

Republic of Poland

ACT of 23 May 1991 on Trade Unions

(Journal of Laws, 1991, No. 55 item 234 with the amendments)

Based on:
Journal of Laws
of 2001 No. 79
item 854, No. 100
item 1080, No.
128 item 1405, of
2002 No. 135 item
1146, No. 153,
item 1271, No.
240, item 2052, of
2003 No. 63 item
590.

[Drafted on basis of: Journal of Laws 2001 No. 79 item 854; No. 100 item 1080; No. 128 item 1405; of 2002 No. 135 item 1146; No. 153 item 1271; No. 240 item 2052; of 2003 No. 63 item 590.]

CHAPTER 1 General provisions

Section 1

1. A trade union shall be a voluntary and self-governing organisation of the employees, founded to represent and protect their rights, professional and social interests.
2. In pursuing its statutory activities a trade union shall be independent from employers, state administration, territorial self-government, and other organisations.
3. State and territorial self-government authorities as well as the employers shall be obliged to treat all trade unions in the same manner.

Section 2

1. The right to found and join the trade unions shall be given to the employees regardless of their work relation basis, members of agricultural production cooperatives, and persons who perform work on the basis of an agency agreement if they are not employers.
2. Persons who perform cottage work shall be entitled to join trade unions in the company for which they perform cottage work under a relevant contract.
3. Retirement or disability retirement shall not prevent persons referred to in sections 1 and 2 from being members of or joining trade unions.
4. The unemployed as defined by the employment regulations shall retain their right to belong to trade unions and if they are not members of trade unions, they shall have the right to join trade unions in cases and under conditions specified by the trade union statutes.

5. The right to found and join trade unions in companies shall be also provided to persons delegated to such companies in order to serve their military duty.
6. Rules of this Act and limitations under separate acts shall apply to trade union rights of the officers of the Police, Border Guard, and Prison Guard and the firemen of the National Fire Brigade, and the employees of the Supreme Chamber of Control.
7. Rules of the Act which shall apply to the employees shall also apply to other persons referred to in subsections 1 to 6.

Section 3

No person shall bear negative consequences of their membership or non-membership in a trade union or performance of a function within the trade union. In particular this cannot constitute a condition to enter into a work relationship, maintenance of such a relationship, or promotion.

Section 4

Trade unions shall represent employees and other persons referred to in Section 2, the unions also protect their dignity, rights, and material and moral interests both collective as well as individual ones.

Section 5

Trade unions shall have the right to represent employee interests on the international forum.

Section 6

Trade unions shall participate in creation of favourable working, living, and leisure conditions.

Section 7

1. Trade unions shall represent rights and collective interests of all employees regardless of their trade union membership.
2. Trade unions shall represent rights and interests of their members for individual work relations. When requested by an employee who is not a trade union member, the trade union may undertake protection of their rights and interests towards the employer.

Section 8

Trade unions shall supervise observance of regulations regarding interests of the employees, pensioners, disability pensioners, unemployed and their families under the rules provided for by this Act and separate acts.

Section 9

Statutes and trade union resolutions shall specify organisational structures of trade unions. Only statutory bodies of trade union structures with legal personality may contract property obligations.

Section 10

Rules of membership in a trade union and holding trade union functions shall be stipulated in the statutes and resolutions of statutory authorities of the trade unions.

Section 11

1. The trade unions shall have the right to found nationwide federations of trade unions.
2. Nationwide trade unions and federations of trade unions may found nationwide inter-union organisations (confederations).
3. Trade union organisations including federations and confederations shall have the right to found and join international employee organisations.

CHAPTER 2

Founding of trade unions

Section 12

1. A trade union shall be founded with the founding resolution passed by at least 10 persons entitled to found trade unions.
2. Persons who passed the resolution on the founding of a trade union shall pass the statute and appoint three to seven members of the founding committee.

