



# Trade Union and Labour Relations Act 1974

## 1974 CHAPTER 52

*Status and regulation of trade unions and employers' associations*

### 12 Offences

- (1) If a trade union or an employers' association refuses or wilfully neglects to perform a duty imposed on it by or under any of the provisions of section 10 or 11 above or Schedule 2 to this Act the trade union or employers' association shall be guilty of an offence.
- (2) Subject to subsection (3) below, any offence committed by a trade union or an employers' association under subsection (1) above shall be deemed to have been also committed by—
  - (a) every officer of that trade union or employers' association who is bound by the rules of the union or association to discharge on its behalf the duty breach of which constitutes that offence ; or
  - (b) if there is no such officer, every member of the general committee of management of the union or association.
- (3) In any proceedings brought against an officer or member by virtue of subsection (2) above in respect of any breach of duty, it shall be a defence for him to prove that he had reasonable cause to believe, and did believe, that some other person who was competent to discharge that duty was authorised to discharge it instead of him and had discharged it or would do so.
- (4) A person who wilfully alters or causes to be altered a document which is required for the purposes of any of the provisions of section 10 or 11 above or Schedule 2 to this Act, with intent to falsify the document or to enable a trade union or employers' association to evade any of those provisions, shall be guilty of an offence.
- (5) For every offence committed under this section the trade union, employers' association or other person guilty of the offence shall be liable on summary conviction—

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*Status: This is the original version (as it was originally enacted).*

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- (a) in the case of an offence under subsection (1) above, to a fine not exceeding £100 ;
- (b) in the case of an offence under subsection (4) above, to a fine not exceeding £400.