



# Trade Union and Labour Relations (Consolidation) Act 1992

## 1992 CHAPTER 52

### PART I

#### TRADE UNIONS

#### CHAPTER I

#### INTRODUCTORY

#### *The list of trade unions*

## **2 The list of trade unions**

- (1) The Certification Officer shall keep a list of trade unions containing the names of—
  - (a) the organisations whose names were, immediately before the commencement of this Act, duly entered in the list of trade unions kept by him under section 8 of the Trade Union and Labour Relations Act 1974, and
  - (b) the names of the organisations entitled to have their names entered in the list in accordance with this Part.
- (2) The Certification Officer shall keep copies of the list of trade unions, as for the time being in force, available for public inspection at all reasonable hours free of charge.
- (3) A copy of the list shall be included in his annual report.
- (4) The fact that the name of an organisation is included in the list of trade unions is evidence (in Scotland, sufficient evidence) that the organisation is a trade union.
- (5) On the application of an organisation whose name is included in the list, the Certification Officer shall issue it with a certificate to that effect.

- (6) A document purporting to be such a certificate is evidence (in Scotland, sufficient evidence) that the name of the organisation is entered in the list.

### **3 Application to have name entered in the list**

- (1) An organisation of workers, whenever formed, whose name is not entered in the list of trade unions may apply to the Certification Officer to have its name entered in the list.
- (2) The application shall be made in such form and manner as the Certification Officer may require and shall be accompanied 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,
- and by the prescribed fee.
- (3) If the Certification Officer is satisfied—
- (a) that the organisation is a trade union,
  - (b) that subsection (2) has been complied with, and
  - (c) that entry of the name in the list is not prohibited by subsection (4),
- he shall enter the name of the organisation in the list of trade unions.
- (4) The Certification Officer shall not enter the name of an organisation in the list of trade unions if the name is the same as that under which another organisation—
- (a) was on 30th September 1971 registered as a trade union under the Trade Union Acts 1871 to 1964,
  - (b) was at any time registered as a trade union or employers' association under the Industrial Relations Act 1971, or
  - (c) is for the time being entered in the list of trade unions or in the list of employers' associations kept under Part II of this Act,
- or if the name is one so nearly resembling any such name as to be likely to deceive the public.

### **4 Removal of name from the list**

- (1) If it appears to the Certification Officer, on application made to him or otherwise, that an organisation whose name is entered in the list of trade unions is not a trade union, he may remove its name from the list.
- (2) He shall not do so without giving the organisation notice of his intention and considering any representations made to him by the organisation within such period (of not less than 28 days beginning with the date of the notice) as may be specified in the notice.
- (3) The Certification Officer shall remove the name of an organisation from the list of trade unions if—
- (a) he is requested by the organisation to do so, or
  - (b) he is satisfied that the organisation has ceased to exist.