Section 13

The statute of a trade union shall specify, in particular:

- 1) the name of the union,
- 2) the seat of the union,
- 3) territorial and subject scope of actions,
- 4) goals and tasks of the union and methods and forms of pursuing the goals and tasks,
- 5) rules of acquiring and losing the membership,
- 6) rights and obligations of the members,
- 7) organisational structure of the union stating organisational entities of the union which have legal personality,
- 8) the method of representation of the union and the persons entitled to contract property obligations on behalf of the union,
- 9) union authorities, method of appointment and revocation, scope of competencies, and term of office,
- 10) sources of financing the activities of the trade union and the method of collecting member contributions,
- 11) rules of passing and amending the statute,
- 12) the method of trade union dissolution and liquidation of its assets.

Section 14

1. The trade union must be registered with the National Court Register, further referred to as the "register".

2. If the founding committee fails to submit the registration request within 30 days of the founding date, the founding resolution shall become void.
3. The registration proceedings shall be free from court fees.

Section 15

1. The trade union and its organisational units referred to in the statute shall acquire legal personality on the day of the registration.

*Section 15
subsection 2
deleted.*

Section 16

1. The trade union shall immediately notify the competent court of the amendment of its statute. The amendment shall come into force 14 days of the notification unless the court has objections to the legitimacy of the amendment.
2. If there are objections referred to in subsection 1, the court shall notify the trade union of the objections and shall set the trial date to review the objections within 30 days of the notification submitted by the trade union regarding the statute amendment.
3. Section 18 subsections 1 and 2 shall apply accordingly.

Section 17

1. The Court shall delete the trade union from the register if:
 - 1) the authority stated in the statute passed a decision to dissolve the union,
 - 2) the company in which the trade union had operated was deleted from the register following its liquidation or bankruptcy or legal and organisational transformation which made further operations of the company impossible,
 - 3) the number of trade union members is below 10 for a period of time exceeding three months.
2. The circumstances referred to in subsection 1 shall be ascertained by the court ex officio or upon the request of the trade union.

*Section 17
subsection 3
deleted.*

Section 18

1. Matters regarding registration of the trade unions shall be reviewed pursuant to the rules of the Civil Proceedings Code on non-trial proceedings.
2. Matters referred to in subsection 1 shall be reviewed by the court within 14 days of the day the request is submitted.

*Section 18
subsections 3 and
4 deleted.*

CHAPTER 3

Rights of trade unions

Section 19

[1. Nationwide inter-union organisation and a nationwide trade union representative for employees of most of the companies shall have the right to pass opinions on the assumptions and drafts of acts and

executive instruments to the acts in the scope covered by the tasks of the trade unions.]

<1. A trade union, representative as defined by the Act of 6 July 2001 on the Trilateral Commission for the Social and Economic Matters and voivodship commissions of social dialogue (Journal of Laws No. 100 item 1080) further referred to as the Act on Trilateral Commission for the Social and Economic Matters, shall have the right to pass opinions on the assumptions and drafts of legal acts within the scope covered by the tasks of the trade unions. This shall not apply to the assumptions of the state budget draft and the draft of the budget act as there are separate rules which regulate opinion-making on that subject.>

New Section 19 subsection 1 shall come into force two months of the day the first members to the Commission are appointed (Journal of Laws of 2001 No. 100 item 1080).

2. The authorities and state administration bodies and the territorial self-government bodies shall send the assumptions or drafts of legal acts referred to in subsection 1 to the competent statutory authorities of the trade union and specify the deadline for the opinion not shorter than 30 days. Failure to submit the opinion by the set date shall constitute resignation from the right to express such an opinion.
3. If the whole or part of the position of the trade union is rejected, the competent body of the state administration or the territorial self-government shall notify the trade union in writing of that fact and shall state the reason for the rejection. If the positions are incompliant, the trade union may present its opinion at the meeting of the competent Sejm, Senate, or the territorial self-government commission.
4. Trade unions shall have the right to publicly express their opinions on the assumptions or drafts referred to in subsection 1 in the mass media including radio and television.

