



Trade Union and Labour Relations (Consolidation) Act 1992

1992 CHAPTER 52

PART I

TRADE UNIONS

CHAPTER IV

ELECTIONS FOR CERTAIN POSITIONS

Supplementary

58 Exemption of certain persons nearing retirement.

- (1) Section 46(1)(b) (requirement of re-election) does not apply to a person holding a position to which this Chapter applies if the following conditions are satisfied.
- (2) The conditions are that—
 - (a) he holds the position by virtue of having been elected at an election in relation to which the requirements of this Chapter were satisfied,
 - (b) he is a full-time employee of the union by virtue of the position,
 - (c) he will reach retirement age within five years,
 - (d) he is entitled under the rules of the union to continue as the holder of the position until retirement age without standing for re-election,
 - (e) he has been a full-time employee of the union for a period (which need not be continuous) of at least ten years, and
 - (f) the period between the day on which the election referred to in paragraph (a) took place and the day immediately preceding that on which paragraph (c) is first satisfied does not exceed five years.

Status: Point in time view as at 16/10/1992. This version of this provision has been superseded.

Changes to legislation: Trade Union and Labour Relations (Consolidation) Act 1992, Section 58 is up to date with all changes known to be in force on or before 31 May 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)

- (3) For the purposes of this section “retirement age”, in relation to any person, means the earlier of—
- (a) the age fixed by, or in accordance with, the rules of the union for him to retire from the position in question, or
 - (b) the age which is for the time being pensionable age for the purpose of Parts I to VI of the ^{M1}Social Security (Contributions and Benefits) Act 1992.

Marginal Citations

M1 1992 c. 4.

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