



# Trade Union and Labour Relations (Consolidation) Act 1992

## 1992 CHAPTER 52

### PART V

#### INDUSTRIAL ACTION

*<sup>F1</sup>[Industrial action affecting supply of goods or services to an individual]*

#### Textual Amendments

**F1** Ss. 235A- 235C and cross heading inserted (30.8.1993) by 1993 c. 19, s.22; S.I. 1993/1908, art. 2(1), Sch.1

#### **[<sup>F2</sup>235A Industrial action affecting supply of goods or services to an individual.**

- (1) Where an individual claims that—
  - (a) any trade union or other person has done, or is likely to do, an unlawful act to induce any person to take part, or to continue to take part, in industrial action, and
  - (b) an effect, or a likely effect, of the industrial action is or will be to—
    - (i) prevent or delay the supply of goods or services, or
    - (ii) reduce the quality of goods or services supplied,to the individual making the claim,he may apply to the High Court or the Court of Session for an order under this section.
- (2) For the purposes of this section an act to induce any person to take part, or to continue to take part, in industrial action is unlawful—
  - (a) if it is actionable in tort by any one or more persons, or
  - (b) (where it is or would be the act of a trade union) if it could form the basis of an application by a member under section 62.

*Status: Point in time view as at 13/09/2017.*

*Changes to legislation: Trade Union and Labour Relations (Consolidation) Act 1992, Cross Heading: Industrial action affecting supply of goods or services to an individual is up to date with all changes known to be in force on or before 04 September 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) In determining whether an individual may make an application under this section it is immaterial whether or not the individual is entitled to be supplied with the goods or services in question.
- (4) Where on an application under this section the court is satisfied that the claim is well-founded, it shall make such order as it considers appropriate for requiring the person by whom the act of inducement has been, or is likely to be, done to take steps for ensuring—
  - (a) that no, or no further, act is done by him to induce any persons to take part or to continue to take part in the industrial action, and
  - (b) that no person engages in conduct after the making of the order by virtue of having been induced by him before the making of the order to take part or continue to take part in the industrial action.
- (5) Without prejudice to any other power of the court, the court may on an application under this section grant such interlocutory relief (in Scotland, such interim order) as it considers appropriate.
- (6) For the purposes of this section an act of inducement shall be taken to be done by a trade union if it is authorised or endorsed by the union; and the provisions of section 20(2) to (4) apply for the purposes of determining whether such an act is to be taken to be so authorised or endorsed.

Those provisions also apply in relation to proceedings for failure to comply with an order under this section as they apply in relation to the original proceedings.]

**Textual Amendments**  
**F2** Ss. 235A- 235C and cross heading inserted (30.8.1993) by 1993 c. 19, s.22; S.I. 1993/1908, art. 2(1), Sch. 1

<sup>F3</sup>235B .....

**Textual Amendments**  
**F3** S. 235B repealed (25.10.1999) by 1999 c. 26, s. 44, Sch. 9(6); S.I. 1999/2830, art. 2(3), Sch. 2 Pt. I (with Sch. 3 para. 4)

<sup>F4</sup>235C .....

**Textual Amendments**  
**F4** S. 235C repealed (25.10.1999) by 1999 c. 26, s. 44, Sch. 9(6); S.I. 1999/2830, art. 2(3), Sch. 2 Pt. I (with Sch. 3 para. 4)

**Status:**

Point in time view as at 13/09/2017.

**Changes to legislation:**

Trade Union and Labour Relations (Consolidation) Act 1992, Cross Heading: Industrial action affecting supply of goods or services to an individual is up to date with all changes known to be in force on or before 04 September 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.