

TRADE UNIONS ACT

CHAPTER 88:02

Act

20 of 1932

Amended by

46 of 1943

51/1980

Current Authorised Pages

<i>Pages (inclusive)</i>	<i>Authorised by L.R.O.</i>
1-48	..

Index of Subsidiary Legislation

	<i>Page</i>
Trade Unions Regulations (G. 30.3.1933)	24

Note on Adaptation

1. Certain fees in this Chapter were increased by the Commission under paragraph 4 of the Second Schedule to the Law Revision Act (Ch. 3:03). Where this occurs, a marginal reference in the form normally indicating an amendment is made to LN 51/1980 (the Legal Notice by which the President's approval was signified).

2. Under paragraph 6 of the Second Schedule to the Law Revision Act (Ch. 3:03) the Commission amended certain references to public officers in this Chapter. The Minister's approval of the amendments was signified by LN 120/1980, but no marginal reference is made to this Notice where any such amendment is made in the text.

CHAPTER 88:02

TRADE UNIONS ACT

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Interpretation.
3. Trade unions.
4. Exemptions.
5. When objects of union not unlawful.
6. When trade union contracts not enforceable.
7. Friendly Societies Act and Companies Act not applicable to unions.
8. Registrar of unions.
9. Register of unions.
10. Registration of trade unions.
11. Land for unions may be purchased or leased.
12. Property of unions vested in trustees.
13. Absence or disability of trustees.
14. Actions by or against trustees.
15. Limitation of responsibility of trustees.
16. Officers' accounts and audit.
17. Withholding or misapplying trade unions' effects.
18. Provisions relating to registration.
19. Rules of registered unions.
20. Registered office of trade unions.
21. Withdrawal or cancellation of certificate of registration.
22. Membership of minors.
23. Member's nomination of payee.
24. Change of union's name.
25. Amalgamation of unions.
26. Registration of change of names and amalgamations.
27. Dissolution.
28. Failure to give notice or send document.
29. Annual returns.

ARRANGEMENT OF SECTIONS—*Continued*

SECTION

30. Registrar's reports.
31. Circulating false copies of rules.
32. Recovery of penalties summary procedure.
33. Restrictions on application of funds for certain political purposes.
34. Contributions by members to political funds.

FIRST SCHEDULE.

SECOND SCHEDULE.

THIRD SCHEDULE.

CHAPTER 88:02

TRADE UNIONS ACT

An Act relating to Trade Unions.

1950 Ed.
Ch. 22 No. 9.

20 of 1932.

[1ST JULY 1933]

Commencement.

1. This Act may be cited as the Trade Unions Act.

Short title.

2. In this Act—

Interpretation.

“the Registrar” means the Registrar appointed under this Act;

“Rules” means Rules made by a trade union as authorised by this Act;

“statutory objects” means the regulation of the relations between workmen and masters, or between workmen and workmen, or between masters and masters, or the imposing of restrictive conditions on the conduct of any trade or business, and also the provision of benefits to members;

“trade union” means any combination, whether temporary or permanent, the principal objects of which are under its constitution statutory objects.

3. The fact that a combination has, under its constitution, objects or powers other than statutory objects within the meaning of this Act does not prevent its being a trade union for the purposes of this Act so long as it is a trade union as defined by section 2, and any trade union shall have power to apply the funds of the union for any lawful objects or purposes for the time being authorised under its constitution. Trade unions.

4. This Act does not affect—

Exemptions.

(a) any agreement between partners as to their own business;

(b) any agreement between an employer and those employed by him as to such employment;

- (c) any agreement in consideration of the sale of the goodwill of a business, or of instruction in any profession, trade, or handicraft.

When objects of union not unlawful.

5. (1) The purposes of any trade union duly registered under this Act shall not, by reason merely that they are in restraint of trade, be deemed to be unlawful so as to render any member of such trade union liable to criminal prosecution for conspiracy or otherwise.

(2) The purposes of any trade union duly registered under this Act shall not, by reason merely that they are in restraint of trade, be unlawful so as to render void or voidable any agreement or trust.

When trade union contracts not enforceable.

6. Nothing in this Act shall enable any Court to entertain any legal proceedings instituted with the object of directly enforcing or recovering damages for the breach of any agreement—

- (a) between members of a trade union as such concerning the conditions on which any members for the time being of the union shall or shall not sell their goods, transact business, employ, or be employed;
- (b) for the payment by any person of any subscription or penalty to a trade union;
- (c) for the application of the funds of a trade union—
- (i) to provide benefits to members; or
 - (ii) to furnish contributions to any employer or workman not a member of that union, in consideration of the employer or workman acting in conformity with the rules or resolutions of that union; or
 - (iii) to discharge any fine imposed upon any person by sentence of a Court of justice; or
- (d) made between one trade union and another; or

- (e) any bond to secure the performance of any of the above-mentioned agreements.

Nothing in this section shall be deemed to constitute any of the above-mentioned agreements unlawful.

7. The following laws, that is to say:

- (a) the Friendly Societies Act and any Acts amending it; and
(b) the Companies Act, and any Acts amending it,

Friendly Societies Act and Companies Act not applicable to unions.
Ch. 32:50.
Ch. 81:01.

shall not apply to a trade union; and the registration of any trade union under any of those Acts shall be void.

8. There shall be a Registrar of trade unions for the purposes of this Act.

Registrar of unions.

9. The Registrar shall keep a register of all trade unions registered under this Act in the form required by the Regulations, and shall discharge all the duties required by this Act and by the Regulations.

Register of unions.

10. (1) Every trade union to which this Act applies shall be registered under this Act.

Registration of trade unions.

(2) It shall be deemed to be a sufficient compliance with this section if the Registrar, by writing under his hand, permits any person named therein to take the necessary steps for the formation of a trade union and if the trade union is in fact registered within six months of the permission being given.

(3) Any seven or more members of a trade union may by subscribing their names to the rules of the union, and otherwise complying with the provisions of this Act with respect to registration, register such trade union under this Act.

(4) If any of the purposes of a trade union is unlawful, the trade union shall not be registered and if registered the registration shall be void.

(5) In the event of any contravention of this section every secretary, trustee, member of the committee, or other officer of an unregistered trade union is liable on summary conviction to a fine of forty dollars for every day during which the trade union remains unregistered.

Land for unions may be purchased or leased.

11. Any trade union registered under this Act may purchase or take upon lease, in the names of the trustees for the time being of the union, any land, and may sell, exchange, mortgage, or let the land, and no purchaser, assignee, mortgagee, or tenant, shall be bound to inquire whether the trustees have authority for any sale, exchange, mortgage, or letting, and the receipt of the trustees shall be a discharge for the money arising therefrom; and for the purposes of this section every branch of a trade union shall be considered a distinct union.

Property of unions vested in trustees.

12. (1) All real and personal property whatsoever belonging to any trade union registered under this Act shall be vested in the trustees for the time being of the trade union, appointed as provided by this Act, for the use and benefit of the trade union and the members thereof, and the real or personal property of any branch of a trade union shall be vested in the trustees of that branch, or in the trustees of the trade union, if the rules of the trade union so provide, and be under the control of such trustees, their respective executors or administrators, according to their respective claims and interests.

