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STATUTORY INSTRUMENTS

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**1992 No. 807**

**The Industrial Relations (Northern Ireland) Order 1992**

**PART X**

**AMALGAMATIONS, ETC.**

**Disposal of property on amalgamation or transfer**

**78.**—(1) Subject to this Article, where an instrument of amalgamation or transfer takes effect, the property held—

- (a) for the benefit of any of the amalgamating unions or for the benefit of a branch of any of those unions, by the trustees of the union or branch; or
- (b) for the benefit of the transferor trade union or for the benefit of a branch of the transferor trade union, by the trustees of the union or branch,

shall without any conveyance or assignment vest, on the instrument taking effect, or on the appointment of the appropriate trustees, whichever is the later, in the appropriate trustees.

(2) Paragraph (1) shall not apply—

- (a) to property excepted from the operation of this Article by the instrument of amalgamation or transfer; or
- (b) to stocks and securities in the public funds of Northern Ireland or the United Kingdom.

(3) In this Article “the appropriate trustees” means—

- (a) in the case of any property to be held for the benefit of a branch of the amalgamated union or for the benefit of a branch of the transferee union, the trustees of that branch, unless the rules of the amalgamated or transferee union provide that the property to be so held shall be held by the trustees of the union; and
- (b) in any other case, the trustees of the amalgamated or transferee union.

(4) If, in the case of an amalgamation of two or more trade unions each qualified under Article 57 to operate such a fund as is mentioned in paragraph (2)(a) of that Article, the rules of the amalgamated union in force immediately after the amalgamation include such rules as are required by that Article, that union is to be treated for the purposes of that Article as having immediately after the amalgamation passed such a resolution as is mentioned in paragraph (1) of that Article, with power to rescind it under paragraph (8) thereof.