Section 20

1. *[A nationwide inter-union organisation and a nationwide trade union representative for employees of most of the companies shall have the right]* **<A trade union, representative as defined by the Act on the Trilateral Commission for the Social and Economic Matters shall have the right>** to submit motions for the issue or amendment of the act or other legal instrument for the issues covered by the tasks of the trade union. Motions regarding the acts shall be sent by the union to the Members of the Parliament or authorities which have the right to institute a legislative initiative. As for lower rank legal instruments, the motions shall be directed to the authorities authorised to pass such instruments.
2. The governmental authority to which the motion is sent shall be obliged to present its position to the trade union within 30 days, and present reasons for rejection in case of a negative position.

Amended Section 20 subsection 1 shall come into force two months of the day the first members to the Commission are appointed (Journal of Laws of 2001 No. 100 item 1080).

Section 21

1. Under rules specified in separate regulations, trade unions shall have the right to conduct collective negotiations and enter into collective labour agreements as well as other agreements stipulated by the rules of the labour law.
2. As for branches not covered by the collective labour agreements, labour and pay conditions shall be regulated in consultation with the trade unions.

Section 22 deleted.

Section 23

1. Trade unions shall supervise observance of the labour law and participate, under rules specified in separate regulations, in the supervision over observance of the work safety rules and regulations.
2. If the trade union believes that the actions of the state administration or territorial self-government authority or the employer are unlawful or violate rules of justice in matters referred to in subsection 1, the trade union may apply to the competent authority with a request for removal of the said inconsistency in the course of a proper procedure.

Section 24

1. Income from economic activities pursued by the trade unions shall be used for performance of their statutory tasks and cannot be divided amongst the members.
2. Trade unions shall benefit from tax reliefs available to the trade unions.

Section 25

1. An employee appointed to hold a trade union function outside the company shall have the right to a non-paid vacation upon request of the trade union if the appointment results in the obligation to hold that function as an employee.
- 1¹. An employee who returns to work within time specified by Section 74 of the Labour Code after the non-paid vacation shall have their non-paid vacation included in the duration of work used for calculation of employee benefits.
- 1² ⁸⁾. The Council of Ministers shall specify, by means of a resolution, the procedure of granting a non-paid vacation and the scope of rights granted to the employee who benefits from such a non-paid vacation.
2. An employee shall have the right to be exempted from the professional work with retained right to their salary for the time required to carry out direct action resulting from their trade union function outside the company if such an action cannot be performed after working hours.

Section 25¹

1. Rights of a company trade organisation shall be available to an organisation which has at least 10 members who are:

- 1) employees or persons who work under a cottage work contract with the employer where the organisation is active or
 - 2) officers referred to in Section 2 subsection 6 who are on duty in the precinct where the organisation is active.
2. The organisation referred to in subsection 1 shall present the information on the total number of members of the organisation including the number of members referred to in subsection 1, as valid on the last day of the quarter, to the employer or precinct commander referred to in subsection 1 paragraph 2 every quarter by the 10th of the month following that quarter.

CHAPTER 4

A company trade organisation

Section 26

Within its operating scope, a company trade organisation shall have the right, in particular, to:

- 1) adopt a position on the individual employee matters within the scope regulated by the rules of the labour law,
- 2) adopt a position towards the employer and team self-government authority on matters regarding collective rights and interests of the employees,
- 3) maintain control over observance of rules of the labour law within the company in particular work safety rules and regulations,
- 4) manage activities of the social work inspection and cooperation with the state labour inspection,
- 5) take care of living conditions of the pensioners and disability pensioners.

