

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Trade Union and Labour Relations Act 1974 (repealed 16.10.1992), SCHEDULE 3. (See end of Document for details)

SCHEDULES

SCHEDULE 3

Section 25.

MISCELLANEOUS AMENDMENTS

Modifications etc. (not altering text)

- C1** The text of Sch. 3 (except para. 10(1)(7)) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.
- C2** [Sch. 3](#) extended (N.I.) (1.7.1992) by [S.I. 1992/807 \(N.I. 5\)](#), [art. 67\(2\)](#); [S.R. 1992/212](#), [art.2\(3\)](#)

The Conspiracy, and Protection of Property Act 1875 (c. 86)

- 1 In section 3 of the Conspiracy, and Protection of Property Act 1875, for the words from “an industrial dispute” to “1971” substitute the words “a trade dispute”.

The Trade Union Act 1913 (2 & 3 Geo. 5. c. 30)

- 2 (1) The Trade Union Act 1913 shall be amended in accordance with the following provisions of this paragraph.
- (2) For section 2(1), substitute as new subsections (1) and (1A) two subsections in the same terms as subsections (1) and (2) respectively of section 28 of this Act, but with the insertion in the definition of “employers’ association” in subsection (2), after the words “temporary) which”, of the words “is unincorporated and”.
- (3) In sections 3 to 6, for the words substituted by Schedule 8 to the 1971 Act substitute the words contained in those sections immediately before the substitutions were effected by that Act except in the contexts specified in sub-paragraph (4) below.
- (4) In sections 3(1) and 4(1) omit the words from “whether the” to “is registered or not” and in section 4(2) the words “whether registered or not”.
- (5) After section 6, insert—

“6A Application of sections 3 to 6 to employers’ associations.

Sections 3 to 6 of, and the Schedule to, this Act shall apply, with the necessary modifications, in relation to unincorporated employers’ associations as they apply in relation to trade unions.”

- (6) F1

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Textual Amendments

F1 Sch. 3 paras. 2(6) and 3 repealed by Employment Protection Act 1975 (c. 71), **Sch. 18**

F2

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Textual Amendments

F2 Sch. 3 paras. 2(6) and 3 repealed by Employment Protection Act 1975 (c. 71), **Sch. 18**

F3

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Textual Amendments

F3 Sch. 3 para. 4 repealed by Employment Act 1980 (c. 42), **Sch. 2**

The Industrial Assurance and Friendly Societies Act 1948 (c.39)

- 5 (1) The Industrial Assurance and Friendly Societies Act 1948 shall be amended in accordance with the following provisions of this paragraph.
- (2) In section 6(1), for the words from “an organisation of workers” to “that Act” substitute the words “a trade union or an employers’ association”.
- (3) In section 16(4), for the words substituted by the 1971 Act substitute the words “trade union or employers’ association”.
- (4) In section 23(1) insert the following—
 - “(b) the expressions “trade union” and “employers’ association” have the meanings respectively as they have in the Trade Union and Labour Relations Act 1974”.

F4

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6

Textual Amendments

F4 Sch. 3 para. 6 repealed by House of Commons Disqualification Act 1975 (c. 24), **Sch. 3** and Northern Ireland Assembly Disqualification Act 1975 (c. 25), **Sch. 3 Pt. I**

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The Insurance Companies Act 1958 (c. 72)

7 In section 1 of the Insurance Companies Act 1958, after subsection (5) insert as a new subsection (5A) in place of that inserted by Schedule 8 to the 1971 Act the following—

“(5A) Where a trade union or an employers’ association carries on insurance business, this Act does not apply to it as an insurance company if the insurance business is limited to the provision for its members of provident benefits or strike benefits.

In this subsection “trade union” and “employers’ association” have the same meanings respectively as they have in the Trade Union and Labour Relations Act 1974.”

F5

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Textual Amendments

F5 Sch. 3 para. 8 repealed by [Employment Protection Act 1975 \(c. 71\)](#), [Sch. 18](#)

F6

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Textual Amendments

F6 Sch. 3 para. 9 repealed by [Wages Councils Act 1979 \(c. 12\)](#), [Sch. 7](#)

The Trade Union (Amalgamations, etc.) Act 1964 (c. 24)

10 (1) The Trade Union (Amalgamations, etc.) Act 1964 shall be amended in accordance with the following provisions of this paragraph.

