



Trade Union and Labour Relations (Consolidation) Act 1992

1992 CHAPTER 52

PART V

INDUSTRIAL ACTION

Criminal offences

240 Breach of contract involving injury to persons or property

- (1) A person commits an offence who wilfully and maliciously breaks a contract of service or hiring, knowing or having reasonable cause to believe that the probable consequences of his so doing, either alone or in combination with others, will be—
 - (a) to endanger human life or cause serious bodily injury, or
 - (b) to expose valuable property, whether real or personal, to destruction or serious injury.
- (2) Subsection (1) applies equally whether the offence is committed from malice conceived against the person endangered or injured or, as the case may be, the owner of the property destroyed or injured, or otherwise.
- (3) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding level 2 on the standard scale or both.
- (4) This section does not apply to seamen.

241 Intimidation or annoyance by violence or otherwise

- (1) A person commits an offence who, with a view to compelling another person to abstain from doing or to do any act which that person has a legal right to do or abstain from doing, wrongfully and without legal authority—

Status: This is the original version (as it was originally enacted).

- (a) uses violence to or intimidates that person or his wife or children, or injures his property,
 - (b) persistently follows that person about from place to place,
 - (c) hides any tools, clothes or other property owned or used by that person, or deprives him of or hinders him in the use thereof,
 - (d) watches or besets the house or other place where that person resides, works, carries on business or happens to be, or the approach to any such house or place, or
 - (e) follows that person with two or more other persons in a disorderly manner in or through any street or road.
- (2) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or a fine not exceeding level 5 on the standard scale, or both.
- (3) A constable may arrest without warrant anyone he reasonably suspects is committing an offence under this section.

242 Restriction of offence of conspiracy: England and Wales

- (1) Where in pursuance of any such agreement as is mentioned in section 1(1) of the Criminal Law Act 1977 (which provides for the offence of conspiracy) the acts in question in relation to an offence are to be done in contemplation or furtherance of a trade dispute, the offence shall be disregarded for the purposes of that subsection if it is a summary offence which is not punishable with imprisonment.
- (2) This section extends to England and Wales only.

243 Restriction of offence of conspiracy: Scotland

- (1) An agreement or combination by two or more persons to do or procure to be done an act in contemplation or furtherance of a trade dispute is not indictable as a conspiracy if that act committed by one person would not be punishable as a crime.
- (2) A crime for this purpose means an offence punishable on indictment, or an offence punishable on summary conviction, and for the commission of which the offender is liable under the statute making the offence punishable to be imprisoned either absolutely or at the discretion of the court as an alternative for some other punishment.
- (3) Where a person is convicted of any such agreement or combination as is mentioned above to do or procure to be done an act which is punishable only on summary conviction, and is sentenced to imprisonment, the imprisonment shall not exceed three months or such longer time as may be prescribed by the statute for the punishment of the act when committed by one person.
- (4) Nothing in this section—
- (a) exempts from punishment a person guilty of a conspiracy for which a punishment is awarded by an Act of Parliament, or
 - (b) affects the law relating to riot, unlawful assembly, breach of the peace, or sedition or any offence against the State or the Sovereign.
- (5) This section extends to Scotland only.