract or interferes or induces any other person to interfere with its performance; or

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- (b) that it consists in his threatening that a contract (whether one to which he is a party or not) will be broken or its performance interfered with, or that he will induce another person to break a contract or to interfere with its performance.]
- (2) F25
- (3) F26
- (4) An agreement or combination by two or more persons to do or procure the doing of any act in contemplation or furtherance of a trade dispute shall not be actionable in tort if the act is one which, if done without any such agreement or combination, would not be actionable in tort.

Textual Amendments

- F24** S. 13(1) Substituted by Trade Union and Labour Relations (Amendment) Act 1976 (c. 7), s. 3(2)
- F25** S. 13(2) repealed by Employment Act 1982 (c. 46, SIF 43:5), s. 19(1), Sch. 4
- F26** S. 13(3) repealed by Employment Act 1980 (c. 42), Sch. 2

Modifications etc. (not altering text)

- C4** S. 13 excluded by Employment Act 1980 (c. 42), ss. 16(2)(3), 18
- C5** S. 13 excluded by Employment Act 1982 (c. 46, SIF 43:5), s. 14, by Trade Union Act 1984 (c. 49, SIF 43:5), s. 10(1)(2) and by Employment Act 1988 (c. 19, SIF 43:5), s. 10
- C6** S. 13 excluded by S.I. 1989/901, art. 5 and by Employment Act 1990 (c. 38, SIF 43:5), ss. 4(1), 9(2)

14 F27

Textual Amendments

- F27** S. 14 repealed by Employment Act 1982 (c. 46, SIF 43:5), s. 21(3), Sch. 4

[^{F28}15 **Peaceful picketing.**

- (1) It shall be lawful for a person in contemplation or furtherance of a trade dispute to attend—
- (a) at or near his own place of work, or
- (b) if he is an official of a trade union, at or near the place of work of a member of that union whom he is accompanying and whom he represents,
- for the purpose only of peacefully obtaining or communicating information, or peacefully persuading any person to work or abstain from working.
- (2) If a person works or normally works—
- (a) otherwise than at any one place, or
- (b) at a place the location of which is such that attendance there for a purpose mentioned in subsection (1) above is impracticable,
- his place of work for the purposes of that subsection shall be any premises of his employer from which he works or from which his work is administered.
- (3) In the case of a worker who is not in employment [^{F29}where—
- (a)] last employment was terminated in connection with a trade dispute, [^{F30}or

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- (b) the termination of his employment was one of the circumstances giving rise to a trade dispute,]

subsection (1) above shall in relation to that dispute have effect as if any reference to his place of work were a reference to his former place of work.

- (4) A person who is an official of a trade union by virtue only of having been elected or appointed to be a representative of some of the members of the union shall be regarded for the purposes of subsection (1) above as representing only those members; but otherwise an official of a trade union shall be regarded for those purposes as representing all its members.]

Textual Amendments

F28 S. 15 substituted by [Employment Act 1980 \(c. 42\), s. 16\(1\)](#)

F29 Words substituted by [Employment Act 1982 \(c. 46, SIF 43:5\), s. 21, Sch. 3 para. 12](#)

F30 S. 15(3)(b) and word “or” immediately preceding it inserted by [Employment Act 1982 \(c. 46, SIF 43:5\), s. 21, Sch. 3 para. 12](#)

16 No compulsion to work.

No court shall, whether by way of—

- (a) an order for specific performance or specific implement of a contract of employment, or
(b) an injunction or interdict restraining a breach or threatened breach of such a contract,

compel an employee to do any work or attend at any place for the doing of any work.

17 Restriction on grant of ex parte injunctions and interdicts.

[^{F31}(1) Where an application for an injunction or interdict is made to a court in the absence of the party against whom the injunction or interdict is sought or any representative of his, and that party claims, or in the opinion of the court would be likely to claim, that he acted in contemplation or furtherance of a trade dispute, the court shall not grant the injunction or interdict unless satisfied that all steps which in the circumstances were reasonable have been taken with a view to securing that notice of the application and an opportunity of being heard with respect to the application have been given to that party.]

[^{F32}(2) It is hereby declared for the avoidance of doubt that where an application is made to a court, pending the trial of an action, for an interlocutory injunction and the party against whom the injunction is sought claims that he acted in contemplation or furtherance of a trade dispute, the court shall, in exercising its discretion whether or not to grant the injunction, have regard to the likelihood of that party’s succeeding at the trial of the action in establishing the matter or matters which would, under any provision of section 13, . . . ^{F33} or 15 above, afford a defence to the action.

- (3) Subsection (2) above shall not extend to Scotland.]

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Trade Union and Labour Relations Act 1974 (repealed 16.10.1992). (See end of Document for details)

Textual Amendments

- F31** S. 17 renumbered as subsection (1) by [Employment Protection Act 1975 \(c. 71\)](#), [Sch. 16 Pt. III para. 6](#)
- F32** S. 17(2)(3) inserted by [Employment Protection Act 1975 \(c. 71\)](#), [Sch. 16 Pt. III Para. 6](#)
- F33** Figure repealed by [Employment Act 1982 \(c. 46, SIF 43:5\)](#), s. 21(3), [Sch. 4](#)

Collective Agreements

18 Enforceability of collective agreements.

- (1) Subject to subsection (3) below, any collective agreement made before 1st December 1971 or after the commencement of this section shall be conclusively presumed not to have been intended by the parties to be a legally enforceable contract unless the agreement—
 - (a) is in writing, and
 - (b) contains a provision which (however expressed) states that the parties intended that the agreement shall be a legally enforceable contract.
- (2) Any such agreement which satisfies the conditions in subsection (1)(a) and (b) above shall be conclusively presumed to have been intended by the parties to be a legally enforceable contract.
- (3) If any such agreement is in writing and contains a provision which (however expressed) states that the parties intend that one or more parts of the agreement specified in that provision, but not the whole of the agreement, shall be a legally enforceable contract, then—
 - (a) the specified part or parts shall be conclusively presumed to have been intended by the parties to be a legally enforceable contract; and
 - (b) the remainder of the agreement shall be conclusively presumed not to have been intended by the parties to be such a contract, but a part of an agreement which by virtue of this paragraph is not a legally enforceable contract may be referred to for the purpose of interpreting a part of that agreement which is such a contract.
- (4) Notwithstanding anything in subsections (2) and (3) above, any terms of a collective agreement (whether made before or after the commencement of this section) which prohibit or restrict the right of workers to engage in a strike or other industrial action, or have the effect of prohibiting or restricting that right, shall not form part of any contract between any worker and the person for whom he works unless the collective agreement—
 - (a) is in writing; and
 - (b) contains a provision expressly stating that those terms shall or may be incorporated in such a contract; and
 - (c) is reasonably accessible at his place of work to the worker to whom it applies and is available for him to consult during working hours; and
 - (d) is one where each trade union which is a party to the agreement is an independent trade union;

and unless the contract with that worker expressly or impliedly incorporates those terms in the contract.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Trade Union and Labour Relations Act 1974 (repealed 16.10.1992). (See end of Document for details)

- (5) Subsection (4) above shall have effect notwithstanding any provision to the contrary in any agreement (including a collective agreement or a contract with any worker).

Miscellaneous

19 Transitional provisions for trade unions and employers' associations ceasing to be incorporated.

- (1) The provisions of this section shall have effect in relation to a trade union or an employers' association to which they are applied by section 2(4) or 3(3) above; and in this section "the relevant date" means the day on which, under section 2(4) or 3(3) above, such a trade union or employers' association ceases to be a body corporate.
- (2) On the relevant date—
- (a) all property vested in the trade union or in the employers' association immediately before that date shall by virtue of this paragraph (and without the execution of any instrument) vest in the trustees who, in accordance with subsection (3) below, are the appropriate trustees;
 - (b) all liabilities, obligations and rights of the trade union or of the employers' association subsisting immediately before that date shall, in so far as they are liabilities, obligations or rights affecting any property so vested (instead of continuing to be liabilities, obligations or rights of the union or association) become liabilities, obligations and rights of the trustees who, in accordance with subsection (3) below, are the appropriate trustees.
- (3) The appropriate trustees for the purposes of subsection (2) above are—
- (a) the trustees appointed in writing for the purposes of this section by or on behalf of the members of the trade union or employers' association;
 - (b) in a case where no such trustees are appointed, the official trustees of the trade union or employers' association.
- (4) A certificate given by the official trustees of a trade union or employers' association that the persons named in the certificate are the appropriate trustees of that union or association for the purposes of subsection (2) above shall be conclusive evidence that those persons are the appropriate trustees of that union or association for those purposes; and a document which purports to be such a certificate shall be taken to be such a certificate unless the contrary is proved.
- (5) In this section "official trustees", in relation to a trade union or an employers' association, means the two officers of the union or association who, on the relevant date, are the president and the general secretary of the union or association or occupy a position equivalent to that of president and general secretary respectively of a trade union or employers' association.
- (6) Nothing in section 12 of the ^{M8}Finance Act 1895 (which requires certain Acts to be stamped as conveyances on sale) shall be taken as applying to this Act.

Marginal Citations

M8 1895 c. 16.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Trade Union and Labour Relations Act 1974 (repealed 16.10.1992). (See end of Document for details)

20— F34
24.

