

**Annual Report  
of the  
Certification  
Officer  
for  
Northern Ireland**

1996

**Certification Office for  
Trade Unions and Employers' Associations**

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**NORTHERN IRELAND CERTIFICATION OFFICE  
FOR TRADE UNIONS AND EMPLOYERS' ASSOCIATIONS**

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of the  
Certification Officer  
for  
Northern Ireland  
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I have pleasure in submitting the report on my activities as Certification Officer during the period from 1 April 1995 to 31 March 1996 as required by the Industrial Relations (Northern Ireland) Order 1992.



A H McALISTER  
*Certification Officer for Northern Ireland*  
24th December 1996

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## INTRODUCTION

This is the fourth Annual Report to be published since the post of Certification Officer was established under Article 69 of the Industrial Relations (Northern Ireland) Order 1992 (referred to in this report as the 1992 Order). It deals with my activities for the period 1 April 1995 to 31 March 1996.

During 1995 the Trade Union and Labour Relations (Northern Ireland) Order 1995 (referred to in this report as the 1995 Order) came into force. It impacted on my functions in two ways. First, it extended my powers in relation to overseeing the finances of trade unions and employers' associations. Powers were provided which enable me to require a trade union or employers' association to produce documents relating to their financial affairs at such time and place as may be specified. Further provisions enable me to appoint, in certain circumstances, inspectors to investigate the financial affairs of a trade union or employers' association and to make a report. Secondly, it placed new duties on trade unions with regard to matters on which members can lodge complaints for my investigation. These include requirements for information about the salaries and benefits paid to certain officers and executive committee members to be included in a trade union's annual return and for members to receive a statement about the financial affairs of their trade union. Balloting requirements were also altered in several important ways.

After these changes my functions include the following responsibilities:

Under the 1992 Order -

Under Part II, Articles 5 and 6 - for maintaining lists of trade unions and employers' associations, and for determining the independence of trade unions;

Under Part II, Articles 11 and 12 - for dealing with complaints by members that a trade union has failed to maintain an accurate register of members; for seeing that trade unions and employers' associations keep proper accounting records, have their accounts properly audited and submit annual returns; for the investigation of the financial affairs of trade unions and employers' associations; and for ensuring that statutory requirements concerning the actuarial examination of members superannuation schemes are observed;

Under the 1995 Order -

Under Part III, Article 22 - for dealing with complaints by members that a trade union has failed to comply with one or more of the provisions of the 1995 Order requiring it to hold secret postal ballots for electing members of its executive committee, its president and general secretary;

Under Part V, Articles 45, 54 and 71 - for approving political fund rules of Northern Ireland based unions, approving the "contracting-in" rule for Northern Ireland members of trade unions based elsewhere, and for dealing with trade union members' complaints about political funds;

Under Part VI, Articles 73 to 90 - for ensuring that the statutory procedures for amalgamations, transfers of engagements and changes of name are complied with, and dealing with complaints by members about the conduct of merger ballots;

Under Part X, Article 140 - for reimbursing certain expenditure incurred by independent trade unions in conducting secret postal ballots for specified purposes in accordance with Regulations made by the Department of Economic Development.

These functions are discussed in the following chapters.

The Labour Relations Agency is responsible for providing me with the finance and support services necessary for the performance of my statutory duties but this in no way affects the exercise of my functions independently both of the Agency and the Department of Economic Development.

Under Article 69(7) of the 1992 Order I am required to submit to the Agency and to the Department of Economic Development as soon as practicable after the end of each financial year a report of my activities during that year.

Accounts of the Office are prepared under Article 15(2) of Schedule 4 of the 1992 Order and are published separately by the Labour Relations Agency. The net cost of the Office for the year ended 31 March 1996 was £79,987. The Certification Officer's salary at 31 March 1996 was £6,150 excluding Employers NI contribution for a one day week. This sum is not pensionable and it is taxed under PAYE.

Where it is necessary to hold a hearing to determine a complaint, the Certification Officer can make payment towards the expenses incurred by the complainant and a friend in attending the hearing. Assistance with legal costs is not available. During the period of this report no payments were made.

