

Subsidiary Legislation made under s.13.

## **Trade Union (Registration and Fees) Rules**

**1947.07.25**

*Commencement*      **19.08.1947**

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### **ARRANGEMENT OF RULES**

#### **Rule**

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**1947-15**

## **Trade Unions and Trade Disputes**

**1947.07.25**

### **Trade Union (Registration and Fees) Rules**

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#### **Title.**

1. These rules may be cited as the Trade Union (Registration and Fees) Rules.

#### **Interpretation.**

2. In these rules—

“complete alteration” in relation to the rules of a trade union means the substitution of an entire set of rules for the existing set of rules;

“partial alteration” in relation to the rules of a trade union means the addition of a new rule or part of a rule or rules to the existing rules, or 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 the foregoing modes of alteration.

#### **Application for registry of union.**

3. Application for registry of a trade union shall be made as in Form A in Schedule 1, and shall be accompanied by two printed copies of the rules of the trade union, marked and signed as mentioned in that form.

#### **Certificate of registry.**

4. The certificate of registry of a trade union shall be as in Form B in Schedule 1.

#### **Partial alteration of rules.**

5.(1) An application for the registration of a partial alteration of the rules of a trade union shall be made by seven members of the trade union as in Form C in Schedule 1, and shall be accompanied by a statutory declaration as in Form D in that 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 rules 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 such rescission, each copy being marked “O” and signed by each of the applicants.

(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.

(3) The certificate of registry of a partial alteration shall be as in Form E in Schedule 1, 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 only, attached to the old set of rules.

**Complete alteration of rules.**

6.(1) An application for the registration of a complete alteration of the rules of a trade union shall be made by seven members of the trade union, and shall be as in Form F in Schedule 1, and shall be accompanied by a statutory declaration as in Form D in that Schedule, and by a printed copy of the existing rules and by two printed copies of the new rules, each copy being marked “P” and signed by each of the applicants.

(2) The Registrar, before registering the new set of rules, shall ascertain that it provides for all matters required by the Act to be provided for by the rules of a registered trade union.

(3) The certificate of registry of a complete alteration of rules shall be as in Form G in Schedule 1, and shall be delivered to the applicants attached to one of the copies of the new set of rules.

**Fees.**

7. The fees specified in the second column of Schedule 2 shall be payable in respect of the matters specified in the first column thereof.

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#### SCHEDULE 1.

##### FORM A.

#### TRADE UNIONS AND TRADE DISPUTES ACT.

##### *Application for Registry of a 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 shall be registered is \_\_\_\_\_ as set forth in Rule No. \_\_\_\_\_.

To the best of our belief there is no other existing trade union in Gibraltar, 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 in the minds of the public.

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 No. \_\_\_\_\_.

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 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. \_\_\_\_\_.

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12. The provision for the manner of dissolving the trade union is set forth in Rule No. .
13. Accompanying this application are sent–
- (a) two printed copies, each marked “A”, of the rules;
  - (b) a list, marked “B”, of the titles and names of the officers.
14. We have been duly authorized by the trade union to make this application on its behalf, such authorization consisting of

*(Signatures)*

*(Date)*

FORM B.

#### TRADE UNIONS AND TRADE DISPUTES ACT.

##### *Certificate of Registry of Trade Union.*

It is hereby certified that the , together with the rules thereof annexed hereto, has been registered under the Trade Unions and Trade Disputes Act, this day of .

Registrar of Trade Unions.

FORM C.

#### TRADE UNIONS AND TRADE DISPUTES ACT.

##### *Application for Registry of Partial Alteration of Rules.*

Trade Union.

1. This application for the registry of a partial alteration of the registered rules of the *(name of trade union)* is made by the seven persons whose names are subscribed at the foot hereof.
2. With this application are sent–

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- (signatures)  
(Date)

*Declaration Accompanying Alteration of Rules.*

A Commissioner for Oaths.

FORM E.

TRADE UNIONS AND TRADE DISPUTES ACT.

*Certificate of Registry of Partial Alteration of Rules.*

Trade Union.

It is hereby certified that the partial alteration, annexed hereto, of the registered rules of the above-mentioned trade union has been registered under the Trade Unions and Trade Disputes Act, this                      day of                      .

Registrar of Trade Unions.

FORM F.

TRADE UNIONS AND TRADE DISPUTES ACT.

*Application for Registry of Complete Alteration of Rules.*

Trade Union.

1. This application for the registry of a complete alteration of the registered rules of the *(name of trade union)* is made by the seven persons whose names are subscribed at the foot hereof.
2. The complete alteration submitted for registry 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 in Gibraltar, 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 in the minds of the public.

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 No.                      .
5. The *(name of trade union)* was established on the day                      of                      .

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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 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 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 authorized by the trade union to make this application on its behalf, such authorization consisting of a resolution passed at a general meeting held on the day of *(or otherwise)*.

*(Signatures)*

*(Date)*

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FORM G.

TRADE UNIONS AND TRADE DISPUTES ACT.

*Certificate of Registry of Complete Alteration of Rules.*

Trade Union.



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It is hereby certified that the set of rules annexed hereto has been registered under the Trade Unions and Trade Disputes Act, in substitution for the set of rules already registered for the Trade Union this                      day of                      .

Registrar of Trade Unions.

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**SCHEDULE 2.**

**FEES.**

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For the certificate of registry of a trade union	1.00
For the certificate of registry of an alteration of rules	0.50
For registry of notice of a dissolution	0.25
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	0.13
For a copy or extract of any documents in the custody of the Registrar—	
not exceeding 216 words	0.07
exceeding 216 words, for each folio of 72 words	0.03