Textual Amendments

F34 Ss. 20–24 repealed by [Statute Law \(Repeals\) Act 1986 \(c. 12\)](#), s. 1(1), [Sch. 1 Pt. V](#)

25 Miscellaneous amendments, and transitional provisions and repeals.

- (1) Schedule 3 to this Act shall have effect for undoing certain amendments and repeals made by the 1971 Act in certain enactments specified in that Schedule, for continuing the effect of other amendments so made and for making minor amendments and amendments consequential on other provisions of this Act in other enactments so specified.
- (2) The transitional provisions in Schedule 4 shall have effect.
- (3) The enactments specified in Schedule 5 are hereby to the extent specified in the third column of that Schedule.

Modifications etc. (not altering text)

C7 The text of s. 25(3) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Supplementary

26 Regulations and orders.

- (1) The Secretary of State may make regulations for any purpose for which regulations are authorised or required to be made under this Act.
- (2) Any power to make regulations under this Act shall be exercisable by statutory instrument.
- (3) A statutory instrument containing any such regulations, other than regulations required to be laid in draft before Parliament before being made, shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) Any power to make an order under any provision of this Act shall include power to revoke or vary the order by a subsequent order under that provision.

27 Expenses.

There shall be defrayed out of moneys provided by Parliament—

- (a) any administrative expenses incurred by the Secretary of State in consequence of the provisions of this Act; and
- (b) any increase attributable to the provisions of this Act in the sums payable out of moneys so provided under any other enactment.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Trade Union and Labour Relations Act 1974 (repealed 16.10.1992). (See end of Document for details)

28 Meaning of trade union and employers' association.

- (1) In this Act, except so far as the context otherwise requires, "trade union" means an organisation (whether permanent or temporary) which either—
- (a) consists wholly or mainly of workers of one or more descriptions and is an organisation whose principal purposes include the regulation of relations between workers of that description or those descriptions and employers or employers' associations; or
 - (b) consists wholly or mainly of—
 - (i) constituent or affiliated organisations which fulfil the conditions specified in paragraph (a) above (or themselves consist wholly or mainly of constituent or affiliated organisations which fulfil those conditions), or
 - (ii) representatives of such constituent or affiliated organisations;
 and in either case is an organisation whose principal purposes include the regulation of relations between workers and employers or between workers and employers' associations, or include the regulation of relations between its constituent or affiliated organisations.
- (2) In this Act, except so far as the context otherwise requires, "employers' association" means an organisation (whether permanent or temporary) which either—
- (a) consists wholly or mainly of employers or individual proprietors of one or more descriptions and is an organisation whose principal purposes include the regulation of relations between employers of that description or those descriptions and workers or trade unions; or
 - (b) consists wholly or mainly of—
 - (i) constituent or affiliated organisations which fulfil the conditions specified in paragraph (a) above (or themselves consist wholly or mainly of constituent or affiliated organisations which fulfil those conditions), or
 - (ii) representatives of such constituent or affiliated organisations;
 and in either case is an organisation whose principal purposes include the regulation of relations between employers and workers or between employers and trade unions, or include the regulation of relations between its constituent or affiliated organisations.

29 Meaning of trade dispute.

- (1) In this Act "trade dispute" means a dispute [^{F35}between workers and their employer] . . . ^{F36} which [^{F37}relates wholly or mainly to] one or more of the following, that is to say—
- (a) terms and conditions of employment, or the physical conditions in which any workers are required to work;
 - (b) engagement or non-engagement, or termination or suspension of employment or the duties of employment, of one or more workers;
 - (c) allocation of work or the duties of employment as between workers or groups of workers;
 - (d) matters of discipline;
 - (e) the membership or non-membership of a trade union on the part of a worker;
 - (f) facilities for officials of trade unions; and

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Trade Union and Labour Relations Act 1974 (repealed 16.10.1992). (See end of Document for details)

- (g) machinery for negotiation or consultation, and other procedures, relating to any of the foregoing matters, including the recognition by employers or employers' associations of the right of a trade union to represent workers in any such negotiation or consultation or in the carrying out of such procedures.
- (2) A dispute between a Minister of the Crown and any workers shall, notwithstanding that he is not the employer of those workers, be treated for the purposes of this Act as a dispute between [^{F38}those workers and their employer] if the dispute relates—
 - (a) to matters which have been referred for consideration by a joint body on which, by virtue of any provision made by or under any enactment, that Minister is represented; or
 - (b) to matters which cannot be settled without that Minister exercising a power conferred on him by or under an enactment.
- (3) There is a trade dispute for the purposes of this Act even though it relates to matters [^{F39}occurring outside the United Kingdom, so long as the person or persons whose actions in the United Kingdom are said to be in contemplation or furtherance of a trade dispute relating to matters occurring outside the United Kingdom are likely to be affected in respect of one or more of the matters specified in subsection (1) of this section by the outcome of that dispute], . . . ^{F40}
- (4) ^{F41}
- (5) An act, threat or demand done or made by one person or organisation against another which, if resisted, would have led to a trade dispute with that other, shall, notwithstanding that because that other submits to the act or threat or accedes to the demand no dispute arises, be treated for the purposes of this Act as being done or made in contemplation of a trade dispute with that other.
- (6) In this section—
 - “employment” includes any relationship whereby one person personally does work or performs services for another;
 - [^{F42}“worker”, in relation to a dispute with an employer, means—
 - (a) a worker employed by that employer; or
 - (b) a person who has ceased to be employed by that employer where—
 - (i) his employment was terminated in connection with the dispute; or
 - (ii) the termination of his employment was one of the circumstances giving rise to the dispute.]
- (7) ^{F43}

Textual Amendments

- F35** Words substituted by [Employment Act 1982 \(c. 46, SIF 43:5\), s. 18\(2\)\(a\)](#)
- F36** Words repealed by [Employment Act 1982 \(c. 46, SIF 43:5\), s. 18\(2\)\(b\)](#)
- F37** Words substituted by [Employment Act 1982 \(c. 46, SIF 43:5\), s. 18\(2\)\(c\)](#)
- F38** Words substituted by [Employment Act 1982 \(c. 46, SIF 43:5\), s. 18\(3\)](#)
- F39** Words substituted by [Employment Act 1982 \(c. 46, SIF 43:5\), s. 18\(4\)](#)
- F40** Words repealed by [Trade Union and Labour Relations \(Amendment\) Act 1976 \(c. 7\), s. 1\(d\)](#)
- F41** [S. 29\(4\)](#) repealed by [Employment Act 1982 \(c. 46, SIF 43:5\), s. 18\(5\)](#)
- F42** Definition substituted by [Employment Act 1982 \(c. 46, SIF 43:5\), s. 18\(6\)](#)
- F43** [S. 29\(7\)](#) repealed by [Criminal Law Act 1977 \(c. 45\), Sch. 13](#)

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Trade Union and Labour Relations Act 1974 (repealed 16.10.1992). (See end of Document for details)

30 General provisions as to interpretation.

(1) In this Act, except so far as the context otherwise requires,—

“act” and “action” each includes omission and references to doing an act or taking action shall be construed accordingly;

[^{F44}“Certification Officer” means the officer appointed under section 7 of the ^{M9}Employment Protection Act 1975;]

“collective agreement” means any agreement or arrangement made by or on behalf of one or more trade unions and one or more employers or employers’ associations and relating to one or more of the matters mentioned in section 29(1) above;

“contract of employment” means a contract of service or of apprenticeship, whether it is express or implied and (if it is express) whether it is oral or in writing;

..... ^{F45}

“employee” means an individual who has entered into or works under (or, where the employment has ceased, worked under) a contract of employment, otherwise than in police service;

[^{F46}“employer” (subject to subsection (2) below)—

(a) where the reference is to an employer in relation to an employee, means the person by whom the employee is (or, in a case where the employment has ceased, was) employed, and

(b) in any other case, means a person regarded in that person’s capacity as one for whom one or more workers work, or have worked or normally work or seek to work;]

“employers’ association” includes a combination of employers and employers’ associations;

“independent trade union” means a trade union which—

(a) is not under the domination or control of an employer or a group of employers or of one or more employers’ associations; and

(b) is not liable to interference by an employer or any such group or association (arising out of the provision of financial or material support or by any other means whatsoever) tending towards such control [^{F47}and (in relation to a trade union) “independence” and “independent” shall be construed accordingly;]

“individual proprietor” means an individual who is the owner of an undertaking;

..... ^{F45}

“1971 Act” means the ^{M10}Industrial Relations Act 1971;

[^{F48}“officer”, in relation to a trade union or an employers’ association includes any member of the governing body of that union or association and any trustee of any fund applicable for the purposes of that union or association;]

“official”, in relation to a trade union, means any person who is an officer of the union or of a branch or section of the union or who (not being such an officer) is a person elected or appointed in accordance with the rules of the union to be a representative of its members or of some of them, including any

Status: Point in time view as at 01/02/1991.

Changes to legislation: *There are currently no known outstanding effects for the Trade Union and Labour Relations Act 1974 (repealed 16.10.1992). (See end of Document for details)*

person so elected or appointed who is an employee of the same employer as the members, or one or more of the members, whom he is to represent;

“police service” means service—

(a) in England and Wales as a member of a police force or as a special constable;

(b) as a constable within the meaning of the ^{M11}Police (Scotland) Act 1967;

(c) as a member of any constabulary maintained by virtue of any enactment;
or

(d) in any other capacity by virtue of which a person has the powers or privileges of a constable;

..... ^{F45}
..... ^{F49}
.....