### ADVICE AND CONTACTS FOR INFORMATION

Although it can sometimes be inappropriate to give advice when asked, the Office is happy to assist where it can and guidance booklets covering different aspects of the Certification Officer's responsibilities are available free of charge. They are listed in Appendix 11 and requests for the booklets and for further information on any aspect of the Certification Officer's duties should be made to the Certification Office, Windsor House, 9-15 Bedford Street, Belfast BT2 7NU, telephone: 01232 237773, fax: 01232 330827. A text phone number is also available for those customers with hearing difficulties. Those who wish to use this service should ring 01232 238411.

# Chapter 1

## Lists of Trade Unions and Employers' Associations

*Any trade union or employers' association may apply to have its name included in the public lists maintained by the Certification Officer. This chapter sets out the background to that process. The lists of Northern Ireland organisations are set out in full in Appendices 1 and 3.*

### Entry in the lists and its significance

- 1.1 The Certification Officer maintains a list of trade unions and a list of employers' associations in accordance with the provisions of Article 5 of the 1992 Order.
- 1.2 Listing is voluntary and any trade union or employers' association may apply to have its name included in these lists. If the Certification Officer is satisfied that the organisation falls within the appropriate definition, he must enter its name in the relevant list. Entry in the list is usually a simple process and means no more than that the body concerned satisfies the statutory definition. The 1992 Order does not impose any test of size or effectiveness. Articles 3(1) and 4(1) are reproduced in full at paragraph 1.15.
- 1.3 Any organisation aggrieved by the refusal of the Certification Officer to enter its name in the relevant list may appeal to the High Court.
- 1.4 For trade unions, listing is an essential preliminary to any application for a certificate of independence under Article 6 of the 1992 Order. It is also one of the requirements for obtaining tax relief in respect of expenditure on provident benefits. There are no corresponding advantages for employers' associations.
- 1.5 One application for listing was received during the period of this report.
- 1.6 Application must be made on form CO(NI)I, available on request from the Certification Office, and accompanied by the statutory fee of £50.
- 1.7 The current lists are available for inspection, free of charge, at the Certification Office, 16th Floor, Windsor House, 9-15 Bedford Street, Belfast BT2 7NU.

### Removal from the lists

- 1.8 If at any time it appears to the Certification Officer that an organisation whose name is entered on the relevant list is not a trade union or an employers' association, he may, after giving the organisation concerned the opportunity to make representations, remove its name from that list. There is a right of appeal to the High Court against removal of a name from a list. The Certification Officer must also remove the name of an organisation from the list if he is satisfied that it no longer exists or if the organisation requests that he should do so.

### Special register bodies

- 1.9 Under GB law a special register was established in 1971 which allowed organisations which were either registered companies or incorporated by charter or letters patent and which took part in collective bargaining on behalf of their members to be registered. These were usually professional bodies.
- 1.10 Subsequent legislation in 1974 resulted in trade unions no longer being allowed to have corporate status, although an exception was built into the legislation to preserve the position of those bodies which were already on the special register.
- 1.11 Special register bodies are also exempt from the requirement to conduct elections for the posts of president and general secretary; the voting members of the executive must, however, be elected in accordance with the statutory provisions. The following GB headquartered special register bodies have Northern Ireland members:

Association of Clinical Biochemists Ltd  
British Association of Occupational Therapists Ltd  
British Dental Association  
British Dietetic Association  
British Medical Association  
Chartered Society of Physiotherapy  
Headmasters' and Headmistresses' Conference  
Royal College of Midwives  
Royal College of Nursing of the United Kingdom  
Society of Authors Ltd  
Society of Chiropodists and Podiatrists  
Society of Radiographers

### Unlisted organisations

- 1.12 Because entry in the lists is voluntary it is not possible to say precisely how many trade unions and employers' associations are in existence at any given time. There may be others meeting the statutory definition of which the Office is unaware. Being unlisted does not limit an organisation's statutory responsibilities in relation to trade union law, and returns from unlisted bodies are available for inspection along with those of listed organisations.

### Changes of name

- 1.13 The 1992 Order stipulates that a change of name of a listed trade union or employers' association must be approved by the Certification Officer before it can take effect. One such request was received and approved during the period of this report.

