



Trade Union and Labour Relations Act 1974

CHAPTER 52

TRADE UNION AND LABOUR RELATIONS ACT 1974

Repeal of Industrial Relations Act 1971

- 1 Repeal of Industrial Relations Act 1971 and re-enactment of certain provisions

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- 2 Status of trade unions
- 3 Status of employers' associations
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SCHEDULES

SCHEDULE 1 — Re-Enacted Provisions of Industrial Relations Act 1971

PART I — INTRODUCTORY

Code of Practice[Section 2]

- 1 (1) 'It shall be the duty of the Secretary of...

Revisions of Code of Practice[Section 3]

- 2 (1) Where the Secretary of State proposes to revise the...

Use of code in proceedings under this Act[Section 4]

- 3 —A failure on the part of any person to observe...

PART II — UNFAIR DISMISSAL

Right of employee not to be unfairly dismissed[Section 22]

- 4 (1) In every employment to which this paragraph applies every...

Meaning of "dismissal"[Section 23]

- 5 (1) In this Schedule "dismissal" and "dismiss...

Fair and unfair dismissal[Section 24]

6 (1) In determining for the purposes of this Schedule whether...

Dismissal in connection with a lock-out[Section 25]

7 (1) The dismissal of an employee by way of a...

Dismissal in connection with a strike or other industrial action[Section 26]

8 (1) The provisions of this paragraph shall have effect in...

Excluded classes of employment[Section 27]

9 (1) Paragraph 4 above does not apply to any of...

Qualifying period and upper age limit[Section 28]

10 Subject to paragraph 11 below, paragraph 4 above does not...

Supplementary provisions relating to paragraphs 9 and 10[Section 29]

11 (1) Paragraphs 9(1)(a) and 10 above shall not apply to...

Exclusion of certain contracts for a fixed term[Section 30]

12 Paragraph 4 above does not apply— (a) to dismissal from...

Exclusion in respect of dismissal procedures agreement[Section 31]

13 (1) An application may be made jointly to the Secretary...

Revocation of exclusion under paragraph 13[Section 32]

14 (1) At any time when an order under paragraph 13...

Pressure on employer to dismiss unfairly[Section 33]

15 In determining, for the purposes of this Part of this...

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16 (1) Tribunals established under section 12 of the Industrial Training...

Complaint to industrial tribunal of unfair dismissal[Section 106]

17 (1) A complaint may be presented to an industrial tribunal...

National security[Section 159]

18 (1) If on a complaint under paragraph 17 above it...

General principles as to assessment of compensation[Section 116]

19 (1) Where in any proceedings on a complaint under paragraph...

Limit on compensation[Section 118]

20 (1) The amount of compensation which is awarded to a...

Regulations as to tribunal procedure[Schedule 6, paragraphs 1 to 5 and 11]

21 (1) Regulations (in this Part of this Schedule referred to...

Exclusion of Arbitration Act 1950[Schedule 6, paragraph 7]

22 The Arbitration Act 1950 shall not apply to any proceedings...

Presumption as to dismissal for redundancy[Schedule 6, paragraph 8]

23 Where in accordance with the regulations an industrial tribunal determines...

Right of appearance[Schedule 6, paragraph 9]

24 Any person may appear before an industrial tribunal in person...

Recovery of sums awarded[Schedule 6, paragraph 10]

25 (1) Any sum payable in pursuance of a decision of...

PART IV — CONCILIATION OFFICERS, AND MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

Conciliation officers[Section 146]

26 (1) The Secretary of State shall appoint conciliation officers to...

Teacher in aided school dismissed on requirement of local education authority[Section 148]

27 (1) Where a teacher in an aided school is dismissed...

Race Relations Act 1968[Section 149]

28 (1) Where under the Race Relations Act 1968 a complaint...

Redundancy payments[Section 150]

29 (1) Regulations may make provision with respect to cases where...

Period of continuous employment[Section 151]

30 (1) The provisions of Schedule 1 to the Contracts of...

Nominations by members of trade unions[Section 155]

31 (1) Regulations may make provision— (a) for enabling members of...

Restrictions on contracting out[Section 161]

32 (1) Except as provided by sub-paragraph (2) below, any provision...

Employment under the Crown[Section 162]

33 (1) Subject to the following provisions of this paragraph, the...

SCHEDULE 2 — Administrative Provisions Relating to Trade Unions and Employers' Associations

PART I — ANNUAL RETURNS, AND QUALIFICATIONS, APPOINTMENT AND REMOVAL, AND FUNCTIONS, OF AUDITORS

Annual returns

- 1 (1) Subject to paragraph 5 below, the annual return of...
- 2 Every annual return shall contain— (a) revenue accounts indicating the...
- 3 Every revenue account, every balance sheet and every other account...
- 4 Every return, in addition to containing the accounts mentioned in...
- 5 The Registrar, if in any particular case he considers it...

