

L.N. 388 of 2016

**EMPLOYMENT AND INDUSTRIAL RELATIONS ACT
(Cap. 452)**

Trade Unions and Employers' Associations Regulations, 2016

In exercise of the powers conferred by article 61 of the Employment and Industrial Relations Act the Minister responsible for Consumer Affairs, Social Dialogue and Civil Liberties has made the following regulations:-

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| Citation. | 1. The title of these regulations is the Trade Unions and Employers' Associations Regulations, 2016. |
| Interpretation.
Cap. 452. | 2. In these regulations "the Act" means the Employment and Industrial Relations Act, and the meanings set out in article 2 of the Act shall apply to these regulations. |
| Application for
registration. | 3. Every application for the registration of a trade union or an employers' association shall be in the Form No. 1 in the Schedule and shall contain the particulars set out therein. |
| Certificate of
registration. | 4. The certificate of registration of a trade union or an employers' association shall be in the Form No. 2 in the Schedule. |
| Request for
cancellation of a
certificate. | 5. Every request made by a trade union or employers' association for cancellation of a certificate of registration shall be sent to the Registrar in the Form No. 3 in the Schedule. |
| Notice of
intention of
cancellation. | 6. Notice of intention of cancellation of a certificate of registration shall be in the Form No. 4 in the Schedule. |
| Cancellation of
certificate of
registration. | 7. The cancellation of a certificate of registration shall be in the Form No. 5 in the Schedule. |
| Alteration of
rules of a
registered trade
union. | 8. Alteration of the rules of a registered trade union or a registered employers' association 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 deletion of any of the existing rules or any part thereof without any substitution, or of more than one or of all of these modes; or

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

9. An application for the registration of a partial alteration of the rules shall be made by seven members of the trade union or employers' association and shall be on the Form No. 6 in the Schedule and shall be accompanied by a printed copy of the existing rules marked to show where and in what way they are altered and by the following documents:

Partial alteration of rules.

(a) if the partial alteration consists of the addition or substitution of a new rule or part of a rule or rules, one copy of such rule or part of a rule or rules shall be signed by each of the applicants;

(b) if the partial alteration consists of the deletion of any of the rules without any substitution, one copy of the rules without substitution, a copy of the resolution for such deletion shall be signed by each of the applicants.

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

10. The certificate of registration of a partial alteration shall be in the Form No. 7 in the Schedule and shall be forwarded to the Secretary of the trade union or employers' association.

Certificate of registration of partial alteration.

11. An application for the registration of a complete alteration of rules shall be made by seven members of the trade union or employers' association and shall be in the Form No. 8 in the Schedule and shall be accompanied by a printed copy of the existing rules marked to show where and in what way they are altered and by a printed copy of the new rules signed by each of the applicants; and the Registrar, before registering the new set of rules, shall ascertain that it provides for all the matters which, according to the Act, are to be provided for in the rules of a registered trade union or employers' association.

Mode of application.

12. The certificate of registration of a complete alteration of the rules shall be in the Form No. 9 in the Schedule, and shall be forwarded to the Secretary attached to a copy of the new set of rules.

Complete alteration of the rules.

13. When a registered trade union or employers' association is dissolved, notice of the dissolution shall be given by the Secretary and the Treasurer to the Registrar in the Form No. 10 in the Schedule, and the Registrar shall, if satisfied that the dissolution has been effected in accordance with the rules of the trade union or employers'

Dissolution of trade union.

association, register the dissolution and return a copy of the Form to the Secretary of the trade union or employers' association, endorsed with the word "registered" and signed by him.

Statement.

14. The statement of the receipts, funds and expenditure of the trade union or employers' association required under the Act shall contain, properly set out therein, all details of revenue and expenditure and shall be audited and approved at a general meeting of the trade union concerned.

Inspection.

15. The Secretary of every registered trade union and employers' association shall give the Registrar all reasonable facilities for the inspection by him or by a person appointed by him for the purpose of the records showing the name, address and the trade or occupation of each member of the trade union or main activity of each member of the employers' association and the date up to which subscriptions have been paid by each member.

Accounts.

16. The accounts required under article 59 of the Act shall show in detail in a property book all the effects of the trade union or employers' association and their respective value, and shall also record all the details normally shown in the cash book, in supporting vouchers for all money received or collected by or on behalf of the trade union or the employers' association and in filed and numbered receipts for all money paid out by or on behalf of the trade union or employers' association.

Revocation.
S.L. 452.16

17. The Trade Union Regulations are hereby revoked.

Trade Union
Employers' Association

1. This application is made by the seven persons whose names and respective signatures are included in the rules attached.
2. The name under which it is proposed that the trade union/employers association, on behalf of which this application is being made, shall be registered is as set forth in rule no.

3. The address to which all communication and notices may be sent is

.....

.....

.....