Section 26¹

1. If the company or a part thereof is transferred to a new employer, the existing and new employer shall be obliged to notify in writing each operational trade organisation in the company of the expected date of the transfer, the reasons, legal, economic, and social effects of the transfer for the employees as well as the intended actions regarding working conditions of the employees, in particular working, salary, and re-qualification conditions.
2. The information referred to in subsection 1 shall be provided by the existing and new employer at least 30 days before the expected date of the transfer of the company or a part thereof.
3. If the existing or new employer intends to undertake actions affecting employment conditions, he shall be obliged to start negotiations with company trade organisations to reach an agreement in this scope within no longer than 30 days of the day the information on such actions is provided.
4. If the agreement is not reached within the period referred to in subsection 3 following inability of the parties to agree on the contents of the agreement, the employer shall undertake actions regarding matters which relate to employment conditions

considering the arrangements made with company trade organisations during negotiations on the agreement.

5. Provisions of subsection 3 and 4 shall not apply if the procedure of actions regarding employment conditions to be undertaken by the employer is specified by separate provisions.

Section 27

1. The methods of using company fund of social benefits including division of funds to particular purposes and types of activities shall be fixed by the employer in the regulations agreed with the company trade organisation.
2. The employees are granted benefits from the fund referred to in subsection 1 in agreement with the company trade organisation.
3. Regulations regarding prizes and bonuses shall be fixed and amended in agreement with the company trade organisation; this shall also apply to the rules of dividing funds for salaries to employees of a state budget zone company.

*Section 27
subsection 4
deleted.*

Section 28

The employer shall be obliged to provide information required for carrying on trade union activities on request of the trade union, in particular information pertaining to working conditions and rules of remuneration.

Section 29

1. If there are justified reasons to believe that there is threat to health or life of the employees in the company, the company trade organisation may apply to the employer to conduct necessary examination and at the same time the organisation may notify the competent regional labour inspector. The employer shall be obliged, within 14 days of receiving the request, to communicate his position to the company trade organisation. If the examination is carried out, the employer shall provide the examination results to the company trade organisation along with the information on the method and deadline of threat removal.
2. Notification of the company trade organisation of the rejection of the request referred to in subsection 1 or employer's failure to response to the request within 14 days of the request being submitted shall entitle the company trade organisation to carry out necessary examination at the cost of the employer. The company trade organisation shall notify the employer in writing of its intention to carry out the examination, the scope of the examination, and estimated costs at least 14 days in advance.
3. Within 7 days of receiving the notification referred to in subsection 2 the employer may apply to the competent regional labour inspector for ascertaining the advisability of the examination or necessary scope thereof. Performance of the examination against the recommendation of the labour inspector shall release the employer from the obligation to cover the costs of such examination.

Section 30

1. If there is more than one trade organisation operating in the company, each trade organisation shall protect its rights and represent the interests of its members.
2. An employee who is not a trade union member shall have the right to protect their rights under the rules applicable to trade union members if the trade organisation selected by that employee agrees to protect their employee rights.
- 2¹. In individual cases under the labour relationship where the rules of the labour law obligate the employer to cooperate with the company trade organisation, the employer shall be obliged to apply to that organisation for the information about employees seeking such protection pursuant to the provisions of subsections 1 and 2. Failure to provide such information within 5 days shall release the employer from the obligation to cooperate with the company trade organisation on employee affairs.
3. As for matters regarding collective rights and interests of the employees, the trade organisations may establish a joint union representation.
4. As for matters which require arrangements or agreement of the position with the trade organisations, the organisations shall present their joint position. The method of negotiating and presenting the position by the joint union representation selected for each case shall be specified in the agreement concluded by the trade organisations.
5. If the trade organisations or trade organisations representative as defined in Article 241^{25a} of the Labour Code fail to present their agreed position within 30 days regarding definition of the regulations for remuneration, prize and bonus regulations, regulations for company social benefits fund, vacation plans or labour regulations, and settlement periods referred to in Article 129 § 1¹ and 129⁴ § 2 sentence two and § 3 of the Labour Code, decisions on such matters shall be taken by the employer upon considering separate positions of the trade organisations.