“special register body” means an organisation whose name was immediately before the commencement of sections 2 and 3 above entered in the special register maintained under section 84 of the 1971 Act and which for the time being is a company registered under the [^{F50}Companies Act 1985] or is incorporated by charter or letters patent;

“tort”, as respects Scotland, means [^{F51}delict], and cognate expressions shall be construed accordingly;

“union membership agreement” means an agreement or arrangement which—

(a) is made by or on behalf of, or otherwise exists between, one or more independent trade unions and one or more employers or employers’ associations; and

(b) relates to employees of an identifiable class; and

(c) has the effect [^{F52}in practice of requiring the employees for the time being of the class to which it relates (whether or not there is a condition to that effect in their contract of employment) to] be or become a member of the union or one of the unions which is or are parties to the agreement or arrangement or of another [^{F53}specified], independent trade union [^{F54}and references in this definition to a trade union include references to a branch or section of a trade union; and a trade union is specified for the purposes of, or in relation to, a union membership agreement if it is specified in the agreement or is accepted by the parties to the agreement as being the equivalent of a union so specified];

“worker” (subject to the following provisions of this section) means an individual regarded in whichever (if any) of the following capacities is applicable to him, that is to say, as a person who works or normally works or seeks to work—

(a) under a contract of employment; or

(b) any other contract (whether express or implied, and, if express, whether oral or in writing) whereby he undertakes to do or perform personally any work or services for another party to the contract who is not a professional client of his; or

(c) in employment under or for the purposes of a government department (otherwise than as a member of the naval, military or air forces of the

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Trade Union and Labour Relations Act 1974 (repealed 16.10.1992). (See end of Document for details)

Crown . . . ^{F55}) in so far as any such employment does not fall within paragraph (a) or (b) above, otherwise than in police service.

(2) Without prejudice to the generality of the definitions in subsection (1) of this section, in this Act—

- (a) “worker” includes an individual regarded in his capacity as one who works or normally works or seeks to work as a person providing general medical services, pharmaceutical services, general dental services or general ophthalmic services in accordance with arrangements made by an Area Health Authority [^{F56}District Health Authority] or Family Practitioner Committee under [^{F57}sections 29, 35, 38 or 41 of the ^{M12}National Health Service Act 1977] or by a Health Board under [^{F58}sections 19, 25, 26 and 27 of the ^{M13}National Health Service (Scotland) Act 1978]; and
- (b) “employer” includes any Area Health Authority [^{F56}District Health Authority], Family Practitioner Committee or Health Board in accordance with whose arrangements a person provides or has provided or normally provides or seeks to provide any such service as aforesaid.

(3) Subject to subsection (4) below, in this Act “successor”, in relation to the employer of an employee, means a person who, in consequence of a change occurring (whether by virtue of a sale or other disposition or by operation of law) in the ownership of the undertaking or of part of the undertaking for the purposes of which the employee was employed, has become the owner of that undertaking or of that part of it, as the case may be.

(4) Subsection (3) above shall have effect (subject to the necessary modifications) in relation to a case where—

- (a) the person by whom an undertaking or part of an undertaking is owned immediately before a change is one of the persons by whom (whether as partners, trustees or otherwise) it is owned immediately after the change, or
- (b) the persons by whom an undertaking or part of an undertaking is owned immediately before a change (whether as partners, trustees or otherwise) include the persons by whom, or include one or more of the persons by whom, it is owned immediately after the change,

as that subsection has effect where the previous owner and the new owner are wholly different persons: and any reference in this Act to a successor of an employer shall be construed accordingly.

(5) For the purposes of this Act any two employers are to be treated as associated if one is a company of which the other (directly or indirectly) has control, or if both are companies of which a third person (directly or indirectly) has control; and in this Act “associated employer” shall be construed accordingly.

[^{F59}(5A) For the purposes of this Act employees are to be treated, in relation to a union membership agreement, as belonging to the same class if they have been identified as such by the parties to the agreement, and employees may be so identified by reference to any characteristics or circumstances whatsoever.]

(6) For the purposes of this Act it is immaterial whether the law which (apart from this Act) governs any persons’ employment is the law of the United Kingdom, or of a part of the United Kingdom, or not.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Trade Union and Labour Relations Act 1974 (repealed 16.10.1992). (See end of Document for details)

- (7) Except so far as the context otherwise requires, any reference in this Act to any enactment shall be construed as a reference to that enactment as amended or extended by or under any other enactment, including this Act.

Textual Amendments

- F44** Definition inserted by [Employment Protection Act 1975 \(c. 71\)](#), **Sch. 16 Pt. III para. 7(1)**
- F45** Definitions repealed by [Employment Protection \(Consolidation\) Act 1978 \(c. 44\)](#), **Sch. 17**
- F46** Definition inserted by [Employment Protection Act 1975 \(c. 71\)](#), **Sch. 16 Pt. III para. 7(2)**
- F47** Words inserted by [Employment Protection Act 1975 \(c. 71\)](#), **Sch. 16 Pt. III para. 7(3)**
- F48** Definition inserted by [Employment Protection Act 1975 \(c. 71\)](#), **Sch. 16 Pt. III para. 7(5)**
- F49** Definition repealed by [Employment Protection Act 1975 \(c. 71\)](#), **Sch. 18**
- F50** Words substituted by [Companies Consolidation \(Consequential Provisions\) Act 1985 \(c. 9, SIF 27\)](#), s. 30, **Sch. 2**
- F51** Word substituted (S.) by [Employment Act 1982 \(c. 46, SIF 43:5\)](#), s. 19(2)
- F52** Words substituted by [Trade Union and Labour Relations \(Amendment\) Act 1976 \(c. 7\)](#), ss. 3(3)(a), 4(3)
- F53** Word substituted by [Trade Union and Labour Relations \(Amendment\) Act 1976 \(c. 7\)](#), ss. 3(3)(b), 4(3)
- F54** Words inserted by [Trade Union and Labour Relations \(Amendment\) Act 1976 \(c. 7\)](#), ss. 3(3), 4(3)
- F55** Words repealed (with saving) by [Armed Forces Act 1981 \(c. 55, SIF 7:1\)](#), s. 28(2), **Sch. 5**
- F56** Words inserted by [Health Services Act 1980 \(c. 53, SIF 113:2\)](#), ss. 1, 2, **Sch. 1 para. 25**
- F57** Words substituted by [National Health Service Act 1977 \(c. 49\)](#), s. 129, **Sch. 15 para. 62**
- F58** Words substituted by [National Health Service \(Scotland\) Act 1978 \(c. 29\)](#), s. 109, **Sch. 16 para. 39**
- F59** S. 30(5A) inserted by [Trade Union and Labour Relations \(Amendment\) Act 1976 \(c. 7\)](#), s. 3(4)

Marginal Citations

- M9** 1975 c. 71.
- M10** 1971 c. 72.
- M11** 1967 c. 77.
- M12** 1977 c. 49.
- M13** 1978 c. 29.

31 Short title, commencement and extent.

- (1) This Act may be cited as the Trade Union and Labour Relations Act 1974
- (2) This Act, except as provided by section 1(3) above and except sections, 21 to 23 above, shall come into operation on such day as the Secretary of State may appoint by order made by statutory instrument, and different days may be so appointed for different purposes.
- (3) Any reference in this Act to the commencement of any provision of this Act shall be construed as a reference to the day appointed under this section for the coming into operation of that provision.
- (4) An order made under this section may make such transitional provision or savings as appear to the Secretary of State to be necessary or expedient in connection with the provisions of this Act which are thereby brought (wholly or in part) into operation, including such adaptations of those provisions or of any provision of this Act then in force as appear to the Secretary of State to be necessary or expedient in consequence of the partial operation of this Act (whether before, on or after the day appointed by the order).

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Trade Union and Labour Relations Act 1974 (repealed 16.10.1992). (See end of Document for details)

- (5) The following provisions of this Act shall extend to Northern Ireland, that is to say, sections 4 and 19 and any provision of Schedule 3 to 5 to this Act which amends or repeals any provision of . . . ^{F60} the ^{M14}Trade Union (Amalgamations, etc.) Act (Northern Ireland) 1965, the ^{M15}Insurance Companies Act (Northern Ireland) 1968, the ^{M16}Merchant Shipping Act 1970 or the ^{M17}Insurance Companies Amendment Act 1973 or repeals any provision of the 1971 Act which extends to Northern Ireland, but except as aforesaid this Act shall not extend there.

Textual Amendments

F60 Words repealed by [House of Commons Disqualification Act 1975 \(c. 24\)](#), [Sch. 3](#) and [Northern Ireland Assembly Disqualification Act 1975 \(c. 25\)](#), [Sch. 3 Pt. I](#)

Modifications etc. (not altering text)

C8 16.9.1974 appointed under s. 31(2) by [S.I. 1974/1385](#)

Marginal Citations

M14 1965 c. 2 (N.I.)

M15 1968 c. 6 (N.I.)

M16 1970 c. 36.

M17 1973 c. 58.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Trade Union and Labour Relations Act 1974 (repealed 16.10.1992). (See end of Document for details)

SCHEDULES

SCHEDULE 1

Section 1.

RE-ENACTED PROVISIONS OF ^{M18}INDUSTRIAL RELATIONS ACT 1971

Marginal Citations

M18 1971 c. 72.

NOTE: The cross heading in square brackets at the beginning of each paragraph of this Schedule indicates the provision of the 1971 Act which is re-enacted, with or without amendments, in that paragraph.

PART I

F61

1—3.

