

ACT
of 23 May 1991
on Trade Unions

(Consolidated text: Dziennik Ustaw, 2001, No. 79 item 854 with subsequent amendments: 2001, No 128, item 1405; 2001, No. 100, item 1080; 2002, No.135, item 1146; 2002, No.240, item 2052; 2003, No 63, item 590)

Chapter 1
General provisions

Article 1. 1. A trade union shall be a voluntary and self-governing organization of the employees, founded to represent and defend their rights, occupational and social interests.

2. In pursuing its statutory activities a trade union shall be independent from employers, state administration, territorial self-government, and other organizations.

3. State and territorial self-government authorities as well as the employers shall treat trade unions equally.

Article 2. 1. The right to found and join trade unions shall be given to the employees regardless of the employment relation basis, members of agricultural production cooperatives, and persons who perform work on the basis of an agency contract if they are not employers.

2. Persons who perform cottage work shall be entitled to join trade unions in the establishment with which they concluded a relevant contract.

3. Retirement or disability retirement shall not deprive persons referred to in item 1 and 2, of the membership or the right to join trade unions.

4. The unemployed as defined by the employment regulations shall retain their trade union membership 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 establishments shall have also persons delegated to such establishments in order to serve their substitutionary military duty.

6. Provisions of this Act shall apply, subject to limitations set out in other acts, to the trade union rights of the officers of the Police, Frontier Guard and Prison Service and the firemen of the National Fire Brigades and the employees of the Supreme Chamber of Control.

7. Provisions of this Act, which shall apply to the employees, shall respectively apply to other persons referred to in items 1 to 6.

Article 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 for conclusion of an employment relationship, maintenance of such a relationship, or promotion.

Article 4. Trade unions shall represent employees and other persons referred to in art. 2, the unions also protect their dignity, rights, and material and moral interests both collective as well as individual.

Article 5. Trade unions shall have the right to represent employee interests on the international forum.

Article 6. Trade unions shall participate in creation of favourable working, living, and leisure conditions.

Article 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 employment relations. When requested by an employee who is not a trade union member, the trade union may undertake protection of his rights and interests towards the employer.

Article 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.

Article 9. Statutes and trade union resolutions shall freely specify organisational structures of trade unions. Only statutory bodies of trade union structures with legal personality may contract property obligations.

Article 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 trade unions.

Article 11. 1. The trade unions shall have the right to found nationwide associations (federations) of trade unions.

2. Nationwide trade unions and federations of trade unions may found nationwide inter-union organizations (confederations).

3. Trade union organizations including federations and confederations shall have the right to found and join international employee organizations.

Chapter 2

Founding of trade unions

Article 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.

Article 13. The statute of a trade union shall specify, in particular:

- a) the name of the union,
- b) the seat of the union,
- c) territorial and subjective scope of activity,
- d) goals and tasks of the union and methods and forms of pursuing the goals and tasks,
- e) rules of acquiring and losing the membership,
- f) rights and obligations of the members,
- g) organizational structure of the union stating authorities of the union which have legal personality,
- h) the method of representation of the union and the persons entitled to contract property obligations on behalf of the union,
- i) union authorities, method of appointment and revocation, scope of competencies, and term of office,
- j) sources of financing the activities of the trade union and the method of collecting member contributions,
- k) rules of passing and amending the statute,
- l) the method of trade union dissolution and liquidation of its property.

Article 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.

Article 15. 1. The trade union and its authorities referred to in the statute shall acquire legal personality on the day of the registration.

2. Repealed

Article 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 item 1, the court shall notify the trade union of the objections and shall set the hearing date to review the objections within 30 days of the notification submitted by the trade union regarding the statute amendment.

3. Article 18 item 1 and 2 shall apply respectively.

Article 17. 1. The court shall delete the trade union from the register if:

- a) the authority stated in the statute passed a decision to dissolve the union,
- b) the establishment in which the trade union had operated was deleted from the appropriate register following its liquidation or bankruptcy or legal and organizational restructuring which render its further operations impossible,
- c) the number of trade union members is below 10 for a period of time exceeding three months.

2. The circumstances referred to in item 1 shall be ascertained by the court ex officio or upon the request of the trade union.

3. Repealed.

Article 18. 1. Matters regarding registration of the trade unions shall be reviewed pursuant to the rules of the Civil Proceedings Code on non-litigious procedures.