(2) In sections 1 to 11 (and the Schedules), for the expressions “organisation to which this Act applies” or “organisation” substituted by Schedule 8 to the 1971 Act, wherever they occur, substitute the words contained in those sections (and Schedules) immediately before the substitutions were effected by that Act.

(3) In section 1, for the subsection (1A) inserted by Schedule 8 to the 1971 Act substitute—

“(1A) Subject to any express provision of this Act with respect to employers’ associations, this Act shall apply, with the necessary modifications, in relation to unincorporated employers’ associations as it applies in relation to trade unions.”

(4) F7

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(5) For section 6(2) substitute—

“(2) If the name of a trade union or employers’ association is for the time being entered in the list of trade unions or employers’ associations under section 8 of the Trade Union and Labour Relations Act 1974, a change of its name shall not take effect until approved by the Registrar under this Act; and the Registrar shall not approve a change of name if it appears to him that the proposed new name is the same as one entered in either list as the name of another trade union or employers’ association or is a name so nearly resembling such a name as to be likely to deceive the public.”

(6) F8

(7) Section 8 (which was repealed by the 1971 Act) is hereby revived.

(8) In section 9, for subsection (1) substitute—

“(1) In this Act, unless the context otherwise requires—

“amalgamating unions” and “amalgamated union”, in relation to a proposed amalgamation, mean respectively the trade unions proposing to amalgamate and the trade union which is to result from the proposed amalgamation;

“assistant registrar” means any assistant registrar of friendly societies appointed under section 1 of the Friendly Societies Act 1896;

“employers’ association” has the same meaning as in the Trade Union and Labour Relations Act 1974;

“Northern Ireland Union” has the meaning assigned to it by section 10 of this Act;

“the Registrar” means the Chief Registrar of Friendly Societies;

“trade union” has the same meaning as in the Trade Union and Labour Relations Act 1974;

“transferor trade union” and “transferee trade union”, in relation to a proposed transfer of engagements, mean respectively the trade union proposing to transfer its engagements and the trade union proposing to accept them.”

Textual Amendments

F7 Sch. 3 para. 10(4) repealed by [Employment Protection Act 1975 \(c. 71\)](#), **Sch. 18**

F8 Sch. 3 para. 10(6) repealed by [Employment Protection Act 1975 \(c. 71\)](#), **Sch. 18**

The Trade Union (Amalgamations etc.) Act (Northern Ireland) 1965 (c. 2) (N.I.)

11 For section 9(2) of the Trade Union (Amalgamations etc.) Act (Northern Ireland) 1965 substitute—

“(2) In this Act “Great Britain union” means a trade union or employers’ association within the meaning of the Trade Union and Labour Relations Act 1974, being either—

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- (a) a union whose name is for the time being entered in the list of trade unions or of employers' associations under section 8 of that Act; or
- (b) a union or association whose name is not so entered, but whose principal office is situated in England, Wales or Scotland."

The Companies Act 1967 (c. 81)

12 In section 60(1) of the Companies Act 1967 for the paragraph (e) inserted by Schedule 8 to the 1971 Act substitute the following—

- “(e) a trade union or employers' association (within the meaning of the Trade Union and Labour Relations Act 1974) where the insurance business carried on by the union or association is limited to the provision for its members of provident benefits or strike benefits”.

F9

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Textual Amendments

F9 Sch. 3 para. 13 repealed by [Insurance Companies Act 1980 \(c. 25\)](#), Schs. 4, 5

The Merchant Shipping Act 1970 (c. 36)

14 In section 42 of the Merchant Shipping Act 1970, . . . ^{F10} omit subsection (3).

Textual Amendments

F10 Words repealed by [Merchant Shipping Act 1988 \(c. 12, SIF 111\)](#), s. 57(5), [Sch. 7](#)

F11

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Textual Amendments

F11 Sch. 3 para. 15 repealed by [Employment Protection Act 1975 \(c. 71\)](#), [Sch. 18](#)

F12

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Textual Amendments

F12 Sch. 3 para. 16 repealed by [Employment Protection \(Consolidation\) Act 1978 \(c. 44\)](#), Sch. 15 para. 9, [Sch. 17](#)

F13

17

Textual Amendments

F13 Sch. 3 para. 17 repealed by [Employment Act 1982 \(c. 46, SIF 43:5\)](#), s. 21(3), [Sch. 4](#)

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