Textual Amendments

F61 Sch. 1 paras. 1–3 repealed by Employment Protection Act 1975 (c. 71), Sch. 18

PART II

F62

4—15

Textual Amendments

F62 Sch. 1 paras. 4–17(1) repealed by Employment Protection (Consolidation) Act 1978 (c. 44), Sch. 15 para. 9, Sch. 17

PART III

F63

16

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Trade Union and Labour Relations Act 1974 (repealed 16.10.1992). (See end of Document for details)

Textual Amendments

F63 Sch. 1 paras. 4–17(1) repealed by [Employment Protection \(Consolidation\) Act 1978 \(c. 44\)](#), Sch. 15 para. 9, [Sch. 17](#)

17 (1) **F64**

(2) **F65**

Textual Amendments

F64 Sch. 1 paras. 4–17(1) repealed by [Employment Protection \(Consolidation\) Act 1978 \(c. 44\)](#), Sch. 15 para. 9, [Sch. 17](#)

F65 Sch. 1 para. 17(2)(3) repealed by [Employment Protection Act 1975 \(c. 71\)](#), Sch. 17 para. 7(2), [Sch. 18](#)

F66

18

Textual Amendments

F66 Sch. 1 para. 18 repealed by [Employment Protection \(Consolidation\) Act 1978 \(c. 44\)](#), Sch. 15 para. 9, [Sch. 17](#)

F67

19

Textual Amendments

F67 Sch. 1 para. 19 repealed by [Employment Protection Act 1975 \(c. 71\)](#), Sch. 17 para. 7(2), [Sch. 18](#)

F68

20—25.

Textual Amendments

F68 Sch. 1 paras. 20–27 repealed by [Employment Protection \(Consolidation\) Act 1978 \(c. 44\)](#), Sch. 15 para. 9, [Sch. 17](#)

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Trade Union and Labour Relations Act 1974 (repealed 16.10.1992). (See end of Document for details)

PART IV

CONCILIATION OFFICERS, AND MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

F69

26, 27.

Textual Amendments

F69 Sch. 1 paras. 20–27 repealed by Employment Protection (Consolidation) Act 1978 (c. 44), Sch. 15 para. 9, **Sch. 17**

F70

28

Textual Amendments

F70 Sch. 1 para. 28 repealed by Race Relations Act 1976 (c. 74), s. 79(5), **Sch. 5**

F71

29

Textual Amendments

F71 Sch. 1 para. 29 repealed by Employment Protection Act 1975 (c. 71), **Sch. 18**

F72

30

Textual Amendments

F72 Sch. 1 para. 30 repealed by Employment Protection (Consolidation) Act 1978 (c. 44), Sch. 15 para. 9, **Sch. 17**

Nominations by members of trade unions

[Section 155]

- 31 (1) Regulations may make provision—
- (a) for enabling members of trade unions who are not under sixteen years of age to nominate a person or persons to become entitled, on the death of the

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Trade Union and Labour Relations Act 1974 (repealed 16.10.1992). (See end of Document for details)

- person making the nomination, to the whole or part of any money payable on his death out of the funds of the trade union of which he is a member; and
- (b) for enabling any money payable out of the funds of a trade union on the death of a member of the trade union, to an amount not exceeding [^{F73}£5000], to be paid or distributed on his death (whether in accordance with such a nomination or otherwise) without letters of administration, probate of any will or confirmation.
- (2) Any regulations made in accordance with sub-paragraph (1)(a) above—
- (a) may include provision as to the manner in which nominations may be made and as to the manner in which nominations may be varied or revoked, and
- (b) may provide that, subject to such exceptions as may be prescribed, no nomination made by a member of a trade union shall be valid if at the date of the nomination the person nominated is an officer or employee of the trade union or is otherwise connected with the trade union in such manner as may be prescribed by the regulations.
- (3) Any regulations under this section may include such incidental, transitional or supplementary provisions as the Secretary of State may consider appropriate and, in particular, any such regulations made in accordance with sub-paragraph (1)(a) above may include provision for securing, to such extent and subject to such conditions as may be prescribed in the regulations, that nominations made under the ^{M19}Trade Union Act Amendment Act 1876 shall have effect as if they have been made under the regulations and may be varied or revoked accordingly.
- [^{F74}(4) Sub-paragraph (1)(b) above shall be included among the provisions with respect to which the Treasury may make an order under section 6(1) of the ^{M20}Administration of Estates (Small Payments) Act 1965, substituting, for references to the amount for the time being provided for, references to such higher amount as may be specified in the order.]

Textual Amendments

F73 Figure substituted by [S.I. 1984/539, art. 2\(k\)](#)

F74 [Sch. 1 para. 31\(4\)](#) substituted for para. 31(4)(5) by [Employment Protection Act 1975 \(c. 71\), Sch. 16 Pt. III para. 32](#)

Marginal Citations

M19 1876 c. 22.

M20 1965 c. 32.

Restrictions on contracting out

[Section 161]

- 32 (1) ^{F75} any provision in an agreement (whether a contract of employment or not) shall be void in so far as it purports—
- (a) to exclude or limit the operation of any provision of this Act; or
- (b) ^{F76}

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- (2) (a) F77
- (b) F78

Textual Amendments

- F75** Words repealed by [Employment Act 1980 \(c. 42\)](#), [Sch. 2](#)
- F76** [Sch. 1 para. 32\(1\)\(b\)](#) repealed by [Employment Protection \(Consolidation\) Act 1978 \(c. 44\)](#), [Sch. 15 para. 9](#), [Sch. 17](#)
- F77** [Sch. 1 para. 32\(2\)\(a\)](#) repealed by [Employment Act 1980 \(c. 42\)](#), [Sch. 2](#)
- F78** [Sch. 1 paras. 32\(2\)\(b\)–\(e\)](#), [33\(4A\)](#) repealed by [Employment Protection \(Consolidation\) Act 1978 \(c. 44\)](#), [Sch. 15 para. 9](#), [Sch. 17](#)

Employment under the Crown

[Section 162]

- 33 (1) Subject to the following provisions of this paragraph, the provisions of this Act shall have effect in relation to Crown employment and to workers in Crown employment as they have effect in relation to other employment and to other workers.
- (2) In this paragraph (subject to sub-paragraph (4) below) “Crown employment” means employment under or for the purposes of a government department, [^{F79}or any officer or body exercising on behalf of the Crown functions conferred by any enactment], otherwise than as a member of the naval, military or air forces of the Crown or of any women’s service administered by the Defence Council, and “Crown employee” means a person who is for the time being in Crown employment or (where it has ceased) was in Crown employment.
- (3) For the purposes of the application of the provisions of this Act in relation to Crown employment in accordance with subparagraph (1) above—
- (a) any reference to an employee shall be construed as a reference to a Crown employee;
 - (b) any reference to dismissal shall be construed as a reference to the termination of Crown employment;
 - (c) F80
 - (e) any other reference to an undertaking shall be construed, in relation to a Minister of the Crown, as a reference to his functions or (as the context may require) to the department of which he is in charge, and, in relation to a government department [^{F79}, officer or body] shall be construed as a reference to the functions of the department [^{F79}, officer or body] or (as the context may require) to the department [^{F79}, officer or body].
- (4) For the purposes of this Act—
- (a) none of the bodies specified in Schedule 3 to the ^{M21}Redundancy Payments Act 1965 (national health service employers) shall be regarded as performing functions on behalf of the Crown, and their employees shall not be regarded as being employed under or for the purposes of a government

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department, and accordingly employment by any such body shall not be Crown employment within the meaning of this paragraph;

- (b) associations established for the purposes of the [^{F81}Part VI of the ^{M22}Reserve Forces Act 1980] shall be treated as if they were government departments, and accordingly employment by any such association shall be Crown employment within the meaning of this paragraph;

and for the purposes of this paragraph Crown employment does not include any employment in respect of which a certificate to which sub-paragraph (5) below applies is for the time being in force.

(4A) ^{F82}

- (5) This sub-paragraph applies to any certificate issued by or on behalf of a Minister of the Crown and certifying that employment of a description specified in the certificate, or the employment of a particular person so specified, is (or at a time specified in the certificate was) required to be excepted from sub-paragraph (1) above for the purpose of safeguarding national security; and any document purporting to be a certificate so issued shall be received in evidence and shall, unless the contrary is proved, be deemed to be such a certificate.

Textual Amendments

- F79** Words inserted by [Employment Protection Act 1975 \(c. 71\)](#), **Sch. 16 Pt. III para. 33**
- F80** [Sch. 1 para. 33\(3\)\(c\)\(d\)](#) repealed with saving by [Employment Protection \(Consolidation\) Act 1978 \(c. 44\)](#), [Sch. 15 para. 9](#), **Sch. 17**
- F81** Words substituted by [Reserve Forces Act 1980 \(c. 9\)](#), **Sch. 9 para. 15**
- F82** [Sch. 1 paras. 32\(2\)\(b\)–\(e\)](#), [33\(4A\)](#) repealed by [Employment Protection \(Consolidation\) Act 1978 \(c. 44\)](#), [Sch. 15 para. 9](#), **Sch. 17**

Marginal Citations

- M21** 1965 c. 62.
- M22** 1980 c. 9.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Trade Union and Labour Relations Act 1974 (repealed 16.10.1992). (See end of Document for details)

SCHEDULE 2

Section 11.

ADMINISTRATIVE PROVISIONS RELATING TO TRADE UNIONS AND EMPLOYERS' ASSOCIATIONS

PART I

ANNUAL RETURNS, AND QUALIFICATIONS, APPOINTMENT AND REMOVAL, AND FUNCTIONS, OR AUDITORS

Annual returns

- 1 (1) Subject to paragraph 5 below, the annual return of a trade union or an employers' association required by section 11(2) above shall be sent to the [^{F83}Certification Officer] before 1st June and shall relate to the last preceding calendar year.
- (2) The annual return shall be in such form and be signed by such persons as the [^{F83}Certification Officer] may require.

