



Trade Union Act 1984

1984 CHAPTER 49

PART III

POLITICAL FUNDS AND OBJECTS

Resolutions under 1913 Act

16 Remedy for failure to comply with s. 15(3)(a)

- (1) Any person who claims that a trade union has failed to comply with section 15(3)(a) of this Act may apply to the court for a declaration to that effect if he is a member of the union at the time when the application is made.
- (2) Where, on an application under this section, the court is satisfied that a trade union has failed to comply with section 15(3)(a) it may, if it considers it appropriate to do so in order to secure that the collection of contributions to the political fund is discontinued, make an order requiring the union to take, within such time as may be specified in the order, such steps as may be so specified.
- (3) Where an order has been made under this section, any person who satisfies the requirements of subsection (4) below shall be entitled to enforce obedience to the order as if he had made the application in pursuance of which the order was made.
- (4) The requirements are that—
 - (a) he is a member of the union at the time when proceedings to enforce obedience to the order are begun ; and
 - (b) he was such a member at the time when the order was made.
- (5) The remedy of any person for a failure of a trade union to comply with section 15(3)(a) of this Act shall be by way of application under this section and not otherwise; but nothing in this subsection shall be taken to prejudice the right of any person to recover any sum payable to him by the union under section 15(4) of this Act.
- (6) The court having jurisdiction for the purposes of this section shall be the High Court or, in Scotland, the Court of Session.