2. Matters referred to in item 1 shall be reviewed by the court within 14 days of the day the request is submitted.

3. Repealed.

4. Repealed.

Chapter 3

Rights of trade unions

Article 19. 1. A trade union, representative as defined by the Act of 6 July 2001 on the Tripartite Commission for the Social and Economic Issues and voivodship commissions of social dialogue (Journal of Laws No 100 item 1080 with amendments) further referred to as the Act on Tripartite Commission for Social and Economic Issues, 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.

2. Authorities and bodies of governmental administration as well as territorial self-governmental bodies shall deliver the underlying principles or draft texts of legal acts, referred to in paragraph 1, to competent statutory authorities of the union, fixing the time-limit for presenting an opinion - however not shorter than 30 days. The time-limit may be shortened to 21 days due to important public interest. Shortening of the time-limit shall require special justification. The time-limit for presenting an opinion shall be counted from the day following the day of delivering the underlying principles or draft text together with a letter fixing the time-limit for presenting the opinion. Non-presentation of the opinion in prescribed time shall be considered as the resignation of the right to express it.

2¹. Underlying principles or draft texts of legal acts, referred to in paragraph 1, shall be delivered by authorities and bodies of governmental administration as well as territorial self-governmental bodies also to an appropriate electronic address, indicated by a competent statutory body of the union, not later than in the day of their delivery in a written form.

3. If the position of the union is rejected in whole or in part, a competent body of governmental administration or territorial self-government shall notify this fact to the union in a written form, giving the reasons for its decision. In the case of divergence of positions, the union may present its opinion during a meeting of a competent Sejm, Senate or territorial self-government commission.

4. Trade unions shall have the right to publicly express their opinions on the assumptions or drafts referred to in item 1 in the mass media including radio and television.

Article 19¹. 1. A trade union organisation, representative in the meaning of the law concerning Tripartite Commission for Socio-Economic Issues, shall have the right to pronounce its opinion on consultative documents of the European Union, in particular white papers, green papers and communications, as well as draft legal acts of the European Union within the scope of issues covered by the trade union tasks.

2. Authorities and bodies of governmental administration shall deliver the consultative documents of the European Union as well as draft legal acts, referred to in paragraph 1, to competent statutory authorities of the union, fixing the time-limit for presenting an opinion.

3. Authorities and bodies of governmental administration shall deliver consultative documents of the European Union as well as draft legal acts, referred to in paragraph 1, to an appropriate electronic address indicated by a competent statutory body of the union.

Article 20. 1. A trade union, representative as defined by the Act on the Tripartite Commission for the Social and Economic Issues shall have the right to submit motions for the issue or amendment of the act or other executive regulation 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 executive regulations, the motions shall be directed to the authorities authorised to pass such regulation.

2. The governmental authority to which the motion is sent shall present its position to the trade union within 30 days, and present reasons for rejection in case of a negative position.

Article 21. 1. Under rules specified in separate regulations, trade unions shall have the right to conduct collective negotiations and enter into collective agreements as well as other agreements stipulated by the labour law provisions.

2. As for branches not covered by the collective labour agreements, labour and pay conditions shall be regulated in consultation with the trade unions.

Article 22. Repealed.

Article 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 safety and health 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 item 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.

Article 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 relieves available to the trade unions.

Article 25. 1. An employee elected to hold a trade union function outside the establishment shall have the right to an unpaid leave upon request of the trade union if the election results in the obligation to hold that function as an employee.

1¹. An employee who returns to work within time specified by Article 74 of the Labour Code after the unpaid leave shall have this unpaid leave included in the duration of work used for calculation of employee rights.

1². The Council of Ministers shall specify by regulation, the procedure of granting an unpaid leave and the scope of rights granted to the employee who benefits from such an unpaid leave.

2. An employee shall have the right to be released from work with retained right to the remuneration for the time required to carry out casual activity resulting from their trade union function outside the establishment if such an activity cannot be performed during free time.

Article 25¹. 1. Rights of an establishment trade union organization shall be available to an organization, which has at least 10 members who are:

- a) employees or persons who work under a cottage work contract with the employer where the organization is active or
- b) officers referred to in Article 2 item 6 who are on duty in the unit where the organization is active.

2. The organization referred to in item 1 shall present every quarter by the 10th of the month following that quarter, the information on the total number of members of the organization including the number of members referred to in item 1 as valid on the last day of the quarter, to the employer or unit commander referred to in item 1b.

