



Trade Union and Labour Relations (Consolidation) Act 1992

1992 CHAPTER 52

PART I

TRADE UNIONS

CHAPTER II

STATUS AND PROPERTY OF TRADE UNIONS

Property of trade union

15 Prohibition on use of funds to indemnify unlawful conduct.

- (1) It is unlawful for property of a trade union to be applied in or towards—
 - (a) the payment for an individual of a penalty which has been or may be imposed on him for an offence or for contempt of court,
 - (b) the securing of any such payment, or
 - (c) the provision of anything for indemnifying an individual in respect of such a penalty.
- (2) Where any property of a trade union is so applied for the benefit of an individual on whom a penalty has been or may be imposed, then—
 - (a) in the case of a payment, an amount equal to the payment is recoverable by the union from him, and
 - (b) in any other case, he is liable to account to the union for the value of the property applied.
- (3) If a trade union fails to bring or continue proceedings which it is entitled to bring by virtue of subsection (2), a member of the union who claims that the failure is

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unreasonable may apply to the court on that ground for an order authorising him to bring or continue the proceedings on the union's behalf and at the union's expense.

- (4) In this section “penalty”, in relation to an offence, includes an order to pay compensation and an order for the forfeiture of any property; and references to the imposition of a penalty for an offence shall be construed accordingly.
- (5) The Secretary of State may by order designate offences in relation to which the provisions of this section do not apply.

Any such order shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

- (6) This section does not affect—
- (a) any other enactment, any rule of law or any provision of the rules of a trade union which makes it unlawful for the property of a trade union to be applied in a particular way; or
 - (b) any other remedy available to a trade union, the trustees of its property or any of its members in respect of an unlawful application of the union's property.
- (7) In this section “member”, in relation to a trade union consisting wholly or partly of, or of representatives of, constituent or affiliated organisations, includes a member of any of the constituent or affiliated organisations.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 212A(1)(zb) inserted by [2023 c. 46 Sch. para. 1](#)