(2) Upon the death or removal of any such trustees, the property shall vest in the succeeding trustees for the same estate and interest as the former trustees had therein, and subject to the same trusts, without any conveyance or assignment whatsoever, except in the case of stocks and securities in the public funds of Trinidad and Tobago, which shall be transferred into the names of the new trustees.

(3) In all actions, or suits, or indictments, or summary proceedings, before any Court touching or concerning any such property, the same shall be stated to be the property of the persons for the time being holding the office of trustee, in their

proper names, as trustees of the trade union, without any further description.

13. When any person being or having been a trustee of a trade union registered under this Act, or of any branch of a trade union, and whether appointed before or after the legal establishment thereof, and in whose name any stock belonging to the union or branch transferable at any bank in Trinidad and Tobago is standing, either jointly with another or others, or solely, is absent from Trinidad and Tobago or becomes bankrupt, or files any petition, or executes any deed for liquidation of his affairs by assignment or arrangement or for composition with his creditors, or becomes of unsound mind, or is dead, or has been removed from his office of trustee, or if it is unknown whether such person is living or dead, the registrar, on application in writing from the secretary and three members of the union or branch, and on proof satisfactory to him, may direct the transfer of the stock into the names of any other persons as trustees for the union or branch; and the transfer shall be made by the surviving or continuing trustees, and if there are no such trustee or if such trustees refuse or are unable to make the transfer and the registrar so directs, then by the manager of the bank; and the bank is hereby indemnified for anything done in pursuance of this provision against any claim or demand of any person injuriously affected thereby.

Absence or disability of trustees.

14. The trustees of any trade union registered under this Act, or any other officer of such trade union authorised to do so by the rules, are hereby empowered to bring or defend, or cause to be brought or defended, any action, suit, prosecution, or complaint in any Court of law or equity, touching or concerning the property, right, or claim to property of the trade union; and shall and may, in all cases concerning the real or personal property of such trade union, sue and be sued, plead and be impleaded, in any Court of law or equity, in their proper names, without other description than the title of their office; and no such action, suit, prosecution, or complaint shall be discontinued, or shall abate, by the death or removal from office of such persons or any of them, but the same shall and may be proceeded in by their successor or successors as

Actions by or against trustees.

if the death, resignation, or removal had not taken place; and such successors shall pay or receive the like costs as if the action, suit, prosecution, or complaint had been commenced in their names for the benefit of, or to be reimbursed from, the funds of the trade union, and the summons to be issued to such trustee or other officer may be served by leaving the same at the registered office of the union.

Limitation of
responsibility
of trustees.

15. A trustee of any trade union registered under this Act is not liable to make good any deficiency which may arise or happen in the funds of the trade union, but is liable only for the moneys which shall be actually received by him on account of the trade union.

Officers'
accounts,
and audit.

16. (1) Every treasurer or other officer of a trade union registered under this Act, at such times as by the rules of the trade union he should render such account as hereinafter mentioned, or upon being required to do so, shall render to the trustees of the trade union, or to the members, at a meeting of the trade union, a just and true account of all moneys received and paid by him since he last rendered the like account, and of the balance then remaining in his hands, and of all bonds or securities of the trade union, which account the trustees shall cause to be audited by some fit and proper person or persons appointed by the registrar, and the trade union shall pay such person or persons in accordance with the scale of fees prescribed by regulations made under this Act.

(2) The treasurer, if thereunder required, upon the said account being audited, shall forthwith hand over to the trustees the balance which on the audit appears to be due from him and shall also, if required, hand over to the trustees all securities and effects, books, papers and property of the trade union in his hands or custody.

(3) If the treasurer fails to do so, the trustees of the trade union may sue him in any competent Court for the balance appearing to have been due from him upon the account last rendered by him, and for all the moneys since received by him on account of the trade union, and for the securities and effects, books, papers,

and property in his hands or custody, leaving him to set off in such action the sums (if any) which he may have since paid on account of the trade union; and in such action the trustees are entitled to recover their full costs of suit, to be taxed as between Attorney-at-law and client.

(4) The registrar may at any time order the books, accounts, vouchers, documents, securities and funds of any trade union to be inspected or audited by some fit and proper person or persons appointed by him, and the secretary, treasurer and other officers of a trade union shall make available to the person or persons so appointed all the accounts, books, documents, vouchers, securities and funds of the trade union for purposes of inspection or audit.

(5) The Registrar shall pay the person or persons appointed by him under subsection (4)—

- (a) in the case of an inspection, such fees as he may consider reasonable;
- (b) in the case of an audit, in accordance with the scale of fees prescribed by regulations made under this Act.

17. If any officer, member, or other person, being or representing himself to be a member of a trade union registered under this Act, or the nominee, executor, administrator, or assignee, of a member thereof, or any person whatsoever, by false representation or imposition, obtains possession of any moneys, securities, books, papers, or other effects of the trade union, or having the same in his possession, wilfully withholds or fraudulently misapplies the same, or wilfully applies any part of the same to purposes other than those expressed or directed in the rules of the trade union, or any part thereof, the Court of summary jurisdiction for the place in which the registered office of the trade union is situated, upon a complaint made by any person on behalf of the trade union or by the registrar, may, by summary order, order such officer, member or other person, to deliver up all such moneys, securities, books, papers, or other effects to the trade union, or to repay the amount of money applied improperly, and to pay, if

Withholding or misapplying trade unions' effects.

the Court thinks fit, a further sum of money not exceeding one thousand dollars together with costs not exceeding five dollars; and, in default of the delivery of effects or repayment of such amount of money or payment of such penalty and costs, the Court may order the person so convicted to be imprisoned for any time not exceeding three months but—

- (a) nothing herein contained shall prevent the trade union from proceeding by indictment against the party aforesaid; and
- (b) no person shall be proceeded against by indictment if a conviction has been previously obtained for the same offence under the provisions of this Act.

Provisions
relating to
registration.

18. (1) With respect to the registration under this Act, of a trade union, and of the rules thereof, the following provisions shall have effect:

- (a) an application to register the trade union and printed copies of the rules, together with a list of the titles and names of the officers, shall be sent to the Registrar;
- (b) the Registrar, upon being satisfied that the trade union has complied with the Regulations respecting registration in force under this Act shall register the trade union and the rules;
- (c) no trade union shall be registered under a name identical with that by which any other existing trade union has been registered, or so nearly resembling such name as to be likely to deceive the members or the public;
- (d) the registrar shall not register any combination as a trade union unless in his opinion, having regard to the constitution of the combination, the principal objects of the combination are statutory objects, and may withdraw the certificate of registration of any such registered trade union if the constitution of the union, has been altered in

such a manner that, in his opinion, the principal objects of the union are no longer statutory objects, or if in his opinion the principal objects for which the union is actually carried on are not statutory objects;

- (e) any person aggrieved by any refusal of the registrar to register a combination as a trade union, or by the withdrawal or cancellation of a certificate of registration, may appeal to the High Court within the time and in the manner and on the conditions directed by Rules of Court;
- (f) where a trade union applying to be registered has been in operation for more than a year before the date of the application, there shall be delivered to the registrar before the registration thereof a general statement of the receipts, funds, effects, and expenditure of the trade union, in the same form, and showing the same particulars as if it were the annual general statement hereinafter required to be transmitted annually to the Registrar;
- (g) the Registrar, upon registering such trade union shall issue a certificate of registration, which certificate, unless proved to have been withdrawn or cancelled, shall be conclusive evidence that the provisions of this Act with respect to registration have been complied with.