Chapter 4

An establishment trade union organization

Article 26. Within its operating scope an establishment trade union organization shall have the right, in particular to:

- a) adopt a position on the individual employee matters within the scope regulated by the provisions of the labour law,
- b) adopt a position towards the employer and workers' self-government authority on matters regarding collective rights and interests of the employees,
- c) maintain control over observance of provisions of the labour law within the establishment in particular safety and health rules and regulations,
- d) manage activities of the social labour inspection and cooperate with the state labour inspection,
- e) take care of living conditions of the pensioners and disability pensioners.

Article 26¹. 1. If the employing establishment or a part thereof is transferred to a new employer, the existing and new employer shall notify in writing each operational trade organization in those employing establishments 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, remuneration, and re-qualification conditions.

2. The information referred to in item 1 shall be provided by the existing and new employer at least 30 days before the expected date of the transfer of the establishment or a part thereof.
3. If the existing or new employer intends to undertake actions affecting employment conditions, he shall start negotiations with establishment trade union organizations in order to conclude 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 concluded within the period referred to in item 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 establishment trade union organizations during negotiations on the agreement.
5. Provisions of item 3 and 4 shall not apply if separate provisions specify the procedure of actions regarding employment conditions to be undertaken by the employer.

Article 27. 1. The methods of using establishment social benefits fund including allocation of resources from this fund for particular purposes and types of activities shall be fixed by the employer in the regulations agreed with the establishment trade union organization.

2. The employees are granted benefits from the fund referred to in item 1 in agreement with the establishment trade union organization.
3. Regulations regarding rewards and bonuses shall be fixed and amended in agreement with the establishment trade union organization; this shall also apply to the rules of allocation funds for remuneration for employees of a state budgetary units.

Article 28. The employer shall provide information necessary for carrying on trade union activities on request of the trade union, in particular information pertaining to working conditions and rules of remuneration.

Article 29. 1. If there are justified reasons to believe that there is threat to health or life of the employees in the establishment, the trade union organization may apply to the employer to conduct necessary examination while informing the competent regional labour inspector thereof. The employer shall within 14 days of receiving the request, to communicate his position to the trade union organization. If the examination is carried out, the employer shall provide the examination results to the trade union organization along with the information on the method and deadline of threat removal.

2. Notification to the establishment trade union organization of the rejection of the request referred to in item 1 or employer's failure to response to the request within 14 days of the request being submitted shall entitle the establishment trade union organization to carry out necessary examination at the cost of the employer. The trade union organization shall inform

the employer in writing of its intention to carry out the examination, its scope, and estimated costs at least 14 days in advance.

3. Within 7 days of receiving the information referred to in item 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.

Article 30. 1. If there is more than one trade union organization operating in the establishment, each of them shall protect 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 same rules applicable to trade union members if the trade union organization selected by that employee agrees to protect his employee rights.

2¹. In individual cases under the labour relationship where the provisions of the labour law obligate the employer to cooperate with the establishment trade union organization, the employer shall apply to that organization for the information about employees covered by such protection pursuant to the provisions of items 1 and 2. Failure to provide such information within 5 days shall release the employer from the obligation to cooperate with the company trade organization on employee affairs.

3. In matters regarding collective rights and interests of the employees, the trade union organizations may set up a joint union representation.

4. In matters, requiring arrangements or agreement of the position with the trade union organizations, the organizations shall present their joint position. The method of negotiating and presenting the position by the joint union representation appointed for each case shall be specified in the agreement concluded by the trade union organizations.

5. If the trade union organizations or trade union organizations representative as defined in Article 241 ^{25a} of the Labour Code fail to present their agreed position within 30 days regarding definition of the rules relating to remunerations, social benefits fund, annual leave schedule or workplace 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 union organizations.

6. Repealed.

Article 31. 1. The right to be released from the obligation of performing work for the term of office in the board of the establishment trade union organization shall be granted to:

- a) in part, one employee in a monthly number of hours equal to the number of members employed in the establishment if their number is below 150,
- b) one employee if the trade union is from 150 to 500 members employed in the establishment,
- c) two employees if the trade union is from 501 to 1000 members employed in the establishment,
- d) three employees if the trade union is from 1001 to 2000 members employed in the establishment,
- e) one more employee for each new thousand if the establishment trade union organization has more than 2000 members employed in the establishment,
- f) in part time, may be granted to a greater number of employees subject to the rules stated in the preceding items.

