



Trade Union and Labour Relations (Consolidation) Act 1992

1992 CHAPTER 52

PART IV

INDUSTRIAL RELATIONS

CHAPTER II

PROCEDURE FOR HANDLING REDUNDANCIES

Duty of employer to notify Secretary of State

194 Offence of failure to notify.

- (1) An employer who fails to give notice to the Secretary of State in accordance with section 193 commits an offence and is liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (2) Proceedings in England or Wales for such an offence shall be instituted only by or with the consent of the Secretary of State or by an officer authorised for that purpose by special or general directions of the Secretary of State.

An officer so authorised may ^{F1} . . . prosecute or conduct proceedings for such an offence before a magistrates' court.

- (3) Where an offence under this section committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person purporting to act in any such capacity, he as well as the body corporate is guilty of the offence and liable to be proceeded against and punished accordingly.

Status: Point in time view as at 01/01/2010.

Changes to legislation: Trade Union and Labour Relations (Consolidation) Act 1992, Section 194 is up to date with all changes known to be in force on or before 19 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (4) Where the affairs of a body corporate are managed by its members, subsection (3) applies in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

Textual Amendments

- F1** Words in s. 194(2) repealed (1.1.2010) by Legal Services Act 2007 (c. 29), ss. 208, 210, 211(2), Sch. 21 para. 105, **Sch. 23** (with ss. 29, 192, 193); S.I. 2009/3250, **art. 2(h)(i)(ix)** (with art. 9)

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