(2) The Minister may, subject to affirmative resolution of Parliament, make Regulations respecting the following matters:

- (a) the registration of a trade union under this Act;
- (b) the forms to be used for the registration;
- (c) the seal (if any) to be used for the registration;
- (d) the inspection of documents kept by the registrar under this Act;
- (e) the fees (if any) to be paid on registration, and until such fees are fixed those specified in the First Schedule shall be charged;

First Schedule.

- (f) a scale of fees to be paid to the proper person or persons appointed by the registrar to audit the accounts, books, documents, vouchers, securities and funds of a trade union;
- (g) generally, for carrying out this Act into effect.

Rules of registered unions. [51/1980].

Second Schedule.

Registered office of trade unions.

Withdrawal or cancellation of certificate of registration.

19. With respect to the Rules of a trade union registered under this Act, the following provisions shall have effect:

- (a) the rules of every such trade union shall contain provisions in respect of the several matters mentioned in the Second Schedule;
- (b) a copy of the rules shall be delivered by the trade union to every person on demand on payment of a sum not exceeding fifty cents.

20. (1) Every trade union registered under this Act shall have a registered office to which all communications and notices may be addressed; if any trade union under this Act is in operation for seven days without having such an office, the trade union and every officer thereof is each liable on summary conviction to a fine of two hundred dollars for every day during which it is so in operation.

(2) Notice of the situation of the registered office, and of any change therein, shall be given to the registrar and recorded by him, and until that notice is given the trade union shall not be deemed to have complied with the provisions of this Act.

21. (1) No certificate of registration of a trade union shall be withdrawn or cancelled otherwise than by the registrar, and in the following cases:

- (a) at the request of the trade union to be evidenced in the manner from time to time directed by him;
- (b) on proof to his satisfaction that a certificate of registration has been obtained by fraud or mistake, or that the registration of the trade union has become void under section 10, or that the trade union has wilfully and after notice from the registrar violated any of the provisions of this Act, or has ceased to exist;
- (c) under the provisions of section 18(1)(d).

(2) Not less than two months' previous notice in writing specifying briefly the ground of any proposed withdrawal or cancelling of certificate (unless where the same is shown to have become void as aforesaid, in which case the registrar shall cancel the same forthwith) shall be given by the registrar to a trade union before the certificate of registration of the same can be withdrawn or cancelled (except at its request).

(3) A trade union whose certificate of registration has been withdrawn or cancelled shall, from the time of the withdrawal or cancelling, absolutely cease to enjoy as such the privileges of a registered trade union, and shall be dissolved and proceed to wind up its affairs, but without prejudice to any liability actually incurred by the trade union, which may be enforced against the same as if the withdrawal or cancelling had not taken place.

(4) If after the withdrawal or cancelling of the certificate a trade union continues in active operation, except for the purpose of winding up its affairs, every secretary, trustee, member of the committee, or other officer of the trade union remaining in office or taking any active part in its operations, is liable on summary conviction to a fine of forty dollars for every day during which the trade union continues in active operation.

22. A person under the age of twenty-one, but above the age of sixteen, may be a member of a trade union, unless provision is made in the rules to the contrary, and may, subject to those rules, enjoy all the rights of a member except as herein provided, and execute all instruments and give all acquittances necessary to be executed or given under the rules, but shall not be a member of the committee of management, trustee, or treasurer of the trade union.

Membership
of minors.

23. A member of a trade union, not being under the age of sixteen years, may by writing under his hand, delivered at or sent to the registered office of the trade union, nominate any person, not being an officer or servant of the trade union (unless the officer or servant is the husband, wife, father, mother, child, brother, sister, nephew, or niece of the nominator), to whom all moneys payable on the death of such member, not exceeding five hundred dollars,

Member's
nomination
of payee.
[51/1980].

shall be paid at his decease, and may from time to time revoke or vary the nomination by a writing under his hand similarly delivered or sent; and on receiving satisfactory proof of the death of a nominator, the trade union shall pay to the nominee the amount due to the deceased member not exceeding the sum aforesaid.

Change of union's name.

24. (1) A trade union may, with the approval in writing of the Registrar, change its name by the consent of not less than two-thirds of the total number of members.

(2) No change of name shall affect any right or obligation of the trade union or of any member thereof, and any pending legal proceedings may be continued by or against the trustees of the trade union or any other officer, who may sue or be sued on behalf of the trade union notwithstanding its new name.

Amalgamation of unions.

25. Any two or more trade unions may, by the consent of not less than two-thirds of the members of each of those trade unions, become amalgamated together as one trade union, with or without any dissolution or division of the funds of such trade unions or either or any of them; but no amalgamation shall prejudice any right of a creditor of either or any union party thereto.

Registration of change of names and amalgamations.

26. Notice in writing of every change of name or amalgamation, signed, in the case of a change of name, by seven members and countersigned by the secretary of the trade union changing its name, and accompanied by a statutory declaration by the secretary that the provisions of this Act in respect of changes of names have been complied with, and in the case of an amalgamation signed by seven members and countersigned by the secretary of each or every union party thereto, and accompanied by a statutory declaration by each or every such secretary that the provisions of this Act in respect of amalgamations have been complied with, shall be sent to the registrar to be registered, and until the change of name or amalgamation is so registered the same shall not take effect.

Dissolution.

27. The rules of every trade union shall provide for the manner of dissolving the same and notice of every dissolution of a trade

union under the hand of the secretary and seven members of the union shall be sent within fourteen days thereafter to the Registrar, and shall be registered by him.

28. A trade union which fails to give any notice, or send any document which by this Act it is required to give or send, and every officer or other person bound by the rules thereof to give or send the same, or if there is no such officer, then every member of the committee of management of the union, unless proved to have been ignorant of, or to have attempted to prevent, the omission to give or send the same is liable on summary conviction to a fine of two hundred dollars, recoverable at the suit of the Registrar or of any person aggrieved, and to an additional fine of the like amount for each week during which the omission continues.

Failure to give notice or send document.

29. (1) A general statement of the receipts, funds, effects, and expenditure of every trade union registered under this Act shall be transmitted to the Registrar before 1st June in every year, and shall show fully the assets and liabilities at the date, and the receipts and expenditure during the year preceding the date, to which it is made out of the trade union; and shall show separately the expenditure in respect of the several objects of the union, and shall be prepared and made out up to such date, in such form and shall comprise such particulars as the Registrar may from time to time require; and every member of, and depositor in any such trade union shall be entitled to receive, on application to the treasurer or secretary of that trade union, a copy of the general statement, without making any payment for the same.

Annual returns.

(2) Together with the general statement there shall be sent to the Registrar a copy of all alterations of rules and new rules and changes of officers made by the trade union during the year preceding the date to which the general statement is made out, and a copy of the rules of the trade union as they exist at that date.

(3) Any trade union which acts in contravention of this section, and also any officer of the union so acting, is each liable on summary conviction to a fine of two hundred dollars for each offence.

