

Status: Point in time view as at 01/03/2017. This version of this provision has been superseded.

Changes to legislation: Trade Union and Labour Relations (Consolidation) Act 1992, Section 219 is up to date with all changes known to be in force on or before 30 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)



Trade Union and Labour Relations (Consolidation) Act 1992

1992 CHAPTER 52

PART V

INDUSTRIAL ACTION

Protection of acts in contemplation or furtherance of trade dispute

219 Protection from certain tort liabilities.

- (1) An act done by a person in contemplation or furtherance of a trade dispute is not actionable in tort on the ground only—
 - (a) that it induces another person to break a contract or interferes or induces another person to interfere with its performance, or
 - (b) that it consists in his threatening that a contract (whether one to which he is a party or not) will be broken or its performance interfered with, or that he will induce another person to break a contract or interfere with its performance.
- (2) An agreement or combination by two or more persons to do or procure the doing of an act in contemplation or furtherance of a trade dispute is not actionable in tort if the act is one which if done without any such agreement or combination would not be actionable in tort.
- (3) Nothing in subsections (1) and (2) prevents an act done in the course of picketing from being actionable in tort ^[F1]unless—
 - (a) it is done in the course of attendance declared lawful by section 220 (peaceful picketing), and
 - (b) in the case of picketing to which section 220A applies, the requirements in that section (union supervision of picketing) are complied with.]
- (4) Subsections (1) and (2) have effect subject to sections 222 to 225 (action excluded from protection) and ^[F2]to sections 226 (requirement of ballot before action by trade

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union) and 234A (requirement of notice to employer of industrial action); and in those sections “not protected” means excluded from the protection afforded by this section or, where the expression is used with reference to a particular person, excluded from that protection as respects that person.]

Textual Amendments

- F1** S. 219(3)(a)(b) and word substituted for words in s. 219(3) (1.3.2017) by [Trade Union Act 2016 \(c. 15\)](#), [ss. 10\(1\)](#), [25\(1\)](#); [S.I. 2017/139](#), [reg. 2\(h\)](#) (with [reg. 3](#))
- F2** Words in s. 219(4) substituted (30.8.1993) by [1993 c. 19](#), s. 49(2), [Sch. 8 para.72](#); [S.I. 1993/1908](#), [art. 2\(1\)](#), [Sch.1](#)
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Modifications etc. (not altering text)

- C1** S. 219 excluded (E.W.) (2.3.1998) by [S.I. 1998/218](#), [art. 5](#)
S. 219 excluded (1.9.1999) by [S.I. 1999/2256](#), [art. 5](#)
- C2** S. 219 excluded (E.) (1.9.2003) by [The Education \(Modification of Enactments Relating to Employment\) \(England\) Order 2003 \(S.I. 2003/1964\)](#), [reg. 5\(2\)](#)

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