2. Depending on the request of the board of the establishment trade union organization, the release from performing work referred to in item 1 shall be granted with or without the right to remuneration. The Council of Ministers shall specify, by regulation, the procedure of releasing from performing work and the scope of rights assigned to the employee during the release from performing work.

3. An employee shall have the right to be released from work with retained right to remuneration for the time required to perform a casual activity resulting from their union function if such an activity cannot be performed during free time.

Article 32. 1. Without a consent of the board of the establishment trade union organization, the employer cannot:

- a) terminate the employment relationship either with or without notice with a member of the board of the establishment trade union organization referred by name in the board resolution or other employee who is a member of the establishment trade union organization entitled to represent the organization before the employer or the authority or a person who performs activities in the area of the labour law on behalf of the employer,
- b) unilaterally change working or pay conditions to the detriment of the employee referred to in item a
 - unless separate regulations provide so.

2. The protection provided for in item 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 establishment trade union organization 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 item 1 at the number not greater than the management staff in the establishment or the number of employees fixed pursuant to item 4.

4. The board of the trade union organization referred to in item 3 which has no more than 20 members shall have the right to select 2 employees covered by the protection provided by item 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:

- a) one employee per each started 10 members of the organization who are employees of the establishment, in the range from 21 to 50 members,
- b) one employee per each started 20 members of the organization who are employees of the establishment, in the range from 51 to 150 members,
- c) one employee per each started 30 members of the organization who are employees of the establishment, in the range from 151 to 300 members,
- d) one employee per each started 40 members of the organization who are employees of the establishment, in the range from 301 to 500 members,
- e) one employee per each started 50 members of the organization who are employees of the establishment, in the range above 500 members.

5. Management staff of the establishment referred to in item 3 shall be the persons who run the establishment and their deputies or persons who are members of the body which manages the establishment and other persons appointed to perform activities in the area of the labour law on behalf of the employer.

6. The protection provided for in item 1, in a establishment trade union organization other than listed in item 3 and 4, shall be granted to one employee presented by name in the resolution the board of the trade union organization.

7. The protection provided by item 1 shall be granted to not more than three employees listed by name in the resolution of the founding committee, for six months of the day the founding committee is established.

8. If the competent authority did not present the list of employees as it is provided in items 3, 4, 6 or 7, the protection provided for by item 1 shall be granted to the chairman of the company trade union organization or to the chairman of the founding committee, by the time the presentation is made.

9. The protection provided for in item 1 shall be granted to an employee who holds a function by election in trade union outside the establishment, who benefit from the unpaid leave or the

release from performing work. The protection shall be granted for a period of leave or release and for one year after that period. The consent referred to in item 1 shall be granted by the statutory competent authority of the trade union organization in which the employee holds or held the function.

10. The minister competent for the labour issues shall specify, by regulation, principles and procedure of:

- a) informing the board of the establishment trade union organization by the employer of the number of persons who are the management staff in the establishment referred to in item 5,
- b) presentation by the board and the founding committee of the establishment union organization the employees covered by the protection provided by item 1 as well as introduction of changes to the presentation.

Article 33. 1. The employer, under the conditions laid down in the agreement, shall be obliged to make available to a trade union organisation at the enterprise level the premises and technical facilities necessary for trade union activity in the working establishment.

2. The trade union organisation at the enterprise level and the employer shall have the right to lodge with a court a claim resulting from non-compliance with an agreement, referred to in paragraph 1.

3. If the terms of making available to the trade union organisation the premises and technical facilities are laid down in the collective labour agreement, the right to lodge a claim, referred to in paragraph 2, shall be exercised by the employer or each of trade union organisations concerned.

4. To proceedings in matters, referred to in paragraphs 2 and 3, there shall be respectively applied the provisions of the Code of Civil Proceedings concerning proceedings in the field of the labour law."

Article 33¹. 1. Upon the written request of the establishment trade union organization and based on the written consent of the employee, the employer shall collect a trade union contribution from the employee's remuneration at the amount declared by the employee.

2. The employer shall immediately transfer collected contribution on the bank account pointed by the trade union organization.

Article 34. 1. Provisions of art. 25¹- 33¹ shall apply to the inter-establishment trade union organisation, whose range of activities cover the employer, subject to item 2 and articles 34¹ and 34².

2. When fixing a number of members, referred to in art. 25¹ paragraph 1, as well as the right to be released from an obligation of work, referred to in art. 31 paragraph 1, there shall be taken into consideration a number of members of inter-enterprise trade union organisation employed with all employers covered by the activity of this organisation.