Textual Amendments

F83 Words substituted by [Employment Protection Act 1975 \(c. 71\)](#), [Sch. 16 Pt. III para. 1](#)

- 2 Every annual return shall contain—
 - (a) revenue accounts indicating the income and expenditure of the trade union or employers' association for the period to which the return relates;
 - (b) a balance sheet as at the end of that period;
 - (c) such other accounts (if any) as the [^{F84}Certification Officer] may require; and
 - (d) a copy of the rules of the trade union or employers' association as in force at the end of that period;and shall have attached to it a note of all changes in the officers of the union or association and of any change in the address of the head or main office of the union or association during the period to which the return relates.

Textual Amendments

F84 Words substituted by [Employment Protection Act 1975 \(c. 71\)](#), [Sch. 16 Pt. III para. 1](#)

- 3 Every revenue account, every balance sheet and every other account contained in a return in accordance with paragraph 2 above shall give a true and fair view of the matters to which it relates.
- 4 Every return, in addition to containing the accounts mentioned in paragraph 2 above, shall contain a copy of the report made by the auditor or auditors of the

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trade union or employers' association on those accounts under paragraph 18 below and such other documents relating to those accounts and such further particulars as the [^{F85}Certification Officer], may require, subject in the case of the accounts contained in the return to such modifications (if any) as may be necessary to secure compliance with paragraph 3 above.

Textual Amendments

F85 Words substituted by [Employment Protection Act 1975 \(c. 71\)](#), [Sch. 16 Pt. III para. 1](#)

- 5 The [^{F86}Certification Officer], if in any particular case he considers it appropriate to do so—
- (a) may direct that the period for which a return is to be sent to him under section 11(2) above shall be a period other than the calendar year last preceding the date on which the return is sent;
 - (b) whether a direction under sub-paragraph (a) above is given or not, may direct that the date before which any such return is to be sent to him shall be such date (whether before or after 1st June) as may be specified in the direction.

Textual Amendments

F86 Words substituted by [Employment Protection Act 1975 \(c. 71\)](#), [Sch. 16 Pt. III para. 1](#)

Qualifications of auditors

- 6 Subject to paragraphs 7 to 9 below, a person shall not be qualified to be the auditor or one of the auditors of a trade union or employers' association unless he is either a member of one or more of the following bodies—
- (a) the Institute of Chartered Accountants in England and Wales;
 - (b) the Institute of Chartered Accountants of Scotland;
 - (c) the Association of Certified Accountants;
 - (d) the Institute of Chartered Accountants in Ireland;
 - (e) any other body of accountants established in the United Kingdom and for the time being recognised for the purposes of [^{F87}section 389(1)(a) of the Companies Act 1985] by the Secretary of State,
- or a person who is for the time being authorised by the Secretary of State under [^{F87}section 389(1)(b)] of that Act as being a person with similar qualifications obtained outside the United Kingdom.

Textual Amendments

F87 Words substituted by [Companies Consolidation \(Consequential Provisions\) Act 1985 \(c. 9, SIF 27\)](#), s. 30, [Sch. 2](#)

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Modifications etc. (not altering text)

- C9** Sch. 2 paras. 6–10 excluded by Companies Act 1976 (c. 69), s. 20(3)
C10 Sch. 2 para. 6 excluded by Companies Act 1985 (c. 6, SIF 27), s. 394(2)

- 7 Notwithstanding anything in paragraph 6 above, a Scottish firm may act as auditor of a trade union or employers’ association if, but only if, every partner of the firm is qualified so to act.

Modifications etc. (not altering text)

- C11** Sch. 2 paras. 6–10 excluded by Companies Act 1976 (c. 69), s. 20(3)
C12 Sch. 2 paras. 7, 8 and 9–15 excluded by Companies Act 1985 (c. 6, SIF 27), s. 394(2)

- 8 A person who is not qualified under paragraph 6 above may act in respect of any accounting period as auditor of a trade union or employers’ association if—
- (a) it was registered under the Trade Union Acts 1871 to 1964 on 30th September 1971;
 - (b) he acted as its auditor in respect of the last period in relation to which it was required to make an annual return under section 16 of the ^{M23}Trade Union Act 1871;
 - (c) he has acted as its auditor in respect of every accounting period since that period; and
 - (d) he is for the time being authorised by the Secretary of State under [^{F88}section 389(1)(b) of the Companies Act 1985] otherwise than as mentioned in paragraph 6 above.

Textual Amendments

- F88** Words substituted by Companies Consolidation (Consequential Provisions) Act 1985 (c. 9, SIF 27), s. 30, Sch. 2

Modifications etc. (not altering text)

- C13** Sch. 2 paras. 6–10 excluded by Companies Act 1976 (c. 69), s. 20(3)
C14 Sch. 2 paras. 7, 8 and 9–15 excluded by Companies Act 1985 (c. 6, SIF 27), s. 394(2)

Marginal Citations

- M23** 1871 c. 31.

- 9 (1) Two or more persons who are not qualified under paragraph 6 above may act as auditors of a trade union or employers’ association in respect of any accounting period of that union or association if—
- (a) its receipts and payments in respect of its last preceding accounting period did not in the aggregate exceed £5,000;
 - (b) the number of its members at the end of its last preceding accounting period did not exceed 500; and

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- (c) the value of its assets at the end of its last preceding accounting period did not in the aggregate exceed £5,000.
- (2) Where by virtue of sub-paragraph (1) above persons who are not qualified under paragraph 6 above act as auditors in respect of any accounting period of a trade union or employers' association, the [^{F89}Certification Officer] may at any time (whether during that period or after it comes to an end) direct the trade union or employers' association to appoint a person who is so qualified to audit its accounts for that period.
- (3) Regulations may—
- (a) substitute for any sum or number for the time being specified in sub-paragraph (1) above such sum or number as may be specified in the regulations; and
 - (b) prescribe what receipts and payments shall be taken into account for the purposes of that sub-paragraph.

Textual Amendments

F89 Words substituted by [Employment Protection Act 1975 \(c. 71\), Sch. 16 Pt. III para. 1](#)

Modifications etc. (not altering text)

C15 Sch. 2 paras. 6–10 excluded by [Companies Act 1976 \(c. 69\), s. 20\(3\)](#)

C16 Sch. 2 paras. 7, 8 and 9–15 excluded by [Companies Act 1985 \(c. 6, SIF 27\), s. 394\(2\)](#)

- 10 (1) None of the following persons shall act as auditor of a trade union or employers' association, that is to say—
- (a) an officer or employee of the trade union or employers' association or of any of its branches or sections;
 - (b) a person who is a partner of, or in the employment of, or who employs, such an officer or employee;
 - (c) a body corporate.
- (2) References in this paragraph to an officer shall be construed as not including an auditor.

Modifications etc. (not altering text)

C17 Sch. 2 paras. 6–10 excluded by [Companies Act 1976 \(c. 69\), s. 20\(3\)](#)

C18 Sch. 2 paras. 7, 8 and 9–15 excluded by [Companies Act 1985 \(c. 6, SIF 27\), s. 394\(2\)](#)

Appointment and removal of auditors

- 11 The rules of every trade union and every employers' association shall contain provision for the appointment and removal of auditors.

Modifications etc. (not altering text)

C19 Sch. 2 paras. 11–15 excluded by [Companies Act 1976 \(c. 69\), s. 20\(3\)](#)

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C20 Sch. 2 paras. 7, 8 and 9–15 excluded by Companies Act 1985 (c. 6, SIF 27), s. 394(2)

- 12 Notwithstanding anything in the rules of a trade union or employers’ association, its auditor or auditors shall not be removed from office except by resolution passed at a general meeting of its members, or of delegates of its members.

Modifications etc. (not altering text)

C21 Sch. 2 paras. 11–15 excluded by Companies Act 1976 (c. 69), s. 20(3)

C22 Sch. 2 paras. 7, 8 and 9–15 excluded by Companies Act 1985 (c. 6, SIF 27), s. 394(2)

- 13 (1) Notwithstanding anything in the rules of a trade union or employers’ association, a qualified auditor appointed to audit its accounts for the preceding year of account shall (subject to subparagraph (2) of this paragraph) be re-appointed as auditor for the current year of account unless—
- (a) a resolution has been passed at a general meeting of the trade union or employers’ association appointing somebody instead of him or providing expressly that he shall not be re-appointed, or
 - (b) he has given to the trade union or employers’ association notice in writing of his unwillingness to be re-appointed, or
 - (c) he is ineligible for appointment as its auditor or one of its auditors for the current year of account, or
 - (d) he has ceased to act as its auditor or one of its auditors by reason of incapacity.
- (2) Where notice is given of an intended resolution to appoint some person or persons in place of a retiring auditor and the resolution cannot be proceeded with at the meeting because of the death or incapacity of that person or persons, or because he or they are ineligible for appointment as auditor or auditors for the current year of account, the retiring auditor shall not be automatically re-appointed by virtue of this paragraph.
- (3) For the purposes of this paragraph a person is ineligible for appointment as auditor of a trade union or employers’ association for the current year of account if, but only if,—
- (a) he would be precluded by paragraph 10 above from acting as its auditor for that year, or
 - (b) he is not a qualified auditor at the time when the question of his appointment falls to be considered.
- (4) In this paragraph “qualified auditor”, in relation to a trade union or employers’ association, means a person qualified to be its auditor or one of its auditors in accordance with paragraphs 6 to 9 above, “the current year of account”, in relation to the appointment of a person as auditor, means the year of account in which the question of that appointment arises, and “the preceding year of account” means the year of account immediately preceding the current year of account.

