



# Trade Union and Labour Relations Act 1974

## 1974 CHAPTER 52

### *Restrictions on legal liability and legal proceedings*

#### **14 Immunity of trade unions and employers' associations to actions in tort**

- (1) Subject to subsection (2) below, no action in tort shall lie in respect of any act—
- (a) alleged to have been done by or on behalf of a trade union which is not a special register body or by or on behalf of an unincorporated employers' association ; or
  - (b) alleged to have been done, in connection with the regulation of relations between employers or employers' associations and workers or trade unions, by or on behalf of a trade union which is a special register body or by or on behalf of an employers' association which is a body corporate; or
  - (c) alleged to be threatened or to be intended to be done as mentioned in paragraph (a) or (b) above;
- against the union or association in its own name, or against the trustees of the union or association, or against any members or officials of the union or association on behalf of themselves and all other members of the union or association.
- (2) Subsection (1) above shall not affect the liability of a trade union or employers' association to be sued in respect of the following, if not arising from an act done in contemplation or furtherance of a trade dispute, that is to say—
- (a) any negligence, nuisance or breach of duty (whether imposed on them by any rule of law or by or under any enactment) resulting in personal injury to any person; or
  - (b) without prejudice to paragraph (a) above, breach of any duty so imposed in connection with the ownership, occupation, possession, control or use of property (whether real or personal or, in Scotland, heritable or moveable).
- (3) In this section "personal injury" includes any disease and any impairment of a person's physical or mental condition.