

SAINT VINCENT AND THE GRENADINES

REVISED EDITION 1990

CHAPTER 154

TRADE UNIONS RULES

Booklet 1

S. R. O. 95 of 1952
amended by
* Act 3 of 1978

Numbering of rules

Original number	Comment	Present number
1	--	1
2	spent/omitted	-
3-19	--	2-18
20	spent/omitted	-
Schedule	--	Schedule

Arrangement of rules

1. Citation.
2. Form of register.
3. Name of trade union.
4. Authority to make application.
5. Form of application.
6. Certificate of registration.
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.
12. Withdrawal or cancellation of registration.
13. Notice.
14. Form of withdrawal or cancellation of registration.
15. Forms required by section 25 of the Act.
16. Notice of dissolution.
17. Fees.
18. Authentication of documents.

Schedule.

Commencement: 11th November 1952

Citation.

1. These Rules may be cited as the Trade Unions Rules.

Form of register.

2. The form of register of all trade unions registered under the Act shall be such as may be prescribed.

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 or the public.

Authority to make application.

4. Upon 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.

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

Certificate of registration.

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

7. Alteration and rescission of rules. An alteration of the rules of a trade union may be either -

(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 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.

Registration of partial alteration of rules.

8. (1) 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 –

- (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 “0”, 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 such rescission, each copy being marked “0”, and signed by each of the applicants.

8. (2) 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.

Certificate of registration of partial alteration of rules.

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 or rules.

Application for registration of complete alteration of rules.

10. (1) An application for the registration of a complete alteration of the rules shall be made by seven members of the trade union, shall be signed by them in the presence of the Registrar, and shall be in Form F in the Schedule and must be accompanied by—

- (i) a statutory declaration in Form D;
- (ii) a printed copy of the existing rules; and
- (iii) two printed copies of the new rules, each copy being marked “P” and signed by each of the applicants.

10. (2) The Registrar, before registering the new set of rules, shall ascertain that it provides for all the 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.

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 cancellation of registration.

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

Notice.

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

Form of withdrawal or cancellation of registration.

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

Forms required by section 25 of the Act.

15. The forms to be used in preparing the various statements, certificates and returns for transmission to the Registrar, as required by section 25 of the Act, shall be in Forms K, L, M and N respectively in the Schedule.

Notice of dissolution.

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

Fees.

17. (1) The following fees shall be payable under the Act -

- | | | |
|-----|---|--------|
| (a) | for registering a trade union; | \$5.00 |
| (b) | for registering alterations in rules; | \$2.50 |
| (c) | for registration of notice of dissolution; | \$0.50 |
| (d) | for every document required to be authenticated by the Registrar, not chargeable with any other fee; | \$1.00 |
| (e) | 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; | \$0.50 |
| (f) | for every copy or extract of any document in the custody of the Registrar—8 cents per folio of 72 words in addition to the fee for authentication; | |

17. (2) No fee shall be payable for the registration or recording of—

- (a) the cancellation or withdrawal of a certificate of registration;
- (b) any document, or copy of a document, supplied to a public department;
- (c) any document in respect of which a fee is already chargeable under or by virtue of the Trade Unions Act or any other Act.

Authentication of documents.

18. 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.

SCHEDULE

FORM A

Rule 5

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
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.
3. The place of meeting for the business of the **name of trade union** and the office to which all communications and notices may be addressed is at _____ as set forth in rule
4. The **name of trade union** was established on the _____ day of _____ .
5. The whole of the objects for which the **name of trade union** is established and the purposes for which the funds thereof are applicable are set forth in rule
6. The conditions under which members may become entitled to benefits assured are set forth in rule
7. The fines and forfeitures to be imposed on members are set forth in rule
8. The manner of making, altering, amending and rescinding rules, is set forth in rule
9. The provision for the appointment and removal of a general committee of management, of a treasurer and other officers, is set forth in rule

10. The provision for the investment of funds, for their deposit in a bank and for an annual or periodical audit of accounts is set forth in rule
11. The provision for the inspection of the books and names of the members of every person having an interest in the funds is set forth in rule
12. The provision for the manner of dissolving the trade union is set forth in rule
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—

** 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.*

(a) The assets and liabilities of the *name of trade union* at that date set up to which the statement is made out.

(b) The receipts and expenditure of *name of trade union* during the of the year preceding the *this date to be fixed by the Registrar* up to which the statement is made out, such expenditure being set forth under separate heads corresponding to the several objects of trade union, the trade union.

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

in the presence of *Registrar of Trade Unions*.

Dated this _____ day of _____ 19

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.

FORM B

Rule 6

Certificate of registration of trade union

It is hereby certified that the _____ has been registered under the Trade Unions Act, this _____ day of _____ 19

Registrar

FORM C

Rule 8

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 0, 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 registration, the rules of the _____ trade union were duly complied with.

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 * here insert the date, or if there was no resolution state in what other way the authorisation was given* _____ day of _____ 19 ____

- (signed)
- 1.
 - 2.
 - 3.
 - 4.

- 5.
- 6.
- 7.

_____ day of _____ 19__

To the Registrar of Trade Unions.