Modifications etc. (not altering text)

C23 Sch. 2 paras. 11–15 excluded by Companies Act 1976 (c. 69), s. 20(3)

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Trade Union and Labour Relations Act 1974 (repealed 16.10.1992). (See end of Document for details)

C24 Sch. 2 paras. 7, 8 and 9–15 excluded by Companies Act 1985 (c. 6, SIF 27), s. 394(2)

- 14 Regulations may make provision as to the procedure to be followed when it is intended to move a resolution—
- (a) appointing another auditor or other auditors in place of a retiring auditor or retiring auditors of a trade union or an employers’ association, or
 - (b) providing expressly that a retiring auditor or auditors of a trade union or an employers’ association shall not be re-appointed,
- and as to the rights of auditors and members of a trade union or an employers’ association in relation to such a motion.

Modifications etc. (not altering text)

C25 Sch. 2 paras. 11–15 excluded by Companies Act 1976 (c. 69), s. 20(3)

C26 Sch. 2 paras. 7, 8 and 9–15 excluded by Companies Act 1985 (c. 6, SIF 27), s. 394(2)

- 15 (1) Where any regulations made under paragraph 14 above require copies of any representations made by a retiring auditor to be sent out, or require any such representations to be read out at a meeting, the High Court or the Court of Session, on the application of the trade union or employers’ association or of any other person, may dispense with that requirement if satisfied that the rights conferred on the retiring auditor by the regulations are being abused to secure needless publicity for defamatory matter.
- (2) On any such application the High Court or the Court of Session may order the costs or expenses of the trade union or employers’ association to be paid, in whole or in part, by the retiring auditor, whether he is a party to the application or not.

Modifications etc. (not altering text)

C27 Sch. 2 paras. 11–15 excluded by Companies Act 1976 (c. 69), s. 20(3)

C28 Sch. 2 paras. 7, 8 and 9–15 excluded by Companies Act 1985 (c. 6, SIF 27), s. 394(2)

Auditor’s right of access to books and information and right to be heard at meetings

- 16 Every auditor of a trade union or an employers’ association—
- (a) shall have a right of access at all times to its accounting records and to all other documents relating to its affairs, and
 - (b) shall be entitled to require from its officers, or the officers of any of its branches or sections; such information and explanations as he thinks necessary for the performance of his duties as auditor.

Modifications etc. (not altering text)

C29 Sch. 2 paras. 16, 17 amended by Companies Act 1976 (c. 69), s. 20(4)

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Trade Union and Labour Relations Act 1974 (repealed 16.10.1992). (See end of Document for details)

- 17 Every auditor of a trade union or an employers’ association shall be entitled—
- (a) to attend any general meetings of its members, or of delegates of its members, and to receive all notices of and other communications relating to any general meeting which any such member or delegate is entitled to receive, and
 - (b) to be heard at any meeting which he attends on any part of the business of the meeting which concerns him as auditor.

Modifications etc. (not altering text)

C30 Sch. 2 paras. 16, 17 amended by Companies Act 1976 (c. 69), s. 20(4)

Auditors’ reports

- 18 The auditor or auditors of a trade union or an employers’ association shall make a report to it on the accounts of the trade union or employers’ association audited by him or them and contained in its annual return.

Modifications etc. (not altering text)

C31 Sch. 2 paras. 18–21 amended by Companies Act 1976 (c. 69), s. 20(4)

- 19 The report shall state whether, in the opinion of the auditor or auditors, those accounts give a true and fair view of the matters to which they relate.

Modifications etc. (not altering text)

C32 Sch. 2 paras. 18–21 amended by Companies Act 1976 (c. 69), s. 20(4)

- 20 It shall be the duty of the auditor or auditors, in preparing a report under paragraph 18 above, to carry out such investigations as will enable him or them to form an opinion as to the following matters, that is to say—
- (a) whether the trade union or employers’ association has kept proper accounting records in accordance with the requirements of section 10 above;
 - (b) whether it has maintained a satisfactory system of control over its transactions in accordance with the requirements of that section; and
 - (c) whether the accounts to which the report refers are in agreement with the accounting records;
- and if in the opinion of the auditor or auditors the trade union or employers’ association has failed to comply with section 10(2)(a) or (b) above or if the accounts to which the report relates are not in agreement with the accounting records, the auditor or auditors shall state that fact in the report.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Trade Union and Labour Relations Act 1974 (repealed 16.10.1992). (See end of Document for details)

Modifications etc. (not altering text)

C33 Sch. 2 paras. 18–21 amended by [Companies Act 1976 \(c. 69\)](#), s. 20(4)

- 21 If an auditor fails to obtain all the information and explanations which, to the best of his knowledge and belief, are necessary for the purposes of an audit, he shall state that fact in his report.

Modifications etc. (not altering text)

C34 Sch. 2 paras. 18–21 amended by [Companies Act 1976 \(c. 69\)](#), s. 20(4)

- 22 In this Part of this Schedule “accounting period”, in relation to a trade union or an employers’ association, means any period in relation to which it is required under section 11(2) above to send a return to the [^{F90}Certification Officer].

Textual Amendments

F90 Words substituted by [Employment Protection Act 1975 \(c. 71\)](#), [Sch. 16 Pt. III para. 1](#)

PART II

MEMBERS’ SUPERANNUATION SCHEMES

Examination of superannuation schemes

- 23 Subject to paragraphs 29 to 31 below, every trade union and every employers’ association which at the commencement of this Part of this Schedule is maintaining a members’ superannuation scheme shall arrange for the scheme, as it has effect at a date not later than two years from the commencement of this Part of this Schedule, to be examined by an appropriately qualified actuary, and for the actuary to make a report to the trade union or employers’ association on the results of his examination of the scheme.
- 24 Where a members’ superannuation scheme to which paragraph 23 above applies includes provision for the maintenance of a separate fund for the purpose of the scheme, the examination under that paragraph shall include a valuation (as at the date by reference to which the examination is carried out) of the assets comprised in that fund and of the liabilities falling to be discharged out of it
- 25 The report made by the actuary on the results of his examination of any such scheme—

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Changes to legislation: There are currently no known outstanding effects for the Trade Union and Labour Relations Act 1974 (repealed 16.10.1992). (See end of Document for details)

- (a) shall state whether in his opinion the premium or contribution rates are adequate and whether the accounting or funding arrangements are suitable, and
- (b) if the scheme provides for the maintenance of a separate fund for the purposes of the scheme, shall state whether in his opinion the fund is adequate.

26 A copy of any report made by an actuary under paragraph 23 above, signed by the actuary, shall be sent to the [^{F91}Certification Officer]; and it shall be the duty of the trade union or employers’ association to make such arrangements under that paragraph as will enable the report to be sent to the [^{F91}Certification Officer] before the end of the period of one year from the date by reference to which the actuarial examination was carried out.

Textual Amendments

F91 Words substituted by [Employment Protection Act 1975 \(c. 71\)](#), [Sch. 16 Pt. III para. 1](#)

27 Subject to paragraphs 30 and 31 below, no trade union or employers’ association shall after the commencement of this Part of this Schedule begin to maintain a members’ superannuation scheme unless, before the date on which the scheme begins to be maintained,—

- (a) the proposals for the scheme have been examined by an appropriately qualified actuary; and
- (b) a copy of a report made to the trade union or employers’ association by the actuary on the results of his examination of the proposals, signed by the actuary, has been sent to the [^{F92}Certification Officer];

and the provisions of paragraph 25 above shall have effect in relation to a report under this paragraph on the proposals for a scheme as they have effect in relation to a report on a scheme under paragraph 23 above.

Textual Amendments

F92 Words substituted by [Employment Protection Act 1975 \(c. 71\)](#), [Sch. 16 Pt. III para. 1](#)

28 A copy of any report made to a trade union or employers’ association under paragraph 23 or paragraph 27 above shall, on the application of any of its members, be supplied to him free of charge.

29 Where on the application of a trade union or employers’ association the [^{F93}Certification Officer] is satisfied—

- (a) that a members’ superannuation scheme maintained by it, as it had effect at a date not more than two years before the commencement of this Part of this Schedule, has been examined by an actuary;

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Changes to legislation: There are currently no known outstanding effects for the Trade Union and Labour Relations Act 1974 (repealed 16.10.1992). (See end of Document for details)

- (b) that the qualifications of the actuary were adequate for the purpose of carrying out the examination; and
- (c) that the examination, and the report made by the actuary on its results, fulfil the requirements of paragraphs 24 and 25 above,

the [^{F93}Certification Officer] may direct that paragraph 23 above shall have effect, in relation to that scheme, as if for the reference to two years from the commencement of this Part of this Schedule there were substituted a reference to five years from the date by reference to which that examination was carried out.

Textual Amendments

F93 Words substituted by [Employment Protection Act 1975 \(c. 71\)](#), [Sch. 16 Pt. III para. 1](#)

- 30 The [^{F94}Certification Officer], on the application of a trade union or employers’ association, may exempt any members’ superannuation scheme which it maintains or proposes to maintain from the requirements of paragraph 23 or (as the case may be) paragraph 27 above, if he is satisfied that, by reason of the small number of members to which the scheme is or would be applicable or for any other special reasons, it is unnecessary for the scheme to be examined in accordance with those requirements.

