



Trade Union and Labour Relations (Consolidation) Act 1992

1992 CHAPTER 52

PART VII

MISCELLANEOUS AND GENERAL

Other supplementary provisions

292 Death of employee or employer

- (1) This section has effect in relation to the following provisions so far as they confer rights on employees or make provision in connection therewith—
 - (a) sections 146 to 151 (action short of dismissal taken on grounds related to union membership or activities);
 - (b) sections 168 to 173 (time off for trade union duties and activities);
 - (c) sections 188 to 198 (procedure for handling redundancies).
- (2) Where the employee or employer dies, tribunal proceedings may be instituted or continued by a personal representative of the deceased employee or, as the case may be, defended by a personal representative of the deceased employer.
- (3) If there is no personal representative of a deceased employee, tribunal proceedings or proceedings to enforce a tribunal award may be instituted or continued on behalf of his estate by such other person as the industrial tribunal may appoint, being either—
 - (a) a person authorised by the employee to act in connection with the proceedings before his death, or
 - (b) the widower, widow, child, father, mother, brother or sister of the employee.In such a case any award made by the industrial tribunal shall be in such terms and shall be enforceable in such manner as may be prescribed.

Status: This is the original version (as it was originally enacted).

- (4) Any right arising under any of the provisions mentioned in subsection (1) which by virtue of this section accrues after the death of the employee in question shall devolve as if it had accrued before his death.
- (5) Any liability arising under any of those provisions which by virtue of this section accrues after the death of the employer in question shall be treated for all purposes as if it had accrued immediately before his death.