(4) Any person who wilfully makes, or orders to be made, any false entry in, or any omission from, any such general statement or in or from the return of such copies of rules or alterations of rules, is for each offence liable on summary conviction to a fine of two thousand dollars.

Registrar's reports.

30. The annual reports with respect to the matters transacted by the Registrar in pursuance of this Act shall be laid before Parliament.

Circulating false copies of rules.

31. If any person, with intent to mislead or defraud, gives to any member of a trade union registered under this Act, or to any person intending or applying to become a member of the trade union, a copy of any rules, or of any alterations or amendments thereof, other than those respectively which exist for the time being, on the pretence that the same are the existing rules of the trade union, or that there are no other rules of the trade union, or if any person with the intent aforesaid, gives a copy of any rules to any person on the pretence that the rules are the rules of a trade union registered under this Act which is not so registered, any person so offending is liable on summary conviction to a fine of four hundred dollars.

Recovery of penalties summary procedure. Ch. 4:20.

32. All offences and penalties under this Act may be prosecuted and recovered in the manner provided by the Summary Courts Act.

Restrictions on application of funds for certain political purposes.

33. (1) The funds of a trade union shall not be applied either directly or in conjunction with any other trade union, association, or body, or otherwise indirectly, in the furtherance of any political object, other than the political objects hereinafter in this section specified, and unless the furtherance of those objects or any one or more of them has been approved as an object of the union by a resolution for the time being in force passed on a ballot of the members of the union taken in accordance with this section for the purpose by a majority of the members voting, and, where such a resolution is in force, unless rules to be approved by the Registrar are in force providing—

(a) that any payments in the furtherance of those objects are to be made out of a separate fund

(in this Act referred to as the political fund of the union);

- (b) that a member who is exempt (in the manner hereinafter specified) from the obligation to contribute to the political fund of the union shall not be excluded from any benefits of the union, or placed in any respect either directly or indirectly under any disability or at any disadvantage as compared with other members of the union (except in relation to the control or management of the political fund) by reason of his being so exempt, and that contribution to the political fund of the union shall not be made a condition for admission to the union.

(2) If any member of a trade union alleges that he is aggrieved by a breach of any rule made in pursuance of this section, he may complain to the Registrar, and the Registrar, after giving the complainant and any representative of the union an opportunity of being heard, may, if he considers that such a breach has been committed, make such order for remedying the breach as he thinks just under the circumstances; and any such order of the Registrar shall be binding and conclusive on all parties without appeal and shall not be removable into any Court of law, or restrainable by injunction, and on being recorded in the Supreme Court registry may be enforced as if it had been an order of the High Court.

(3) The political objects to which this section applies are the expenditure of money—

- (a) on the payment of any expenses incurred either directly or indirectly by a candidate or prospective candidate for election to the House of Representatives or to any public office, before, during, or after the election in connection with his candidature or election;
- (b) on the holding of any meeting or the distribution of any literature or documents in support of any such candidate or prospective candidate;

- (c) in connection with the registration of electors or the selection of a candidate for the House of Representatives or any public office; or
- (d) on the holding of political meetings of any kind, or on the distribution of political literature or political documents of any kind unless the main purpose of the meetings or of the distribution of the literature or documents is the furtherance of statutory objects within the meaning of this Act.

The expression “public office” in this section means the office of a member of any Municipality or of any public body who have power to raise money, either directly or indirectly, by means of a rate.

(4) A resolution under this section approving political objects as an object of the union shall take effect as if it were a rule of the union and may be rescinded in the same manner and subject to the same provisions as such a rule.

(5) The provisions of this section as to the application of the funds of a union for political purposes shall apply to a union which is in whole or in part an association or combination of other unions as if the individual members of the component unions were the members of that union and not the unions; but nothing in this section shall prevent any such component union from collecting from any of their members who are not exempt on behalf of the association or combination any contributions to the political fund of the association or combination.

(6) A ballot for the purposes of this section shall be taken in accordance with rules of the union to be approved for the purpose by the Registrar, but the Registrar shall not approve any such rules unless he is satisfied that every member has an equal right, and, if reasonably possible, a fair opportunity of voting, and that the secrecy of the ballot is properly secured.

Contributions
by members to
political funds.

34. (1) A member of a trade union shall not be required to make any contribution to the political fund of a trade union unless, before he is first required to make such a contribution, he has

delivered at the head office or some branch office of the trade union, notice in writing in the form set out in the Third Schedule of his willingness to contribute to that fund and has not withdrawn the notice; and every member of a trade union who has not delivered such a notice, or who having delivered such a notice, has withdrawn it, shall be deemed for the purposes of section 33 to be a member who is exempt from the obligation to contribute to the political fund of the union, and references in that section to a member who is so exempt shall be construed accordingly. Third Schedule.

For the purposes of this subsection, a notice may be delivered personally or by any authorised agent and any notice shall be deemed to have been delivered at the head or a branch office of a trade union if it has been sent by post properly addressed to that office.

(2) All contributions to the political fund of a trade union from members of the trade union who are liable to contribute to that fund shall be levied and made separately from any contributions to the other funds of the trade union and no assets of the trade union, other than the amount raised by such a separate levy, shall be carried to that fund, and no assets of a trade union other than those forming part of the political fund shall be directly or indirectly applied or charged in furtherance of any political object to which section 33 applies; and any charge in contravention of this subsection shall be void.

Section
18(2)(e).

FIRST SCHEDULE

FEES

For registering trade union	...	...	...	...	\$5.00
For registering alterations in rules	...	...	...	...	\$2.50
For inspection of documents	...	...	...	...	\$0.60

Section 19.

SECOND SCHEDULE

**MATTERS TO BE PROVIDED FOR BY THE RULES OF
TRADE UNIONS REGISTERED UNDER THIS ACT**

1. The name of the trade union and place of meeting for its business.
 2. The whole of the objects for which the trade union is to be established, the purposes for which its funds shall be applicable, and the conditions under which any member may become entitled to any benefit assured thereby, and the fines and forfeitures to be imposed on any member of the trade union.
 3. The manner of making, altering, amending, and rescinding rules.
 4. A provision for the appointment and removal of a general committee of management, of a trustee or trustees, treasurer, and other officers.
 5. A provision for the investment of the funds, and for an annual or periodical audit of accounts.
 6. The inspection of the books and names of members of the trade union by every person having an interest in its funds.
 7. The manner of dissolution.
-

UNOFFICIAL VERSION

UPDATED TO DECEMBER 31ST 2012

THIRD SCHEDULE

Section 34(1).

FORM OF POLITICAL FUND CONTRIBUTION NOTICE

Name of Trade Union

Name of member's branch (if any)

POLITICAL FUND (CONTRIBUTION) NOTICE

I HEREBY give notice that I am willing, and agree, to contribute to the Political Fund of the Union and I understand that I shall, in consequence, be liable to contribute to that Fund and shall continue to be so liable unless I deliver at the head office, or some branch office, of the Union a written notice of withdrawal.

A..... B.....

Address

Membership number (if any)

..... day of, 20.....

