



Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014

2014 CHAPTER 4

PART 3

TRADE UNIONS' REGISTERS OF MEMBERS

40 Duty to provide membership audit certificate

- (1) The Trade Union and Labour Relations (Consolidation) Act 1992 is amended as follows.
- (2) After section 24 (duty to maintain register of members' names and addresses) insert—

“24ZA Duty to provide membership audit certificate

- (1) A trade union required to maintain a register of the names and addresses of its members by section 24 must send to the Certification Officer a membership audit certificate in relation to each reporting period.
- (2) In this section and in sections 24ZB to 24ZF, a “reporting period” means a period in relation to which the union is required by section 32 to send an annual return to the Certification Officer.
- (3) The union must send the membership audit certificate in relation to a reporting period to the Certification Officer at the same time as it sends to the Officer its annual return under section 32 in relation to that period.
- (4) In the case of a trade union required by section 24ZB to appoint an assurer in relation to a reporting period, the “membership audit certificate” in relation to that period is the certificate which the assurer is required to provide to the union in relation to that period pursuant to that appointment.

Changes to legislation: There are currently no known outstanding effects for the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014, Section 40. (See end of Document for details)

- (5) In any other case, the “membership audit certificate” in relation to a reporting period is a certificate which—
- (a) must be signed by an officer of the trade union who is authorised to sign on its behalf,
 - (b) must state the officer's name, and
 - (c) must state whether, to the best of the officer's knowledge and belief, the union has complied with its duties under section 24(1) throughout the reporting period.
- (6) A trade union must, at a person's request, supply the person with a copy of its most recent membership audit certificate either free of charge or on payment of a reasonable charge.
- (7) The Certification Officer must at all reasonable hours keep available for public inspection, either free of charge or on payment of a reasonable charge, copies of all membership audit certificates sent to the Officer under this section.”
- (3) In section 44(4) (discharge of duties in case of union having branches or sections), at the appropriate place in the list insert— “ section 24ZA (duty to provide membership audit certificate), ”.
- (4) In section 118 (federated trade unions), after subsection (4) insert—
- “(4A) In the case of a federated trade union which, by virtue of subsection (4), is not required to send an annual return to the Certification Officer under section 32, section 24ZA (duty to provide membership audit certificate) applies as if section 32 does apply to the union.”

Commencement Information

II S. 40 in force at 6.4.2015 with application in accordance with art. 3 by S.I. 2015/717, **art. 3(1)(a)**

Changes to legislation:

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