



# Trade Disputes and Trade Unions Act 1946

## 1946 CHAPTER 52

An Act to repeal the Trade Disputes and Trade Unions Act, 1927, and to restore all enactments and rules of law thereby affected. [22nd May 1946]

BE IT ENACTED by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

**1 Repeal of 17 & 18 Geo. 5 c. 22 and restoration of law in force before that Act.**

The Trade Disputes and Trade Unions Act, 1927 (in this Act referred to as " the Act of 1927 ") is hereby repealed, and, subject to the transitional provisions set out in the Schedule to this Act, every enactment and rule of law amended or otherwise affected by that Act shall, as from the commencement of this Act, have effect as if the Act of 1927 had not been passed.

**2 Short title.**

This Act may be cited as the Trade Disputes and Trade Unions Act, 1946.

## SCHEDULE

### TRANSITIONAL PROVISIONS

- 1 All rules of a trade union made and approved in accordance with the requirements of section three of the Trade Union Act, 1913 (in this Schedule referred to as " the Act of 1913 ") as amended by the Act of 1927, shall be amended so as to conform to the requirements of the Act of 1913 as originally enacted and to provide for giving the notice to members hereafter in this Schedule mentioned, and as so amended shall be approved by the Registrar of Friendly Societies (in this Schedule referred to as " the Registrar ") within six months after the commencement of this Act or within such further time as the Registrar may in special circumstances allow ; and if the Registrar is satisfied and certifies that rules for the purpose of complying with the provisions of this paragraph have been approved by the executive or other governing body of a trade union he may approve those rules and those rules shall thereupon have effect as rules of the union, notwithstanding that the provisions of the rules of the union as to the alteration of rules or the making of new rules have not been complied with.
- 2 Upon the rules of any trade union made for the purposes of the last foregoing paragraph being approved by the Registrar, notice shall, in accordance with the rules, be given to the members of the union acquainting them that each member has a right to be exempt from contributing to the political fund of the union and that a form of exemption notice can be obtained by or on behalf of a member either by application at or by post from the head office or any branch office of the union or from the office of the Registrar, and if within one month after the notice given to members in accordance with the foregoing provisions of this Schedule any member of the trade union gives notice in accordance with the provisions of the Act of 1913 of his objection to contribute, the exemption conferred upon him by that Act shall, in lieu of taking effect as from the first day of January next after the notice is given, take effect as from the date on which the member's notice is given.
- 3 Notwithstanding anything in this Act, no member of a trade union shall, until the expiration of one month after notice has been given to members in accordance with the provisions of the last foregoing paragraph, be required to contribute to the political fund of the trade union unless he is a person who might lawfully have been required to do so if this Act had not been passed.
- 4 Notwithstanding anything in subsection (1) of section three of the Act of 1913, the fact that rules of a trade union have not been amended as required by paragraph 1 of this Schedule or approved by the Registrar shall not prevent the application, so long as the period limited by or under that paragraph for approval of the amended rules has not expired, of funds of the union to political objects to which the said section three applies.