SUBSIDIARY LEGISLATION

TRADE UNIONS REGULATIONS

ARRANGEMENT OF REGULATIONS

REGULATION

PRELIMINARY

1. Citation.
2. Interpretation.

REGISTRATION OF TRADE UNIONS

3. Name of trade union.
4. Authority to make application.
5. Form of application.
6. Certificate of registration.

ALTERATION AND RESCISSION OF RULES

7. Alteration and rescission of rules.
8. Registration of partial alteration of rules.
9. Certificate of registration of partial alteration of rules.
10. Application for registration of complete alteration of rules.
11. Certificate of registration of complete alteration of rules.

**WITHDRAWAL OR CANCELLING OF CERTIFICATE
OF REGISTRATION**

12. Withdrawal or cancelling of registration.
13. Notice.
14. Form of withdrawal or cancelling of registration.

REGISTERED OFFICE

15. Notice as to registered office.

CHANGE OF NAME

16. Change of name.

UNOFFICIAL VERSION

UPDATED TO DECEMBER 31ST 2012

REGULATION

TRANSFER OF STOCK

17. Form of application.
18. Draft to be submitted.
19. Further proof.
20. Form of transfer.

DISSOLUTION

21. Notice of dissolution.

AMALGAMATION

22. Notice of amalgamation.

NOMINATIONS

23. Nominations.

FEES

24. Fees.

AUDITORS' FEES

25. Auditors' Fees.

AUTHENTICATION OF DOCUMENTS BY REGISTRAR

26. Authentication of documents.

SCHEDULE.

[Subsidiary]

G.30.3.1933.
[24.2.1944].

TRADE UNIONS REGULATIONS

made under section 18(2)

PRELIMINARY

Citation. **1.** These Regulations may be cited as the Trade Unions Regulations.

Interpretation. **2.** In these Regulations “Registrar” means the person appointed under section 8 of the Act.

REGISTRATION OF TRADE UNIONS

Name of trade union. **3.** The Registrar shall not register a trade union under a name identical with that of any other existing trade union known to him, whether registered or not registered, or so nearly resembling such name as to be likely to deceive the members of the public.

Authority to make application. **4.** Upon an application for the registration of a trade union which is already in operation, the Registrar, if he has reason to believe that the applicants have not been duly authorised by such trade union to make the same, may, for the purpose of ascertaining the fact, require from the applicants such evidence as may seem to him necessary.

Form of application. Schedule. Form A. **5.** Application for registration of a trade union shall be made in Form A in the Schedule, and shall be accompanied by two printed copies of the rules, marked and signed, as mentioned in that Form.

Certificate of registration. Schedule. Form B. **6.** The certificate of registration of a trade union shall be in Form B in the Schedule.

ALTERATION AND RESCISSION OF RULES

Alteration and rescission of rules. **7.** An alteration of the rules of a trade union may be either—
(a) a partial alteration, consisting of the addition of a new rule or part of a rule or rules to the existing rules, or of the substitution of a new rule or part of a rule or rules for any of the existing rules, or

UNOFFICIAL VERSION

UPDATED TO DECEMBER 31ST 2012

of a rescission of any of the existing rules or any part thereof without any substitution or of more than one or all of those modes; or

- (b) a complete alteration consisting of the substitution of an entire set of rules for the existing set of rules.

8. An application for the registration of a partial alteration of rules must be made by seven members of the trade union, and must be made in Form C in the Schedule, and must be accompanied by a statutory declaration in Form D in the Schedule, and by a printed copy of the existing rules, and by the following documents:

Registration of partial alteration of rules.
Schedule.
Form C.
Form D.

- (a) if the partial alteration consists of the addition or substitution of a new rule or part of a rule or rules, two copies of such rule or part of a rule or rules, each copy being marked O, and signed by each of the applicants;
- (b) if the partial alteration consists of the rescission of any of the rules without any substitution, two copies of the resolution for the rescission, each copy being marked O, and signed by each of the applicants.

The Registrar, before registering the partial alteration of rules, shall ascertain that the rules of the trade union, if altered in accordance with the proposed partial alteration, will provide for all the matters required by the Act to be provided for by the rules of a registered trade union.

9. The certificate of registration of a partial alteration shall be in Form E in the Schedule, and shall be delivered to the applicants, attached to one of the copies of the new rule or rules, or, when the alteration consists of rescission merely, attached to the old set of rules.

Certificate of registration of partial alteration of rules.
Schedule.
Form E.

10. An application for the registration of a complete alteration of rules shall be made by seven members of the trade union, and shall be in Form F in the Schedule, and must be accompanied by a statutory declaration in Form D, and by a printed copy of the

Application for registration of complete alteration of rules.
Schedule.
Form F.
Form D.

existing rules and by two printed copies of the new rules, each copy being marked P and signed by each of the applicants; and the Registrar before registering the new set of rules shall ascertain that it provides for all matters which, by the Act, are to be provided for by the rules of a registered trade union.

Certificate of registration of complete alteration of rules.
Schedule.
Form G.

11. The certificate of registration of a complete alteration of rules shall be in Form G in the Schedule, and shall be delivered to the applicants attached to one of the copies of the new set of rules.

WITHDRAWAL OR CANCELLING OF CERTIFICATE OF REGISTRATION

Withdrawal or cancelling of registration.
Schedule.
Form H.

12. Every request by a trade union for withdrawal or cancelling of its certificate of registration shall be sent to the Registrar, in Form H in the Schedule.

Notice.
Schedule.
Form I.

13. Notice before withdrawal or cancelling of certificate, where required, shall be in Form I in the Schedule.

Form of withdrawal or cancelling of registration.
Schedule.
Form J.

14. The withdrawal or cancelling of certificate shall be in Form J in the Schedule.

REGISTERED OFFICE

Notice as to registered office.
Schedule.
Form K.

15. Notice of the situation of the registered office of a trade union, and of any change therein, shall be given to the Registrar in Form K in the Schedule.

CHANGE OF NAME

Change of name.
Schedule.
Form L.
Form M.

16. The application for approval, and notice of change of name of a trade union shall be in Form L in the Schedule, and shall be sent in duplicate, accompanied by a statutory declaration in Form M in the Schedule, to the Registrar. The Registrar, before approving the change of name, shall ascertain that the new name is not identical with that of any existing trade union known to him, or so nearly resembling the same as to be calculated to deceive; and if the change of name is approved, the word “approved” shall

be written at the foot or end of each copy of the application, and the same shall be signed by the Registrar and shall be registered by him.

TRANSFER OF STOCK

17. Every application to the Registrar to direct a transfer of stock shall follow, as near as may be, the Form N in the Schedule, and shall be accompanied by a statutory declaration in Form O in the Schedule, or as near thereto as the facts admit, and by the certificate of the stock in respect of which the application is made.

Form of application.
Schedule.
Form N.
Form O.

18. Before making the application, the trade union shall submit to the Registrar for examination a draft copy, on foolscap paper, written on one side only, of the proposed application and declaration.

Draft to be submitted.

19. The Registrar, before directing the transfer, may require further proof of any statement in the application.

Further proof.

20. The Registrar shall give a direction in Form P in the Schedule, so framed in each case as to suit the particular circumstances, and shall register the same and deliver the same to the applicants endorsed with the word “registered”, and duly authenticated.