Qualifications of auditors

- 6 Subject to paragraphs 7 to 9 below, a person shall...
- 7 Notwithstanding anything in paragraph 6 above, a Scottish firm may...
- 8 A person who is not qualified under paragraph 6 above...
- 9 (1) Two or more persons who are not qualified under...
- 10 (1) None of the following persons shall act as auditor...

Appointment and removal of auditors

- 11 The rules of every trade union and every employers' association...
- 12 Notwithstanding anything in the rules of a trade union or...
- 13 (1) Notwithstanding anything in the rules of a trade union...
- 14 Regulations may make provision as to the procedure to be...
- 15 (1) Where any regulations made under paragraph 14 above require...

Auditor's right of access to books and information and right to be heard at meetings

- 16 Every auditor of a trade union or an employers' association—...
- 17 Every auditor of a trade union or an employers' association...

Auditors' reports

- 18 The auditor or auditors of a trade union or an...
 - 19 The report shall state whether, in the opinion of the...
 - 20 It shall be the duty of the auditor or auditors,...
 - 21 If an auditor fails to obtain all the information and...
 - 22 In this Part of this Schedule " accounting period ",...
- PART II — MEMBERS' SUPERANNUATION SCHEMES

Examination of superannuation schemes

- 23 Subject to paragraphs 29 to 31 below, every trade union...
- 24 Where a members' superannuation scheme to which paragraph 23 above...
- 25 The report made by the actuary on the results of...
- 26 A copy of any report made by an actuary under...
- 27 Subject to paragraphs 30 and 31 below, no trade union...
- 28 A copy of any report made to a trade union...
- 29 Where on the application of a trade union or employers'...
- 30 The Registrar, on the application of a trade union or...
- 31 The Registrar may at any time revoke any exemption granted...

Periodical re-examination of schemes

- 32 (1) Where a trade union or employers' association for the...
- 33 The provisions of paragraphs 24 to 26 and paragraph 28...

Separate fund for members' superannuation scheme

- 34 After the commencement of this Part of this Schedule no...
 35 After the end of the period of five years beginning...

Interpretation of Part II

- 36 In this Part of this Schedule— (a) " members' superannuation...

SCHEDULE 3 — Miscellaneous Amendments

The Conspiracy, and Protection of Property Act 1875 (c. 86)

- 1 In section 3 of the Conspiracy, and Protection of Property...

The Trade Union Act 1913 (2 & 3 Geo. 5. c. 30)

- 2 (1) The Trade Union Act 1913 shall be amended in...

The Industrial Courts Act 1919 (c. 69)

- 3 In sections 1, 2, 3, 7 and 9, for the...

The Road Haulage Wages Act 1938 (c. 44)

- 4 In section 15(1) of the Road Haulage Wages Act 1938,...

The Industrial Assurance and Friendly Societies Act 1948 (c. 39)

- 5 (1) The Industrial Assurance and Friendly Societies Act 1948 shall...

The House of Commons Disqualification Act 1957 (c. 20)

- 6 (1) In Part II of Schedule 1 to the House...

The Insurance Companies Act 1958 (c. 72)

- 7 In section 1 of the Insurance Companies Act 1958, after...

The Terms and Conditions of Employment Act 1959 (c. 26)

- 8 In section 8(2) of the Terms and Conditions of Employment...

The Wages Councils Act 1959 (c. 69)

- 9 (1) The Wages Councils Act 1959 shall be amended in...

The Trade Union (Amalgamations, etc.) Act 1964 (c. 24)

- 10 (1) The Trade Union (Amalgamations, etc.) Act 1964 shall be...

The Trade Union (Amalgamations etc) Act (Northern Ireland) 1965 (c. 2) (N.I.)

- 11 For section 9(2) of the Trade Union (Amalgamations etc.) Act...

The Companies Act 1967 (c. 81)

- 12 In section 60(1) of the Companies Act 1967 for the...

The Insurance Companies Act (Northern Ireland) 1968 (c. 6) (N.I.)

- 13 (1) The Insurance Companies Act (Northern Ireland) 1968 shall be...

The Merchant Shipping Act 1970 (c. 36)

- 14 In section 42 of the Merchant Shipping Act 1970, in...

The Tribunals and Inquiries Act 1971 (c. 62)

- 15 Section 13 of the Tribunals and Inquiries Act 1971 (which,...

The Contracts of Employment Act 1972 (c. 53)

- 16 In section 4(2) of the Contracts of Employment Act 1972,...

The Administration of Justice (Scotland) Act 1972 (c.59)

- 17 In section 3(3) of the Administration of Justice (Scotland) Act...

SCHEDULE 4 — Transitional Provisions

- 1 Schedule 1 to this Act shall apply to dismissals where...
- 2 Subject to any provision to the contrary contained in section...
- 3 Parts III and IV of Schedule 1 to this Act...
- 4 As respects proceedings pending in the National Industrial Relations Court...
- 5 Schedule 2 to this Act shall apply to a trade...
- 6 (1) In so far as anything done or treated as...
- 7 Any enactment or document which refers, whether specifically or by...
- 8 Nothing in this Schedule shall be construed as prejudicing section...

SCHEDULE 5 — Enactments Repealed