*Section 30
subsection 6
deleted.*

Section 31

1. The right to obtain a work leave for the term of office in the board of the company trade organisation shall be granted to:
 - 1) in part, one employee in a monthly number of hours equal to the number of members employed in the company if their number is below 150,
 - 2) one employee if the trade union is from 150 to 500 members employed in the company,
 - 3) two employees if the trade union is from 501 to 1000 members employed in the company,
 - 4) three employees if the trade union is from 1001 to 2000 members employed in the company,

- 5) one more employee for each new thousand if the company trade organisation has more than 2000 members employed in the company,
 - 6) in part time, may be granted to a greater number of employees pursuant to the rules stated in the preceding paragraphs.
2. Depending on the request of board of the company trade organisation, the work leave referred to in subsection 1 shall be granted with or without the right to salary. The Council of Ministers shall specify, by means of an ordinance, the procedure of releasing from work and the scope of rights assigned to the employee during the work leave.
 3. An employee shall have the right to obtain the work leave with the right to salary for the time required to perform a direct activity resulting from their union function if such an action cannot be performed after working hours.

[Section 32

1. *The Employer cannot terminate the labour relationship with the employee who is a member of the board or the audit commission of the company trade organisation during their term of office or within one year of expiry of the term of office without the consent of the board of the company trade organisation.*

Section 1 inconsistent with the Constitution in the scope in which it obligates the employer to obtain the consent to terminate the contract of employment with the employee who is a member of the audit commission of the company trade organisation: verdict of the Constitutional Tribunal, Journal of Laws of 2003, No. 63, item 590.

2. *The Employer himself cannot unilaterally change working or salary conditions to the detriment of the employee who is a member of the board or the audit commission of the company trade organisation during the period referred to in subsection 1 without the consent of the board of the company trade organisation unless separate regulations provide so.*
3. *The protection provided for by subsections 1 and 2 shall be granted to the members of the founding committee for six months from the day the founding committee is established.*
4. *Provisions of subsections 1 to 3 shall apply accordingly to an employee who was assigned a function in the authorities of company trade organisations operating outside the company provided that the consent referred to in the regulations shall be granted by the statutory competent authority of the trade organisation in which the employee held or holds his function.]*

New Section 32 shall come into force on 1 July 2003 (Journal of Laws of 2002 No. 135 item 1146).

<Section 32.

1. **Without a consent of the board of the company trade organisation, the employer cannot:**
 - 1) **terminate the labour relationship with a trade union member referred by name in the board resolution or other employee**

who is a member of the company trade organisation entitled to represent the organisation before the employer or the authority or a person who performs activities in the area of the labour law on behalf of the employer,

- 2) unilaterally change working or salary conditions to the detriment of the employee referred to in subsection 1
- unless separate regulations provide so.
2. The protection provided for by subsection 1 shall be available for the period specified in the resolution of the board and after that period for an additional period corresponding to half of the period specified by the resolution, however, not longer than one year after that period.
3. The board of the company trade organisation representative as defined in Article 241^{25a} of the Labour Code shall present to the employer names of employees who are covered by the protection provided for by subsection 1 at the number not greater than the management staff in the company or the number of employees fixed pursuant to subsection 4.
4. The board of the company trade organisation referred to in subsection 3 which has more than 20 members shall have the right to select for the employer 2 employees covered by the protection provided by subsection 1, and if the union has more than 20 members who are the employees, the union shall have the right to select 2 employees as covered by the protection plus:
 - 1) one employee per each started 10 members of the organisation who are employees of the company, in the range from 21 to 50 members,
 - 2) one employee per each started 20 members of the organisation who are employees of the company, in the range from 51 to 150 members,
 - 3) one employee per each started 30 members of the organisation who are employees of the company, in the range from 151 to 300 members,
 - 4) one employee per each started 40 members of the organisation who are employees of the company, in the range from 301 to 500 members,
 - 5) one employee per each started 50 members of the organisation who are employees of the company, in the range above 500 members.
5. Management of the company referred to in subsection 3 shall be the persons who run the company on their own and their deputies or persons who are members of the authority which manages the company and other persons appointed to perform activities in the area of the labour law on behalf of the employer.
6. The protection provided by subsection 1, in a company trade organisation other than listed in subsections 3 and 4, shall

be granted to one employee listed by name in the resolution of the organisation.