Form of transfer.
Schedule.
Form P.

DISSOLUTION

21. When a trade union is dissolved, notice of the dissolution shall be given to the Registrar in duplicate in Form Q in the Schedule, and the Registrar shall return one copy to the trade union endorsed with the word “registered”, and duly authenticated.

Notice of dissolution.
Schedule.
Form Q.

AMALGAMATION

22. Where two or more trade unions become amalgamated together, notice shall be given to the Registrar in duplicate in Form R in the Schedule, accompanied by statutory declarations, from each such trade union in Form S in the Schedule, and the Registrar shall return to the amalgamated trade union one copy of the notice, endorsed with the word “registered”, and duly authenticated.

Notice of amalgamation.
Schedule.
Form R.
Form S.

NOMINATIONS

Nominations.
[51/1980].

23. Every registered trade union shall keep a record or register of all nominations made by the members, and of all revocations and variations of the same, and for the recording or registering of every such nomination, revocation or variation the rules of the trade union may require the member nominating to pay a sum not exceeding twenty-five cents.

FEES

Fees.
[51/1980].

24. The following fees shall be payable under the Act:

For the certificate of registration of a change of name	... ..	\$2.50
For a direction to transfer stock	... ..	\$5.00
For registration of notice of a dissolution	... ..	\$0.60
For registration of amalgamation	... ..	\$2.50
For every document required to be authenticated by the Registrar, not chargeable with any other fee	... ..	\$1.25
For every inspection on the same day of documents (whether one or more), in the custody of the Registrar, relating to one and the same trade union	... ..	\$0.25
For every copy or extract of any document in the custody of the Registrar— 10 cents per folio of 72 words in addition to the fee for authentication.		

No fee is payable for the registry or recording of—

- The cancelling or withdrawal of certificate of registration.
- Any notice of change of office.
- Any document or copy of document supplied to a public department.
- Any document in respect of which a fee is already chargeable under or by virtue of the Act or of any other Act.

The Registrar may also dispense with the fee for inspection of documents in cases where he may consider it for the public interest to do so.

AUDITORS' FEES

25. (1) The undermentioned fees shall be payable to auditors appointed by the Registrar for auditing the books, accounts, vouchers, documents, securities and funds of trade unions:

Auditors fees.
[51/1980].

- (a) When a trade union consists of fifty members or less \$50.00
- (b) When a trade union consists of more than fifty but not more than two hundred members—
for the first fifty members \$50.00
for each additional twenty-five or part of twenty-five members \$10.00
- (c) When a trade union consists of more than two hundred but not more than one thousand members—for the first two hundred members \$100.00
for each additional fifty or part of fifty members \$10.00
- (d) When a trade union consists of more than one thousand members—for the first one thousand members \$200.00
for each additional hundred or part of one hundred members \$10.00

(2) No additional charge shall be made for travelling or other out-of-pocket expenses.

(3) The scale of fees given above shall not apply to any person appointed by the Registrar under section 16(4) of the Act, to inspect the books, accounts, vouchers, documents, securities and funds of a trade union.

AUTHENTICATION OF DOCUMENTS BY REGISTRAR

26. Every document under the Act, bearing the signature of the Registrar, shall be deemed to be duly authenticated for the purposes of the Act and the Regulations made thereunder.

Authentication
of documents.

Regulation 5.

SCHEDULE

FORM A

TRADE UNIONS ACT

Trade Unions Regulations

APPLICATION FOR REGISTRATION OF TRADE UNION

1. This application is made by the seven persons whose names are subscribed at the foot hereof.

2. The name under which it is proposed that the trade union on behalf of which this application is made shall be registered is, as set forth in Rule No.

To the best of our belief there is no other existing trade union, whether registered or not registered, the name of which is identical with the proposed name or so nearly resembles the same as to cause confusion.

*Name of Trade Union.

3. The place of meeting for the business of the* and the office to which all communications and notices may be addressed, is at, as set forth in Rule No.

†Name of Trade Union.

4. The † was established on the day of

‡Name of Trade Union.

5. The whole of the objects for which the ‡ is established and the purposes for which the funds thereof are applicable are set forth in Rule No.

6. The conditions under which members may become entitled to benefits assured are set forth in Rule No.

7. The fines and forfeitures to be imposed on members are set forth in Rule No.

8. The manner of making, altering, amending, and rescinding rules, is set forth in Rule No.

9. The provision for the appointment and removal of a general committee of management, of trustee or trustees, treasurer, and other officers, is set forth in Rule No.

10. The provision for the investment of funds and for the periodical audit of accounts is set forth in Rule No.

11. The provision for the inspection of the books and names of the members by every person having an interest in the funds is set forth in Rule No.

12. The provision for the manner of dissolving the trade union is set forth in Rule No.

13. Accompanying this application are sent—

1. Two printed copies, each marked A, of the rules.
2. A list, marked B, of the titles and names of the officers.
3. A general statement, marked C.* showing—
 - (a) The assets and liabilities of the† at the date up to which the statement is made out.
 - (b) The receipts and expenditure of† during the year preceding the date‡ up to which the statement is made out, such expenditure being set forth under separate heads corresponding to the several objects of the trade union.

*This will be necessary in cases where the trade union has been in operation more than a year previous to the date of the application.
†Name of trade union.
‡This date will be fixed by the Registrar.

14. *We have been duly authorised by the trade union to make this application on its behalf such authorisation consisting of—

- (Signed)
- 1.
 - 2.
 - 3.
 - 4.
 - 5.
 - 6.
 - 7.

*This will only be necessary where the trade union has been in operation before the date of the application.

..... day of 20.....

In paragraph 14 must be stated whether the authority to make this application was given by a “resolution of a general meeting of the trade union”, or, if not, in what other way it was given.

The two copies of rules must be signed by the seven members signing this application.

The application should be *dated*, and forwarded to “The Registrar of Trade Unions”.

Regulation 6.

FORM B

TRADE UNIONS ACT

Trade Unions Regulations

CERTIFICATE OF REGISTRATION OF TRADE UNION

It is hereby certified that the has been registered under the Trade Unions Act this day of, 20.....

Registrar.

Regulation 8.

FORM C

TRADE UNIONS ACT

Trade Unions Regulations

APPLICATION FOR REGISTRATION OF PARTIAL ALTERATION OF RULES

Register No. Trade Union.

This application for the registration of a partial alteration of the rules of the trade union, is made by the seven persons whose names are subscribed at the foot hereof.

With this application are sent—

- (a) a printed copy of the registered rules marked to show where and in what way they are altered;
- (b) two printed (or written) copies of the alteration, each marked O, signed by each of the applicants;
- (c) a statutory declaration of an officer of this trade union, that in making the alteration of rules now submitted for registry the rules of the trade union were duly complied with.

†Here insert the date, or if there was no such resolution state in what other way the authorisation was given.

2. We have been duly authorised by the trade union to make this application on its behalf, such authorisation consisting of a resolution passed at a general meeting on the† day of 20.....

- (Signed) 1.
2.
3.
4.
5.
6.
7.

‡Here insert the date.

‡ day of 20.....

To the Registrar of Trade Unions.

FORM D

Regulations 8,
10.

