



Trade Union and Labour Relations Act 1974

1974 CHAPTER 52

Miscellaneous

19 Transitional provisions for trade unions and employers' associations ceasing to be incorporated

- (1) The provisions of this section shall have effect in relation to a trade union or an employers' association to which they are applied by section 2(4) or 3(3) above; and in this section "the relevant date" means the day on which, under section 2(4) or 3(3) above, such a trade union or employers' association ceases to be a body corporate.
- (2) On the relevant date—
 - (a) all property vested in the trade union or in the employers' association immediately before that date shall by virtue of this paragraph (and without the execution of any instrument) vest in the trustees who, in accordance with subsection (3) below, are the appropriate trustees;
 - (b) all liabilities, obligations and rights of the trade union or of the employer's association subsisting immediately before that date shall, in so far as they are liabilities, obligations or rights affecting any property so vested (instead of continuing to be liabilities, obligations or rights of the union or association) become liabilities, obligations and rights of the trustees who, in accordance with subsection (3) below, are the appropriate trustees.
- (3) The appropriate trustees for the purposes of subsection (2) above are—
 - (a) the trustees appointed in writing for the purposes of this section by or on behalf of the members of the trade union or employers' association ;
 - (b) in a case where no such trustees are appointed, the official trustees of the trade union or employers' association.
- (4) A certificate given by the official trustees of a trade union or employers' association that the persons named in the certificate are the appropriate trustees of that union or association for the purposes of subsection (2) above shall be conclusive evidence

Status: This is the original version (as it was originally enacted).

that those persons are the appropriate trustees of that union or association for those purposes; and a document which purports to be such a certificate shall be taken to be such a certificate unless the contrary is proved.

- (5) In this section " official trustees ", in relation to a trade union or an employers' association, means the two officers of the union or association who, on the relevant date, are the president and the general secretary of the union or association or occupy a position equivalent to that of president and general secretary respectively of a trade union or employers' association.
- (6) Nothing in section 12 of the Finance Act 1895 (which requires certain Acts to be stamped as conveyances on sale) shall be taken as applying to this Act.