Textual Amendments

F94 Words substituted by [Employment Protection Act 1975 \(c. 71\)](#), [Sch. 16 Pt. III para. 1](#)

- 31 The [^{F95}Certification Officer] may at any time revoke any exemption granted under paragraph 30 above if it appears to him that the circumstances by reason of which the exemption was granted have ceased to exist.

Textual Amendments

F95 Words substituted by [Employment Protection Act 1975 \(c. 71\)](#), [Sch. 16 Pt. III para. 1](#)

Periodical re-examination of schemes

- 32 (1) [^{F96}Subject to paragraph 33A below] where a trade union or employers’ association for the time being maintains a members’ superannuation scheme, and either—
- (a) the scheme has been examined in pursuance of paragraph 23 above or in pursuance of this paragraph, or
 - (b) the scheme itself has not been so examined but the proposals for the scheme have been examined in pursuance of paragraph 27 above,
- the trade union or employers’ association in question shall arrange for that scheme, as it has effect at each successive relevant date, to be examined by an appropriately qualified actuary, and for a report to be made to it by the actuary on the result of his examination of the scheme.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Trade Union and Labour Relations Act 1974 (repealed 16.10.1992). (See end of Document for details)

- (2) Subject to the next following sub-paragraph, in this paragraph “relevant date”, in relation to a members’ superannuation scheme, means such date as the trade union or employers’ association in question may determine, not being later than five years after the date by reference to which the last examination of the scheme, or (as the case may be) the examination of the proposals for the scheme, was carried out in accordance with paragraph 23 or paragraph 27 above or in accordance with the the preceding sub-paragraph.
- (3) In the case of any trade union or employers’ association the [^{F97}Certification Officer] may direct that, in relation to any time after the making of the direction, sub-paragraph (2) of this paragraph shall have effect as if, for the reference to five years there was substituted a reference to such shorter period as may be specified in the direction.

Textual Amendments

F96 Words inserted by [Employment Act 1980 \(c. 42\)](#), [Sch. 1 para. 3](#)

F97 Words substituted by [Employment Protection Act 1975 \(c. 71\)](#), [Sch. 16 Pt. III para. 1](#)

33 The provisions of paragraphs 24 to 26 and paragraph 28 above shall have effect in relation to the examination of a scheme under paragraph 32 above as they have effect in relation to the examination of a scheme under paragraph 23 above.

[^{F98}33A The Certification Officer, on the application of a trade union or employers’ association, may exempt any members’ superannuation scheme which it maintains from the requirements of paragraph 32 above if he is satisfied that, by reason of the small number of members to which the scheme is applicable or for any other special reasons, it is unnecessary for the scheme to be examined in accordance with those requirements.]

Textual Amendments

F98 [Sch. 2 paras. 33A, 33B](#) inserted by [Employment Act 1980 \(c. 42\)](#), [Sch. 1 para. 3](#)

33B The Certification Officer may at any time revoke any exemption granted under paragraph 33A above if it appears to him that the circumstances by reason of which the exemption was granted have ceased to exist; and for the purposes of paragraph 32 above the relevant date next following the revocation shall be such date as the Certification Officer may direct.

Separate fund for members’s superannuation scheme

34 After the commencement of this Part of this Schedule no trade union or employers’s association shall maintain a members’ superannuation scheme which was not established before the commencement of this Part of this Schedule unless it

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Trade Union and Labour Relations Act 1974 (repealed 16.10.1992). (See end of Document for details)

maintains a separate fund for the payments of benefits in accordance with the scheme.

- 35 After the end of the period of five years beginning with the date on which paragraph 34 above comes into operation no trade union or employers' association shall maintain a members' superannuation scheme (whenever established) unless it maintains a separate fund for the payment of benefits in accordance with the scheme.

Interpretation of Part II

- 36 In this Part of this Schedule—
- (a) “members’ superannuation scheme” means any scheme or arrangement made by or on behalf of a trade union or employers’ association (including any scheme or arrangement shown in the rules of a trade union or employers’ association) in so far as it provides for benefits to be paid by way of pension (including any widows’ or children’s pensions or dependants’ pensions) to or in respect of members or former members of the trade union or employers’ association and to be so paid either out of the funds (whether the general funds or any other fund) of the trade union or employers’ association or under any insurance scheme maintained out of those funds;
 - (b) “appropriately qualified actuary” in relation to a trade union or employers’ association, means a person who is either a Fellow of the Institute of Actuaries or a Fellow of the Faculty of Actuaries or is approved by the [F⁹⁹Certification Officer] on the application of the trade union or employers’ association as a person having actuarial knowledge; and
 - (c) “separate fund” means a fund separate from the general funds of the trade unions or employers’ association.

Textual Amendments

F99 Words substituted by [Employment Protection Act 1975 \(c. 71\)](#), [Sch. 16 Pt. III para. 1](#)

SCHEDULE 3

Section 25.

MISCELLANEOUS AMENDMENTS

Modifications etc. (not altering text)

C35 The text of Sch. 3 (except para. 10(1)(7)) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

C36 [Sch. 3](#) extended (N.I.) (1.7.1992) by [S.I. 1992/807 \(N.I. 5\)](#), [art. 67\(2\)](#); [S.R. 1992/212](#), [art.2\(3\)](#)

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Trade Union and Labour Relations Act 1974 (repealed 16.10.1992). (See end of Document for details)

The Conspiracy, and Protection of Property Act 1875 (c. 86)

- 1 In section 3 of the Conspiracy, and Protection of Property Act 1875, for the words from “an industrial dispute” to “1971” substitute the words “a trade dispute”.

The Trade Union Act 1913 (2 & 3 Geo. 5. c. 30)

- 2 (1) The Trade Union Act 1913 shall be amended in accordance with the following provisions of this paragraph.
- (2) For section 2(1), substitute as new subsections (1) and (1A) two subsections in the same terms as subsections (1) and (2) respectively of section 28 of this Act, but with the insertion in the definition of “employers’ association” in subsection (2), after the words “temporally” which”, of the words “is unincorporated and”.
- (3) In sections 3 to 6, for the words substituted by Schedule 8 to the 1971 Act substitute the words contained in those sections immediately before the substitutions were effected by that Act except in the contexts specified in sub-paragraph (4) below.
- (4) In sections 3(1) and 4(1) omit the words from “whether the” to “is registered or not” and in section 4(2) the words “whether registered or not”.
- (5) After section 6, insert—

“6A Application of sections 3 to 6 to employers’ associations.

Sections 3 to 6 of, and the Schedule to, this Act shall apply, with the necessary modifications, in relation to unincorporated employers’ associations as they apply in relation to trade unions.”

- (6) F100

Textual Amendments

F100 Sch. 3 paras. 2(6) and 3 repealed by [Employment Protection Act 1975 \(c. 71\)](#), [Sch. 18](#)

F101

3

Textual Amendments

F101 Sch. 3 paras. 2(6) and 3 repealed by [Employment Protection Act 1975 \(c. 71\)](#), [Sch. 18](#)

F102

4

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Trade Union and Labour Relations Act 1974 (repealed 16.10.1992). (See end of Document for details)

Textual Amendments

F102 Sch. 3 para. 4 repealed by Employment Act 1980 (c. 42), Sch. 2

The Industrial Assurance and Friendly Societies Act 1948 (c.39)

- 5 (1) The Industrial Assurance and Friendly Societies Act 1948 shall be amended in accordance with the following provisions of this paragraph.
- (2) In section 6(1), for the words from “an organisation of workers” to “that Act” substitute the words “a trade union or an employers’ association”.
- (3) In section 16(4), for the words substituted by the 1971 Act substitute the words “trade union or employers’ association”.
- (4) In section 23(1) insert the following—
- “(b) the expressions “trade union” and “employers’ association” have the meanings respectively as they have in the Trade Union and Labour Relations Act 1974”.

F103

6

Textual Amendments

F103 Sch. 3 para. 6 repealed by House of Commons Disqualification Act 1975 (c. 24), Sch. 3 and Northern Ireland Assembly Disqualification Act 1975 (c. 25), Sch. 3 Pt. I

The Insurance Companies Act 1958 (c. 72)

- 7 In section 1 of the Insurance Companies Act 1958, after subsection (5) insert as a new subsection (5A) in place of that inserted by Schedule 8 to the 1971 Act the following—
- “(5A) Where a trade union or an employers’ association carries on insurance business, this Act does not apply to it as an insurance company if the insurance business is limited to the provision for its members of provident benefits or strike benefits.
- In this subsection “trade union” and “employers’ association” have the same meanings respectively as they have in the Trade Union and Labour Relations Act 1974.”

F104

8

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Trade Union and Labour Relations Act 1974 (repealed 16.10.1992). (See end of Document for details)

Textual Amendments

F104 Sch. 3 para. 8 repealed by [Employment Protection Act 1975 \(c. 71\)](#), [Sch. 18](#)

F105

9

Textual Amendments

F105 Sch. 3 para. 9 repealed by [Wages Councils Act 1979 \(c. 12\)](#), [Sch. 7](#)

The Trade Union (Amalgamations, etc.) Act 1964 (c. 24)

10 (1) The Trade Union (Amalgamations, etc.) Act 1964 shall be amended in accordance with the following provisions of this paragraph.

(2) In sections 1 to 11 (and the Schedules), for the expressions “organisation to which this Act applies” or “organisation” substituted by Schedule 8 to the 1971 Act, wherever they occur, substitute the words contained in those sections (and Schedules) immediately before the substitutions were effected by that Act.

(3) In section 1, for the subsection (1A) inserted by Schedule 8 to the 1971 Act substitute—

“(1A) Subject to any express provision of this Act with respect to employers’ associations, this Act shall apply, with the necessary modifications, in relation to unincorporated employers’ associations as it applies in relation to trade unions.”