4. The trade union/employers association was established on the day of

5. All of the objectives for which the trade union/employers association is established are set forth in rule No.....

6. The rules of the trade union/employers association provide for all matters required by the Employment and Industrial Relations Act (Cap. 452);

7. The total number of members of the trade union/employers association is of whom are below the age of sixteen;

8. The full name, age, and address of the applicants indicated in No.1 above are given blow;

B 5324

Applicant Number 1:

Name:

Surname:

Age:

Address:

Applicant Number 2:

Name:

Surname:

Age:

Address:

Applicant Number 3:

Name:

Surname:

Age:

Address:

Applicant Number 4:

Name:

Surname:

Age:

Address:

Applicant Number 5:

Name:

Surname:

Age:

Address:

Applicant Number 6:

Name:

Surname:

Age:

Address:

Applicant Number 7:

Name:

Surname:

Age:

Address:

9. The full name, age, address and particular designation (e.g. President, Secretary, Treasurer etc.) of each officer of the trade union/employers' association are given below:

Officer Number 1:

Name:

Surname:

Age:

Address:

Designation:

Officer Number 2:

Name:

Surname:

Age:

Address:

Designation:

Officer Number 3:

Name:

Surname:

Age:

Address:

Designation:

Officer Number 4:

Name:

Surname:

Age:

Address:

Designation:

Officer Number 5:

Name:

Surname:

Age:

Address:

Designation:

B 5326

10. Attached to this application are:-

- *a) One printed copy of the rules signed by the seven applicants
- *b) One list of members showing name, age (if under sixteen years) and address of each member, accompanied by the relative signed enrolment forms

FORM No. 2
(Regulation 4)

CERTIFICATE OF REGISTRATION No.....

I hereby certify that the is this day registered under the
Employment and Industrial Relations Act.

Given under my hand at Valletta,

this day of

Registrar of Trade Unions

FORM No. 3
(Regulation 5)
REQUEST TO CANCEL CERTIFICATE OF REGISTRATION

To the Registrar of Trade Unions,
Valletta.

Registration Number RTU:

Name of Trade Union/Employers' Association:

.....

The above mentioned trade union/employers association desires that its certificate of registration under the Employment and Industrial Relations Act may be cancelled on the following grounds:

.....
.....
.....
.....

and at a general meeting *duly held on the dd/mm/yyyy it was resolved as follows:

"That the Secretary be authorised to request the Registrar to cancel the certificate of registration of this trade union/employers' association"

This request is made by the Secretary accordingly.

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

.....

.....
Secretary

FORM No. 4
(Regulation 6)
NOTICE BEFORE CANCELLATION OF
CERTIFICATE OF REGISTRATION

.....
(name of trade union/employers' association)
Register No.

Notice is hereby given to the above mentioned trade union/employers' association that it is the intention of the Registrar of Trade Unions to proceed on the..... day of to cancel the registration of the trade union/employers' association unless cause is shown to the contrary in the meantime.

The grounds for proposed cancellation are
(state grounds)

Date

Registrar of Trade Unions

FORM No. 5
(Regulation 7)
CANCELLATION OF CERTIFICATE OF REGISTRATION

.....
(name of trade union/employers' association)

Register No.

The certificate of registration of the above mentioned trade union is hereby

cancelled on the grounds of

Date

Registrar of Trade Unions

FORM No. 6
(Regulation 9)
APPLICATION FOR REGISTERING
PARTIAL ALTERATIONS IN THE RULES

To the Registrar of Trade Unions

Valletta

Registration Number RTU

Name of Trade Union/Employers' Association

This application for registering partial alterations in the rules of the above-mentioned Trade Union/Employers' Association is made by seven members whose names and respective signatures are included in the copy of the document of the changes, [(a) below];

Attached to this application are:-

- *a) One copy of the changes signed by each of the seven members mentioned above (pdf format)
- *b) Printed copy of the registered rules, which include the changes undertaken (pdf format)

FORM No. 7
(Regulation 10)
CERTIFICATE OF REGISTRATION OF PARTIAL
ALTERATION OF RULES

.....
(name of Trade Union/Employers' Association)

.....
Register No.

It is hereby certified that the partial alteration of the rules of the above mentioned trade union/employers' association described in its application of the has been registered.

This day of

Registrar of Trade Unions

FORM No. 8
(Regulation 11)
APPLICATION FOR REGISTERING
COMPLETE ALTERATION OF RULES

To the Registrar of Trade Unions,

Valletta

Registration Number RTU

Name of Trade Union/Employers' Association

This application for registering complete alterations in the rules of the above-mentioned Trade Union/Employers' Association is made by seven members whose names and respective signatures are included in the copy of the document, [(b) below)].

Attached to this application are:-

- *a) A copy of the existing rules marked to show where and in what way they are altered (pdf format)
- *b) Printed copy of the new rules (pdf format)

FORM No. 9
(Regulation 12)
CERTIFICATE OF REGISTRATION OF
COMPLETE ALTERATION OF RULES

The

(Name of Trade Union/Employers' Association)

Register No.....

It is hereby certified that the set of rules, copy whereof is appended hereto, has been registered in substitution for the set of rules already registered for the

.....
(name of Trade Union/Employers' Association)

This day of

Registrar of Trade Unions

FORM No. 10
(Regulation 13)
NOTICE OF DISSOLUTION

To the Registrar of Trade Unions,

Valletta

Registration Number RTU

Name of Trade Union/Employers' Association

Notice is hereby given that the above mentioned trade union/employers' association was dissolved on the dd/mm/yyyy in accordance with rule of the rules of the trade union/employers' association and that the property of the said trade union/employers' association, consisting of has been duly delivered to in accordance with rule of the rules of the trade union/employers' association and the relative receipt is attached.

Attached to this notice is:

Copy of receipt

.....
Secretary

.....
Treasurer