TRADE UNIONS ACT

Trade Unions Regulations

**DECLARATION ACCOMPANYING ALTERATION
OF RULES**

Register No. Trade Union.

I, of, an officer of the above-named trade union, do solemnly and sincerely declare as follows: that in making the alteration of the rules of the trade union, the application for the registration of which is appended to this declaration, the rules of the said trade union have been duly complied with.

I make this declaration conscientiously believing the same to be true, and according to the Statutory Declarations Act, and I am aware that if there is any statement in this declaration which is false in fact, which I know or believe to be false or do not believe to be true, I am liable to fine and imprisonment.

Declared at
this day
of 20.....

Before me,

FORM E

Regulation 9.

TRADE UNIONS ACT

Trade Unions Regulations

**CERTIFICATE OF REGISTRATION OF PARTIAL
ALTERATION OF RULES**

Register No. Trade Union.

It is hereby certified that the foregoing partial alteration has been registered under the above-mentioned Act this day of 20.....

Registrar.

Regulation 10.

FORM F

TRADE UNIONS ACT

Trade Unions Regulations

FORM OF APPLICATION FOR REGISTRATION OF COMPLETE ALTERATION OF RULES

Register No. Trade Union.

1. This application for the registration of a complete alteration of the registered rules of the Trade Union is made by the seven persons whose names are subscribed at the foot hereof.

2. The complete alteration submitted for registration is the substitution of the set of rules, two printed copies of which (each copy marked P, and signed by the applicants) accompany this application, for the set of rules already registered.

3. The name under which it is proposed that the trade union on behalf of which this application is made shall be registered is as set forth in Rule No.

To the best of our belief there is no other existing trade union, whether registered or not registered, the name of which is identical with the proposed name, or so nearly resembles the same as to cause confusion.

*Name of Trade Union.

4. The place of meeting for the business of the* and the office to which all communications and notices may be addressed is at, as set forth in Rule No.

5. The* was established on the day of 20.....

6. The whole of the objects for which the* is established, and the purposes for which the funds thereof are applicable, are set forth in Rule No.

7. The conditions under which members may become entitled to benefits assured are set forth in Rule No.

8. The fines and forfeitures to be imposed on members are set forth in Rule No.

9. The manner of making, altering, amending, and rescinding rules is set forth in Rule No.

10. The provision for the appointment and removal of a general committee of management, of trustee or trustees, treasurer, and other officers, is set forth in Rule No.

11. The provision for the investment of funds and for the periodical audit of accounts is set forth in Rule No.

12. The provision for the inspection of the books and names of the members by every person having an interest in the funds is set forth in Rule No.

13. The provision for the manner of dissolving the trade union is set forth in Rule No.

14. This application is accompanied by a statutory declaration of, an officer of the said trade union, to the effect that in making the alteration of rules now submitted for registry the rules of the trade union were duly complied with.

15. We have been duly authorised by the Trade Union to make this application on its behalf, such authorisation consisting of a resolution passed at a general meeting held on the[†] day of20.....

- (Signed) 1.
2.
3.
4.
5.
6.
7.

[†]Here insert the date, or if there was no such resolution, state in what other way authorisation was given.

..... day of 20.....

To the Registrar of Trade Unions.

Regulation 11.

FORM G

TRADE UNIONS ACT

Trade Unions Regulations

CERTIFICATE OF REGISTRATION OF COMPLETE ALTERATION OF RULES

Register No. Trade Union.

It is hereby certified that the set of rules, copy whereof is appended hereto, has been registered under the above-mentioned Act in substitution for the set of rules already registered for the Trade Union this day of..... 20....

Signature of Registrar.

Regulation 12.

FORM H

TRADE UNIONS ACT

Trade Unions Regulations

REQUEST TO WITHDRAW OR CANCEL CERTIFICATE OF REGISTRATION

Register No. Trade Union.
To the Registrar.

1. The above-mentioned trade union desires that its certificate of registration under the Trade Unions Act may be withdrawn (or cancelled) on the following ground, viz.: [*state reason for desiring withdrawal or cancelling of certificate of registry*] and at a general meeting* duly held on the day of, 20....., it was resolved as follows:

*If not at a general meeting, state in what manner the request has been determined upon.

“That the trustee be authorised to request the Registrar to withdraw (or cancel) the certificate of registration of this trade union.”

2. This request is made by the trustees accordingly.

} Trustees.

Registered Office

Date 20.....

FORM I

Regulation 13.

TRADE UNIONS ACT

Trade Unions Regulations

**NOTICE BEFORE WITHDRAWAL OR CANCELLING OF
CERTIFICATE OF REGISTRATION**

Register No. Trade Union.

Notice is hereby given to the above-mentioned trade union that it is the intention of the Registrar to proceed on the[†] day of 20....., to cancel (*or* to withdraw) the registration of the trade union, unless cause be shown to the contrary in the meantime.

[†]This will be not less than two months after the date of the notice.

The ground of such proposed cancelling (*or* withdrawal) is that the certificate of registry has been obtained by fraud (*or* mistake), or that the registration of the trade union has become void under s. 10(4) of the Trade Unions Act, or that the trade union has wilfully and after notice from me violated the provisions of the above-mentioned Act or has ceased to exist.

[*The facts should be briefly specified where practicable.*]

Signature

Registrar.

Date 20.....

FORM J

Regulation 14.

TRADE UNIONS ACT

Trade Unions Regulations

**WITHDRAWAL OR CANCELLING OF CERTIFICATE
OF REGISTRATION**

Register No. Trade Union.

The certificate of registration of the above-mentioned trade union is hereby withdrawn or cancelled at its request (*or as the case may be*). *The Registrar may, if he thinks fit, add a statement, as in Form I of the ground of the cancelling.*

(Signed)

Date

Registrar.

Regulation 15.

FORM K

TRADE UNIONS ACT

Trade Unions Regulations

NOTICE OF CHANGE OF REGISTERED OFFICE

Register No. Trade Union.

To the Registrar of Trade Unions.

Notice is hereby given that the registered office of the above-mentioned trade union is removed from in the and is now situated at in the

Dated this day of 20.....

} Trustees.

This part to be detached by the Registrar when the notice is registered, and returned to the trade union.

Note. — Until this notice has been given, the trade union will not have complied with the provisions of the Act.

Received this day of notice of removal of the registered office of the

Register No., to

Signature of Registrar.

FORM L

Regulation 16.

TRADE UNIONS ACT

Trade Unions Regulations

**APPLICATION FOR APPROVAL, AND NOTICE OF
CHANGE OF NAME**

Name already registered

Registered No.

To the Registrar.

Application for approval of a change of name of the above-mentioned trade union is made by the three persons whose names are subscribed at the foot hereof.

The following is a copy of a resolution passed by the consent of two-thirds of the total number of members of the trade union:

(The resolution to be copied at length.)

And notice of the said change is hereby given to the Registrar for registration thereby.

- 1.
 - 2.
 - 3.
 - 4.
 - 5.
 - 6.
 - 7.
- } Members.

Secretary.

Registered Office

Date 20....

Regulation 16.

FORM M

TRADE UNIONS ACT

Trade Unions Regulations

DECLARATION TO ACCOMPANY APPLICATION FOR APPROVAL OF CHANGE OF NAME

Register No.