Article 34¹ . 1. Employers covered by the activity of inter-establishment trade union organization shall bear the costs including costs of remunerations and social insurance premiums, related to employment of an employee released:

a) from the obligation of performing work during the term of office in the board of the inter-establishment trade union organization, pursuant to art. 31 item 1 in connection with art. 34 item 2,

b) from work with retaining the right to remuneration, pursuant to art. 31 item 3, proportionally to the number of members of this organization employed by the employer in a total number of members employed by all employers covered by the activity of this organization, converted to full time employment.

2. The board of the inter-establishment trade union organization shall present the employer, who releases the employee or employees from the obligation to work or from work with retained the right to remuneration, information about the number of members of this organization employed with all employers covered by the activity of this organization as well as by each of such employers – converted to full time employment – as on the last day of the month.

3. The board of the inter-establishment trade union organization presents information referred to in item 2 by the tenth day of the month following the month in which the employee or employees were released.

4. The method and procedure of bearing the costs referred to in item 1, are determined by each employer releases an employee or employees from the obligation of performing work or from work with retaining the right to remuneration, in the scope referring to the costs related to employment of such an employee or employees.

Article 34². 1. The board of the inter-establishment trade union organization, which at least in one establishment covered by its activity, affiliates the number of employees required to obtain the status of representative organization as defined by art. 241^{25a} of the Labour Code may indicate employees covered by the protection provided for by art. 32 item 1:

a) at the number set pursuant to art. 32 item 3 or 4 or

b) at the number set pursuant to art. 32 item 3 or 4 in one establishment selected by the union organization from amongst the establishments in which the organisation is

operational, in which the organisation has members at the number required to obtain the status of representative union as defined by art. 241^{25a} of the Labour Code plus the number of the remaining establishments in which the organization is operational and where at least 10 employees are members of the organization.

2. If the inter-establishment trade union organization does not have sufficient number of the members required to obtain the status of a representative union as defined by art. 241^{25a} of the Labour Code, the number of employees covered by the protection provided for by art. 32 item 1 cannot be higher than the number of establishments in which the organization is operational and which employ at least 10 employees who are members of that organization.

Chapter

Responsibility for violation of the provisions of the Act

Article 35. 1. Any person who in connection with their position or function held:

- a) prevents legitimate founding of a trade union organization,
- b) prevents performance of trade union activities pursued according to the provisions of the Act,
- c) discriminates the employee because of their membership in the trade union, non-membership in the trade union, or holding a trade union function,
- d) fails to perform obligations under articles 26¹, 33¹, and 34¹
 - shall be liable to a fine or a restriction of liberty.

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.

Article 36. 1. If the registry court finds out that the trade union authority pursues activities which are in contradiction 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 prosecutor.

2. If the period of time specified in item 1 passes ineffectively, the registry court may:

- a) impose a fine on individual members of the trade union authority at the amount specified in Article 163§ 1 of the Civil Proceedings Code.
- b) set a new date for elections to the trade union authorities referred to in item 1 under the pain of suspending activities of that authority.

3. If the means specified in item 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 the register. This decision may be appealed against.

4. Provisions of article 18 shall apply to matters referred to in items 1 to 3.

5. The trade union crossed out of the register by the valid decision of the court as provided for by item 3 shall 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 its statute.

Chapter 6

Special provisions

Article 37. Disputes between trade unions and employers and their organisations regarding employee interests shall be solved under the rules specified in a separate act.

Article 38. Rules of the Act pertaining to the trade unions shall apply accordingly to the trade union organizations referred to in art. 11 items 1 and 2 except the provisions of art.12 item 1 in the part referring to the number of union founders and in part referring to union members except the provisions of art.17 item 1 point 3.

Article 39. 1. Employee assistance and loan funds may be established in establishments. 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. Repealed.

3. Repealed

4. Repealed.

5. The Council of Ministers shall specify, by regulation, detailed rules of founding and operation of funds referred to in item 1 and obligations of the establishments in this scope.

Chapter 7

Amendments to governing provisions. Transitional and final provisions.

Articles 40 to 45 omitted

Article 46. Registration of the trade union organizations made before this Act becomes valid shall retain legal effect.

Article 48. 1. The Act of 8 October 1982 on Trade Unions shall become void (Dziennik Ustaw 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 Article 39 item 5 of this Act is passed, the rules passed under Article 58 of the Act referred to in item 1 shall remain in force.

Article 49. This Act shall come into force 30 days from the day of promulgation.