7. The protection provided by subsection 1 shall be granted for six months of the day the founding committee of the company trade organisation is established to not more than three employees listed by name in the resolution of the founding committee.
8. If the competent authority fails to enter the name in the list referred to in subsections 3, 4, 6, or 7, the protection provided for by subsection 1 shall be granted by the time the listing is made to the chairman of the company trade organisation or the chairman of the founding committee.
9. The protection provided by subsection 1 shall be granted to an employee who holds a union function by appointment outside the company trade organisation and who benefits from the non-paid vacation or the work leave. The protection shall be granted during the vacation or leave and for one year after that period. The consent referred to in subsection 1 shall be granted by the statutory competent authority of the trade union in which that employee holds or held the function.
10. The minister competent for the labour shall specify, by means of an ordinance, detailed rules and procedure of:
 - 1) communication by the employer to the board of the company trade organisation of the number of persons who are the management staff in the company referred to in subsection 5,
 - 2) appointment by the board or founding committee of the company trade organisation of the employees covered by the protection provided by subsection 1 and introduction of changes to such an appointment.>

Section 33

Under conditions specified in the contract, the employer shall be obliged to provide the company trade organisation with the premises and technical facilities required for trade union operations in the company.

Section 33¹

1. Upon the written request of the company trade organisation and based on the written consent of the employee, the employer shall be obliged to collect a trade union contribution from the employee's salary at the amount declared by the employee.
2. The employee shall be obliged to immediately remit the collected contribution amounts to the bank account provided by the company trade organisation.

Section 34

1. Provisions of Sections 25¹ to 33¹ shall apply to the inter-company trade organisation, whose range of activities cover the employer, subject to subsection 2 and Section 34¹ and 34².
2. While fixing the right to obtain the work leave referred to in Section 31 subsection 1, the total number of members of the inter-company trade organisation employed with all employers in which the organisation is operational shall be counted.

Section 34¹

1. Employers in which the inter-company trade organisation is operational shall bear the costs including costs of salary and social insurance premiums related to employment of an employee who:
 - 1) obtained a work leave for the term of office in the board of the inter-company trade organisation, pursuant to Section 31 subsection 1 in connection with Section 34 subsection 2,
 - 2) obtained a leave from the professional work with retained right to salary, pursuant to Section 31 subsection 3,accordingly to the share of the number of members of the union employed with the employer to the total number of members of the union employed with all employers where the organisation is operational, converted to full time employment.
2. The board of the inter-company trade organisation shall present the employer, who shall release the employee or employees from the obligation to work or professional work with retained right to remuneration, with the information about the number of union members employed with all employers in which the organisation is operational and with each of such employers, counted to the full time employment as on the last day of the month.
3. The board of the inter-company trade organisation shall provide information referred to in subsection 2 by the tenth day of the month following the month in which the employee or employees were released from the obligation to work or professional work with retained right to remuneration.
4. The method and procedure of bearing the costs referred to in subsection 1 shall be specified by each employer who shall release the employee or employees from the obligation to work or professional work with retained right to remuneration in the scope referring to the costs related to employment of such an employee or employees.

Added Section 34² shall come into force on 1 July 2003 (Journal of Laws of 2002 No. 135 item 1146).