Name of Trade Union

I,, of, the secretary of the above-named trade union, do solemnly and sincerely declare as follows: That in making the change of name, notice of which is appended to this declaration, the provisions of the Trade Unions Act in respect of change of name have been complied with.

I make this declaration conscientiously believing the same to be true, and according to the Statutory Declarations Act, and I am aware that if there is any statement in this declaration which is false in fact, which I know or believe to be false or do not believe to be true, I am liable to fine and imprisonment.

Declared at

in

this day of, 20.....

Before me,

Regulation 17.

FORM N

TRADE UNIONS ACT

Trade Unions Regulations

APPLICATION FOR DIRECTION TO TRANSFER STOCK

Register No. Trade Union.

This form applies (with the necessary modifications) to a branch of a trade union.

Application for a direction to transfer stock is made by the four persons whose names are subscribed at the foot hereof, being the Secretary and three members of the above-mentioned trade union.

1. The trade union on the day of, duly appointed of, in, [here name and describe all the trustees then appointed] to be trustees.

2. On the day of, the sum of was invested in the purchase of stock transferable at Bank in the names of the said trustees, and the same is still standing in their names, as follows: *[state exactly in what names the stock stands]*;

3. The said is absent from Trinidad and Tobago (or became bankrupt on the day of, or filed a petition (or executed a deed) for liquidation of his affairs by assignment or arrangement or for composition with his creditors, on the day of, or has become a lunatic, or died on the day of, or has not been heard of for years, and it is not known whether he is living or dead).

(This clause will not be necessary where the application is in consequence of the mere removal of a trustee.)

4. On the day of, the trade union duly removed the said from his office of trustee, and appointed *[give full name and description]* in his place.

5. Since such removal application has been made in writing to the said *(removed trustee)* to join in the transfer of the said stock into the names of the said *(here give the names of the other trustees, and of the new trustees appointed in the place of the one removed)* as trustees for the said trade union, but he has refused to comply (or has not complied) with such application. *(This paragraph may be omitted, or varied, as the facts require).*

6. This application to the Registrar is made pursuant to section 13 of the Trade Unions Act that he may direct the said stock to be transferred into the names of the said as trustees for the trade union by *[This blank should be filled by the names of the surviving or continuing trustees (if any) and if they be willing and able to make the transfer; or if there be no such trustee, or if any such trustee refuse or be unable to make the transfer then by the words the Manager of the said Bank; and a full statement of the facts and of the grounds of such refusal or inability should be made].*

Secretary.
Member.
Member.
Member.

Registered Office.
Date day of 20....
To the Registrar.

Regulation 17.

FORM O

TRADE UNIONS ACT

Trade Unions Regulations

DECLARATION VERIFYING STATEMENTS IN AN APPLICATION FOR DIRECTION TO TRANSFER STOCK

Register No. Trade Union

This form applies (with the necessary modifications) to a branch of a trade union.

I, of, do solemnly and sincerely declare that I am the Secretary of the above-mentioned trade union.

That and whose names are subscribed at the foot of the application hereto annexed, are members of the said trade union.

That on the day of 20..... andtherein mentioned, were appointed trustees of the said trade union.

That on the day of20....., the sum of was invested in the purchase of stock transferable at the bank in the names of the said trustees, and the declarant believes that it is still standing in their names, as follows [*state as in Form N*].

That the said is absent from Trinidad and Tobago (or, became bankrupt, etc., as in Form N).

That on the day of 20....., the said..... was removed from his office of trustee and was appointed in his place.

That since such removal application has been made in writing to the said to join in the transfer of the said stock into the names of the said as trustees for the said Trade Union, but he has refused to comply (or has not complied) with such application. [*This paragraph may be omitted or varied as the facts require*].

I make this declaration conscientiously believing the same to be true and according to the Statutory Declarations Act, and I am aware that if there is any statement in this declaration which is false in fact, which I know or believe to be false or do not believe to be true, I am liable to fine and imprisonment.

Declared at
in
this day of 20.....
Before me,

FORM P

Regulation 20.

TRADE UNIONS ACT

Trade Unions Regulations

**DIRECTION BY THE REGISTRAR TO
TRANSFER STOCK**

Whereas it has been made to appear to the Registrar that stock, transferable at Bank is now standing in the names of and as trustees of trade union registered under the above-mentioned Act.

This form applies (with the necessary modifications) to a branch of a trade union.

And that the said is absent from Trinidad and Tobago (or became bankrupt, etc., as in Form N).

And that has been appointed trustee of the said trade union in place of the said

*(a) The Registrar under the said Act hereby directs pursuant to section 13 of the said Act that the said sum of so standing in the books of the Bank in the names of the said be transferred in the said books by the said into the names of the said

*The paragraphs marked (a) or (b) will be used as the case requires.

(b) And that there is no surviving or continuing trustee of the said trade union, or that the surviving or continuing trustee or trustees refuse or are unable to transfer the said stock.

The Registrar under the said Act hereby directs, pursuant to section 13 of the said Act, that the said sum of so standing in the books of the Bank be transferred in the said books by the Manager of the said Bank into the names of the said

Address

Date 20.....

(Signature of the Registrar).

Regulation 21.

FORM Q

TRADE UNIONS ACT

Trade Unions Regulations

NOTICE OF DISSOLUTION

Register No. Trade Union.

To the Registrar of Trade Unions.

Notice is hereby given that the above-mentioned trade union was dissolved in pursuance of the rules thereon on the day of

- 1. *Secretary.*
- 2. *Member.*
- 3. *Member.*
- 4. *Member.*
- 5. *Member.*
- 6. *Member.*
- 7. *Member.*
- 8. *Member.*

Name and address to which registered copy is to be returned

Date 20....

FORM R

Regulation 22.

TRADE UNIONS ACT

Trade Unions Regulations

NOTICE OF AMALGAMATION OF TRADE UNIONS

(A) Trade Union Register No.

(B) Trade Union Register No.

(and so on if more than two).

To the Registrar of Trade Unions.

Notice is hereby given, that by the consent of two-thirds of the whole number of members of each or every of the above-mentioned trade unions they have resolved to become amalgamated together as one trade union.

And that the following are the terms of the said amalgamation (*state the terms*):

And that it is intended that the trade union shall henceforth be called the

Accompanying this notice is a copy of the rules intended to be henceforth adopted by the amalgamated trade union (which are the rules of the Trade Union).

(To be signed by seven members and the secretary of each trade union).

Name and address to which registered
copy is to be sent.

Date 20.....

Regulation 22.

FORM S

TRADE UNIONS ACT

Trade Unions Regulations

Register No. Trade Union.

I, of, the secretary of the above-mentioned trade union, do solemnly and sincerely declare as follows: that in the amalgamation of the said trade union with the, notice of which is appended to this declaration, the provisions of the Trade Unions Act, in respect of amalgamations, have been duly complied with.

I make this declaration conscientiously believing the same to be true, and according to the Statutory Declarations Act, and I am aware that if there is any statement in this declaration which is false in fact, which I know or believe to be false or do not believe to be true, I am liable to fine and imprisonment.

Declared at
this day of
..... 20.....

Before me,
