



Trade Union and Labour Relations (Consolidation) Act 1992

1992 CHAPTER 52

PART I

TRADE UNIONS

CHAPTER VI

APPLICATION OF FUNDS FOR POLITICAL OBJECTS

The political fund

82 Rules as to political fund

- (1) The trade union's rules must provide—
 - (a) that payments in the furtherance of the political objects to which this Chapter applies shall be made out of a separate fund (the “political fund” of the union);
 - (b) that a member of the union who gives notice in accordance with section 84 that he objects to contributing to the political fund shall be exempt from any obligation to contribute to it;
 - (c) that a member shall not by reason of being so exempt—
 - (i) be excluded from any benefits of the union, or
 - (ii) be placed in any respect either directly or indirectly under a disability or at a disadvantage as compared with other members of the union (except in relation to the control or management of the political fund);and
 - (d) that contribution to the political fund shall not be made a condition for admission to the union.

Status: This is the original version (as it was originally enacted).

- (2) A member of a trade union who claims that he is aggrieved by a breach of any rule made in pursuance of this section may complain to the Certification Officer.
- (3) Where, after giving the member and a representative of the union an opportunity of being heard, the Certification Officer considers that a breach has been committed, he may make such order for remedying the breach as he thinks just under the circumstances.
- (4) Any such order, on being recorded in the county court or, in Scotland, the sheriff court, may be enforced in the same way as an order of that court.

83 Assets and liabilities of political fund

- (1) There may be added to a union's political fund only—
 - (a) sums representing contributions made to the fund by members of the union or by any person other than the union itself, and
 - (b) property which accrues to the fund in the course of administering the assets of the fund.
- (2) The rules of the union shall not be taken to require any member to contribute to the political fund at a time when there is no political resolution in force in relation to the union.
- (3) No liability of a union's political fund shall be discharged out of any other fund of the union.

This subsection applies notwithstanding any term or condition on which the liability was incurred or that an asset of the other fund has been charged in connection with the liability.

84 Notice of objection to contributing to political fund

- (1) A member of a trade union may give notice in the following form, or in a form to the like effect, that he objects to contribute to the political fund:—

Name of Trade Union

POLITICAL FUND (EXEMPTION NOTICE)

I give notice that I object to contributing to the Political Fund of the Union, and am in consequence exempt, in manner provided by Chapter VI of Part I of the Trade Union and Labour Relations (Consolidation) Act 1992, from contributing to that fund.

A.B.

Address

day of 19

- (2) On the adoption of a political resolution, notice shall be given to members of the union acquainting them—
 - (a) that each member has a right to be exempted from contributing to the union's political fund, and
 - (b) that a form of exemption notice can be obtained by or on behalf of a member either by application at or by post from—

- (i) the head office or any branch office of the union, or
 - (ii) the office of the Certification Officer.
- (3) The notice to members shall be given in accordance with rules of the union approved for the purpose by the Certification Officer, who shall have regard in each case to the existing practice and character of the union.
- (4) On giving an exemption notice in accordance with this section, a member shall be exempt from contributing to the union's political fund—
- (a) where the notice is given within one month of the giving of notice to members under subsection (2) following the passing of a political resolution on a ballot held at a time when no such resolution is in force, as from the date on which the exemption notice is given;
 - (b) in any other case, as from the 1st January next after the exemption notice is given.
- (5) An exemption notice continues to have effect until it is withdrawn.

85 Manner of giving effect to exemptions

- (1) Effect may be given to the exemption of members from contributing to the political fund of a union either—
- (a) by a separate levy of contributions to that fund from the members who are not exempt, or
 - (b) by relieving members who are exempt from the payment of the whole or part of any periodical contribution required from members towards the expenses of the union.
- (2) In the latter case, the rules shall provide—
- (a) that relief shall be given as far as possible to all members who are exempt on the occasion of the same periodical payment, and
 - (b) for enabling each member of the union to know what portion (if any) of any periodical contribution payable by him is a contribution to the political fund.