FORM D

Rule 8

Declaration accompanying alteration of rules

Register No. _____

_____ Trade Union.

I _____ of _____ an officer of the above-mentioned 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 Declarations in Lieu of Oaths Act (Cap. 157), 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 _____ 19__

Before me,

FORM E

Rule 9

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 _____ 19 __

Registrar

FORM F

Rule 11

Form of application for registration of complete alteration of rules

_____ Trade Union. Register No. _____

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
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.
4. The place of meeting for the business of the **name of trade union** and the office to which all communications and notices may be addressed is at _____ as set forth in rule
5. The **name of trade union** was established on the _____ day of _____ 19 __
6. The whole of the objects for which the **name of trade union** is established, and the purposes for which the funds thereof are applicable, are set forth in rule
7. The conditions under which members may become entitled to benefits assured are set forth in rule
8. The fines and forfeitures to be imposed on members are set forth in rule

9. The manner of making, altering, amending, and rescinding rules is set forth in rule

10. The provision for the appointment and removal of a general committee of management, of a treasurer, and other officers, is set forth in rule

11. The provision for the investment of funds, and for their deposit in a bank, and for an annual or periodical audit of accounts is set forth in rule

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

13. The provision for the manner of dissolving the trade union is set forth in rule

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 make this application on its behalf, such authorisation consisting of a resolution passed at a general meeting held on the **here insert the date, or if there was no resolution state in what other way authorisation was given** day of _____ 19__

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

_____ day of _____ 19__

To the Registrar of Trade Unions.

FORM G

Rule 11

Certificate of registration of complete alteration to Rules

Register No. _____

_____ Trade Union.

It is hereby certified that the set of rules, a 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 _____ 19 ____

Signature of Registrar

FORM H

Rule 13

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, Cap. 1.54, may be withdrawn (or cancelled) on the following ground, viz: (state reason for desiring the request withdrawal or cancellation of certificate of registry) and at a general meeting *If not at a general meeting, state in what manner the request has been determined upon* duly held on the _____ day of _____ 19 ____ it resolved as follows:—

“That the trustees 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 _____ 19 ____

FORM I

Rule 13

Notice before withdrawal or cancellation of certificate of registration

_____ Trade Union. Register No. _____

Notice is hereby given to the above-mentioned trade union that it is the intention of the Registrar to proceed on the *This will be not less than two months after the date of the notice* _____ day of _____ 19 ____ to cancel (or to withdraw) the registration of the trade union, unless cause be shown to the contrary in the meantime.

The ground of such proposed cancellation (or withdrawal) is that the certificate of registry has been obtained by fraud (or mistake), or that the registry of the trade union has become void under s. 15 of the Trade Unions Act (Cap. 154) or that the trade union has wilfully, and after notice from me, violated the provisions of the abovementioned Act or has ceased to exist. (The facts should be briefly specified where practicable.)

Signature _____
Registrar

Date _____ 19 ____

FORM J

Rule 14

Withdrawal or cancellation of certificate of registration

_____ Trade Union. Register No. _____

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, acid a statement, as in Form I of the ground of the cancelling.

Signature _____
Registrar

Date _____ 19 ____

FORM K

Rule 15

Statement of accounts etc. of _____ union for the year ended _____ as required by section 25 of the Trade Unions Act.

Revenue	\$	Expenditure	\$
1. Members' Dues—		1. Benefits—	
(i) Male members		(a) Dispute pay	
(a) Entrance fees		(b) Death and funeral	
(b) Subscriptions		(c) Sickness	
(c) Levies, etc.		(d) Unemployment	
(ii) Female Members		(e) Old age	
(a) Entrance fees		(f) Other (details)	
(b) Subscriptions		Total	
(c) Levies, etc.			
		2. Management—	
2. Investments—Income from		(a) Salaries	
(details)		(b) Travelling expenses of officers	
		of union	
		(c) Rent, rates, taxes	
		(d) Stationery, printing, postage, etc	
3. Gifts, etc. (outside financial			
assistance)			
		3. Other expenditure—	
4. Other sources (e.g. funds		(details)	
transferred from other			
unions in amalgamation,			
contributions from other			
unions, etc.)			
		Balance at end of year	
		Treasurer	

FORM L

Rule 15

Statement of assets	\$	Statement of liabilities	\$
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The assets of the Union on _____
 day of _____
 being the last day of the year above mentioned
 were:—

- Cash~ balance as shown above
- Furniture, fixtures and other property
- Real estate - premises situate at _____
- Any other property or securities
(name them)

To be signed by—
 Treasurer

To be signed by—
 President, secretary or accountant of
 the union other than the treasurer)

AUDITOR'S CERTIFICATE

I / We the undersigned auditor/auditors, duly appointed by the Registrar under section 24 of the Trades Union Act, do certify that the foregoing statement of revenue and expenditure together with statement of assets and liabilities have each been audited by me/us and that I/We have had access to and have checked all accounts, receipts, vouchers and books of the trade union relating to transactions during the twelve months in respect of which the statements are made up, and that such statements have been found to be true and correct.

Auditor _____

Auditor _____

(Place) _____

(Date) _____

FORM M

Rule 15

Membership return

_____ union for the year ending _____ 19__

(a) No. of members whose contributions are not in arrears.

Section	Males	Females	Total
(1)			
(2)			
(3)			
etc			

Totals

(b) No. of members whose contributions are in arrears but who have not ceased to be members.

Section	Males	Females	Total
(1)			
(2)			
(3)			
etc			
Totals			

Treasurer (or other officer of trade union)

FORM N

Rule 15

**Return of new rules, alterations to existing rules
and changes of officers during year ending 31st December, 19__**

Name of Union	Subject matter of new rule & date of registration	Reference to existing rule, extent of alteration & date of registration	Change of officers and date of change

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Treasurer (or other officer of trade union)

FORM 0

Rule 16

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 thereof 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 the registered copy is to be returned

Date _____ 19 ____