(4) **F106**

(5) For section 6(2) substitute—

“(2) If the name of a trade union or employers’ association is for the time being entered in the list of trade unions or employers’ associations under section 8 of the Trade Union and Labour Relations Act 1974, a change of its name shall not take effect until approved by the Registrar under this Act; and the Registrar shall not approve a change of name if it appears to him that the proposed new name is the same as one entered in either list as the name of another trade union or employers’ association or is a name so nearly resembling such a name as to be likely to deceive the public.”

(6) **F107**

(7) Section 8 (which was repealed by the 1971 Act) is hereby revived.

(8) In section 9, for subsection (1) substitute—

“(1) In this Act, unless the context otherwise requires—
“amalgamating unions” and “amalgamated union”, in relation to a proposed amalgamation, mean respectively the trade unions proposing

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Trade Union and Labour Relations Act 1974 (repealed 16.10.1992). (See end of Document for details)

to amalgamate and the trade union which is to result from the proposed amalgamation;

“assistant registrar” means any assistant registrar of friendly societies appointed under section 1 of the Friendly Societies Act 1896;

“employers’ association” has the same meaning as in the Trade Union and Labour Relations Act 1974;

“Northern Ireland Union” has the meaning assigned to it by section 10 of this Act;

“the Registrar” means the Chief Registrar of Friendly Societies;

“trade union” has the same meaning as in the Trade Union and Labour Relations Act 1974;

“transferor trade union” and “transferee trade union”, in relation to a proposed transfer of engagements, mean respectively the trade union proposing to transfer its engagements and the trade union proposing to accept them.”

Textual Amendments

F106 Sch. 3 para. 10(4) repealed by [Employment Protection Act 1975 \(c. 71\)](#), **Sch. 18**

F107 Sch. 3 para. 10(6) repealed by [Employment Protection Act 1975 \(c. 71\)](#), **Sch. 18**

The Trade Union (Amalgamations etc.) Act (Northern Ireland) 1965 (c. 2) (N.I.)

- 11 For section 9(2) of the Trade Union (Amalgamations etc.) Act (Northern Ireland) 1965 substitute—

“(2) In this Act “Great Britain union” means a trade union or employers’ association within the meaning of the Trade Union and Labour Relations Act 1974, being either—

- (a) a union whose name is for the time being entered in the list of trade unions or of employers’ associations under section 8 of that Act; or
- (b) a union or association whose name is not so entered, but whose principal office is situated in England, Wales or Scotland.”

The Companies Act 1967 (c. 81)

- 12 In section 60(1) of the Companies Act 1967 for the paragraph (e) inserted by Schedule 8 to the 1971 Act substitute the following—

“(e) a trade union or employers’ association (within the meaning of the Trade Union and Labour Relations Act 1974) where the insurance business carried on by the union or association is limited to the provision for its members of provident benefits or strike benefits”.

F108

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Trade Union and Labour Relations Act 1974 (repealed 16.10.1992). (See end of Document for details)

Textual Amendments

F108 Sch. 3 para. 13 repealed by Insurance Companies Act 1980 (c. 25), Schs. 4, 5

The Merchant Shipping Act 1970 (c. 36)

14 In section 42 of the Merchant Shipping Act 1970, . . . ^{F109} omit subsection (3).

Textual Amendments

F109 Words repealed by Merchant Shipping Act 1988 (c. 12, SIF 111), s. 57(5), Sch. 7

^{F110}

15

Textual Amendments

F110 Sch. 3 para. 15 repealed by Employment Protection Act 1975 (c. 71), Sch. 18

^{F111}

16

Textual Amendments

F111 Sch. 3 para. 16 repealed by Employment Protection (Consolidation) Act 1978 (c. 44), Sch. 15 para. 9, Sch. 17

^{F112}

17

Textual Amendments

F112 Sch. 3 para. 17 repealed by Employment Act 1982 (c. 46, SIF 43:5), s. 21(3), Sch. 4

SCHEDULE 4

Section 25.

TRANSITIONAL PROVISIONS

^{F113}

1

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Trade Union and Labour Relations Act 1974 (repealed 16.10.1992). (See end of Document for details)

Textual Amendments

F113 Sch. 4 paras. 1, 3 and 6(4) repealed by [Employment Protection \(Consolidation\) Act 1978 \(c. 44\)](#), Sch. 15 para. 9, [Sch. 17](#)

- 2 Subject to any provision to the contrary contained in section 21 or 23 above, sections 22 to 33 of the 1971 Act (unfair dismissals) and the other provisions of that Act relating to proceedings for unfair dismissal shall, notwithstanding the repeal of that Act by this Act, continue to apply to dismissals where the effective date of termination falls before the commencement of Schedule 1 to this Act.

F114

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3

Textual Amendments

F114 Sch. 4 paras. 1, 3 and 6(4) repealed by [Employment Protection \(Consolidation\) Act 1978 \(c. 44\)](#), Sch. 15 para. 9, [Sch. 17](#)

F115

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4

Textual Amendments

F115 Sch. 4 para. 4 repealed by [Statute Law \(Repeals\) Act 1986 \(c. 12\)](#), s. 1(1), [Sch. 1 Pt. V](#)

- 5 Schedule 2 to this Act shall apply to a trade union's or employers' association's return and accounts for 1974 or the period substituted therefor by a direction under paragraph 5 of that Schedule, notwithstanding that that Schedule was not in force for the whole of that year or period.

- 6 (1) In so far as anything done or treated as done under any enactment contained in the 1971 Act, which is re-enacted, with or without amendment, in a corresponding provision of Schedule 1 or Schedule 2 to this Act, could have been done under that provision, then, subject to sub-paragraph (3) below, it shall on the commencement of that Schedule have effect as if done under that provision.

- (2) In particular, sub-paragraph (1) above applies to the following things done under any such enactment, that is to say—

any complaint presented;

any application, determination, recommendation, award, order, regulations, appointment, request or report made;

any certificate, exemption or notice given.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Trade Union and Labour Relations Act 1974 (repealed 16.10.1992). (See end of Document for details)

(3) Sub-paragraph (1) above shall not apply to anything done under those provisions of the 1971 Act which continue to apply to dismissals by virtue only of paragraph 2 above.

(4) ^{F116}

Textual Amendments

F116 Sch. 4 paras. 1, 3 and 6(4) repealed by [Employment Protection \(Consolidation\) Act 1978 \(c. 44\)](#), Sch. 15 para. 9, [Sch. 17](#)

7 Any enactment or document which refers, whether specifically or by means of a general description, to an enactment contained in the 1971 Act which is re-enacted, with or without amendment, in a corresponding provision of Schedule 1 or Schedule 2 to this Act shall, except so far as the context otherwise requires, be construed as referring, or as including a reference, to that corresponding provision.

8 Nothing in this Schedule shall be construed as prejudicing [^{F117}sections 16(1) and 17(2)(a) of the ^{M24}Interpretation Act 1978] (effect of repeals).

Textual Amendments

F117 Words substituted by virtue of [Interpretation Act 1978 \(c. 30\)](#), [s. 25\(2\)](#)

Marginal Citations

M24 [1978 c. 30](#).

SCHEDULE 5

Section 25.

ENACTMENTS REPEALED

Modifications etc. (not altering text)

C37 The text of Sch. 5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

C38 [Sch. 5](#) extended (N.I.) (1.7.1992) by [S.I. 1992/807 \(N.I. 5\)](#), [art. 67\(2\)](#); [S.R. 1992/212](#), [art.2\(3\)](#).

| Chapter | Short Title | Extent of Repeal |
|----------------------|---------------------------|---|
| 2 & 3 Geo. 5. c. 30. | The Trade Union Act 1913. | In sections 3(1) and 4(1), the words from “whether the” to “is registered or not”. In section 4(2), the words “whether registered or not”. |

Status: Point in time view as at 01/02/1991.

Changes to legislation: *There are currently no known outstanding effects for the Trade Union and Labour Relations Act 1974 (repealed 16.10.1992). (See end of Document for details)*

| | | |
|-------------------|--|---|
| 1957 c. 20. | The House of Commons Disqualification Act 1957. | <p>In Part II of Schedule 1, both in its application to the House of Commons of the United Kingdom and in its application to the Northern Ireland Assembly, the entries relating to the Commission on Industrial Relations and the National Industrial Relations Court.</p> <p>In Part III of Schedule 1, in its application to the House of Commons of the United Kingdom, the entry relating to the Chief Registrar or Assistant Registrar of Trade Unions and Employers' Associations.</p> |
| 1968 c. 6 (N.I.). | The Insurance Companies Act (Northern Ireland) 1968. | In section 1(2)(a), the words "or trade unions". |
| 1970 c. 36. | The Merchant Shipping Act 1970. | Section 42(3). |
| 1971 c. 72. | The Industrial Relations Act 1971. | The whole Act. |
| 1972 c. 53. | The Contracts of Employment Act 1972. | <p>In section 4(2), paragraph (a).</p> <p>In section 11(1), the definitions of "agency shop agreement" and "approved closed shop agreement".</p> |
| 1972 c. 59. | The Administration of Justice (Scotland) Act 1972. | In section 3(3), the words "described in section 124 of that Act". |
| 1973 c. 58. | The Insurance Companies Amendment Act 1973. | <p>Section 40.</p> <p>In Schedule 3, paragraph 31.</p> |

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

There are currently no known outstanding effects for the Trade Union and Labour Relations Act 1974 (repealed 16.10.1992).