



Trade Union and Labour Relations (Consolidation) Act 1992

1992 CHAPTER 52

PART I

TRADE UNIONS

CHAPTER IV

ELECTIONS FOR CERTAIN POSITIONS

Supplementary

57 Exemption of newly-formed trade unions, &c.

- (1) The provisions of this Chapter do not apply to a trade union until more than one year has elapsed since its formation (by amalgamation or otherwise).

For this purpose the date of formation of a trade union formed otherwise than by amalgamation shall be taken to be the date on which the first members of the executive of the union are first appointed or elected.

- (2) Where a trade union is formed by amalgamation, the provisions of this Chapter do not apply in relation to a person who—
- (a) by virtue of an election held a position to which this Chapter applies in one of the amalgamating unions immediately before the amalgamation, and
 - (b) becomes the holder of a position to which this Chapter applies in the amalgamated union in accordance with the instrument of transfer,

until after the end of the period for which he would have been entitled in accordance with this Chapter to continue to hold the first-mentioned position without being re-elected.

Changes to legislation: Trade Union and Labour Relations (Consolidation) Act 1992, Section 57 is up to date with all changes known to be in force on or before 04 May 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) [View outstanding changes](#)

- (3) Where a trade union transfers its engagements to another trade union, the provisions of this Chapter do not apply in relation to a person who—
- (a) held a position to which this Chapter applies in the transferring union immediately before the transfer, and
 - (b) becomes the holder of a position to which this Chapter applies in the transferee union in accordance with the instrument of transfer,
- until after the end of the period of one year beginning with the date of the transfer or, if he held the first-mentioned position by virtue of an election, any longer period for which he would have been entitled in accordance with this Chapter to continue to hold that position without being re-elected.

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 212A(1)(zb) inserted by [2023 c. 46 Sch. para. 1](#)