<Section 34²

1. **The board of the inter-company trade organisation with the members at the number required to acquire the status of a representative union as defined by Article 241^{25a} of the Labour Code in at least one company in which the union is operational may appoint employees covered by the protection provided for by Section 31 subsection 1:**

- 1) at the number set pursuant to Section 32 subsection 3 or 4 or
 - 2) at the number set pursuant to Section 32 subsection 3 or 4 in one company selected by the union from amongst the companies in which the organisation is operational, in which the organisation has members at the number required to acquire the status of a representative union as defined by Article 241^{25a} of the Labour Code plus the number of the remaining companies in which the organisation is operational and where at least 10 employees are members of the organisation.
2. If the inter-company trade organisation does not have sufficient number of the members required to acquire the status of a representative union as defined by Article 241^{25a} of the Labour Code, the number of employees covered by the protection provided for by Section 32 subsection 1 cannot be higher than the number of companies in which the organisation is operational and which employ at least 10 employees who are members of that company.>

CHAPTER 5

Liability for violation of the rules of the Act

Section 35

1. Any person who in connection with their position of function held:
 - 1) prevents legitimate founding of a trade organisation,
 - 2) prevents performance of trade union activities pursued according to the rules of the Act,
 - 3) discriminates against the employee because of their membership in the trade union, non-membership in the trade union, or holding a trade union function,
 - 4) fails to perform obligations under Sections 26¹, 33¹, and 34¹
- shall be liable to a fine or imprisonment.
2. The same penalty shall be applicable to the person who runs activities contrary to the provisions of the act in the course of the trade union function held.
3. Liability for leading an illegal strike shall be specified in the Act on Solving Collective Disputes.

Section 36

1. If the registry court finds out that the trade union authority pursues activities which are in contrast to the Act, the court shall set a period of at least 14 days to adjust the activities of that authority to the governing law. The proceedings shall be instituted upon the motion of the competent voivodship attorney.
2. If the period of time specified in subsection 1 passes ineffectively, the registry court may:
 - 1) impose a fine on individual members of the trade union authority at the amount specified in Article 163 § 1 of the Civil Proceedings Code,

- 2) set a new date for elections to the trade union authorities referred to in subsection 1 under the pain of suspending activities of that authority.
3. If the means specified in subsection 2 prove to be ineffective, the registry court, upon the motion of the Minister of Justice, shall pass a decision to cross the trade union out of the register. This decision may be appealed against.
4. Provisions of Section 18 shall apply to matters referred to in subsections 1 to 3.
5. The trade union crossed out of the register by the valid decision of the court as provided for by subsection 3 shall be obliged to cease its activities immediately and perform liquidation of the union within no more than three months of the day the decision becomes valid, in the way provided for by the statute.

CHAPTER 6

Special provisions

Section 37

Disputes between trade unions and employers and their organisations and regarding employee interests shall be solved under the rules specified in a separate act.

Section 38

Rules of the act pertaining to the trade unions shall apply accordingly to the trade organisations referred to in Section 11 subsections 1 and 2 except the rule of Section 12 subsection 1 in the part referring to the number of union founders and in the part referring to the number of union employees of Section 17 subsection 1 paragraph 3.

Section 39

1. Employee assistance and loan funds may be established in companies. Members of the fund may include employees, pensioners, and disability pensioners regardless of their trade union membership. Social supervision over the funds shall be maintained by the trade unions.
2. (deleted).
3. (deleted).
4. (deleted).
5. The Council of Ministers shall specify, by means of an ordinance, detailed rules of founding and operation of the funds referred to in subsection 1 and obligations of the companies in this scope.

*Sections 40 to 45
and Section 47
omitted
(announcement
text).*

CHAPTER 7

Amendments to governing provisions. Transitional and final provisions.

Section 46

Registration of trade organisations made before this Act becomes valid shall retain legal effect.

Section 48

1. The Act of 8 October 1982 on Trade Unions shall become void (Journal of Laws 1985, No. 54 item 277, 1988 No. 11 item 84, 1989 No. 20 item 105, and 1990 No. 30 item 179).
2. By the time the ordinance of the Council of Ministers referred to in Section 39 subsection 5 of this Act is passed, the rules passed under Section 58 of the Act referred to in subsection 1 shall remain in force.

Section 49

This Act shall come into force 30 days of the day it is published.