



Trade Union and Labour Relations (Consolidation) Act 1992

1992 CHAPTER 52

PART I

TRADE UNIONS

CHAPTER III

TRADE UNION ADMINISTRATION

Supplementary

45 Offences

- (1) If a trade union refuses or wilfully neglects to perform a duty imposed on it by or under any of the provisions of—
 - section 27 (duty to supply copy of rules),
 - sections 28 to 30 (accounting records),
 - sections 32 to 37 (annual return, accounts and audit), or
 - sections 38 to 42 (members' superannuation schemes),it commits an offence.
- (2) The offence shall be deemed to have been also committed by—
 - (a) every officer of the trade union who is bound by the rules of the union to discharge on its behalf the duty breach of which constitutes the offence, or
 - (b) if there is no such officer, every member of the general committee of management of the union.
- (3) In any proceedings brought against an officer or member by virtue of subsection (2) in respect of a breach of duty, it is a defence for him to prove that he had reasonable cause

Status: This is the original version (as it was originally enacted).

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 mentioned in subsection (1), with intent to falsify the document or to enable a trade union to evade any of those provisions, commits an offence.
- (5) A person guilty of an offence under this section is liable on summary conviction—
 - (a) in the case of an offence under subsection (1), to a fine not exceeding level 3 on the standard scale;
 - (b) in the case of an offence under subsection (4), to a fine not exceeding level 5 on the standard scale.