### Department of Economic Development Statistics

- 1.14 The information collected by the Office provides the main basis for updating the Department of Economic Development's annual statistics of numbers and membership of trade unions.

## Statutory Definitions in the 1992 Order

1.15 Article 3.1 reads as follows:

- 3.-(1) *In this Order "trade union" means an organisation (whether permanent or temporary) which either -*
- (a) *consists wholly or mainly of workers of one or more descriptions and is an organisation whose principal purposes include the regulation of relations between workers of that description or those descriptions and employers or employers' associations; or*
  - (b) *consists wholly or mainly of -*
    - (i) *constituent or affiliated organisations which fulfil the conditions specified in sub-paragraph (a) (or themselves consist wholly or mainly of constituent or affiliated organisations which fulfil those conditions); or*
    - (ii) *representatives of such constituent or affiliated organisations; and in either case is an organisation whose principal purposes include the regulation of relations between workers and employers or between workers and employers' associations, or include the regulation of relations between its constituent or affiliated organisations.*

Article 4.1 reads as follows:

- 4.-(1) *Subject to paragraph (2), in this Order "employers' association" means an organisation (whether permanent or temporary) which either -*
- (a) *consists wholly or mainly of employers or individual proprietors of one or more descriptions and is an organisation whose principal purposes include the regulation of relations between employers of that description or those descriptions and workers or trade unions; or*
  - (b) *consists wholly or mainly of -*
    - (i) *constituent or affiliated organisations which fulfil the conditions specified in sub-paragraph (a) (or themselves consist wholly or mainly of constituent or affiliated organisations which fulfil those conditions); or*
    - (ii) *representatives of such constituent or affiliated organisations; and in either case is an organisation whose principal purposes include the regulation of relations between employers and workers or between employers and trade unions, or include the regulation of relations between its constituent or affiliated organisations.*
- (2) *References in this Order to an employers' association include references to a combination of employers and employers' associations.*

## Chapter 2

### Trade Union Independence

*A trade union which is on the list of trade unions may apply for a certificate of independence. Chapter 2 discusses independence and explains how such applications are dealt with and their outcome.*

#### The statutory provisions

2.1 Article 2(1) of the 1992 Order defines an independent trade union as:

*'a trade union which -*

- (a) *is not under the domination or control of an employer or a group of employers or of one or more employers' associations; and*
- (b) *is not liable to interference by an employer or any such group or association (arising out of the provision of financial or material support or by any other means whatsoever) tending towards such control'.*

2.2 The procedure for determining the independence of trade unions is laid down in Article 6 of the 1992 Order. A union must be listed - see Chapter 1 - before it can apply for a certificate of independence. The Certification Officer must keep a public record of all applications for certificates of independence and all decisions reached. A notice of each application is published in the Belfast Gazette at the time. He may not take a decision on any application until at least one month after it has been entered in the record and must take into account any relevant information submitted to him by any person. He is required to give his reasons if he refuses a certificate of independence and the union concerned has a right of appeal to the High Court.

2.3 The Certification Officer may withdraw a certificate at any time if he is of the opinion that the trade union concerned is no longer independent. As in the case of a refusal, a trade union aggrieved by a decision to withdraw its certificate has a right of appeal to the High Court.

2.4 Where a question as to the independence of a particular union arises in proceedings before the courts, industrial tribunals or certain other bodies, and no certificate has been issued or refused, the 1992 Order provides that the proceedings may not continue further until that question has been decided by the Certification Officer.

### Working methods

2.5 The working methods used by the Office in considering applications for certificates of independence mirror the practice established by the Certification Office, 180 Borough High Street, London SE1 1LW. Essentially, they consist of a scrutiny of the applicant union's rules and finances followed, where necessary, by detailed investigation of the union's affairs.

### Determining Criteria

2.6 The principal criteria used by the Certification Officer in determining whether or not an applicant union satisfies the statutory definition are explained in the Office's booklet *Guidance for trade unions wishing to apply for a certificate of independence*. Consideration is given under the following headings: history, membership base, organisation and structure, finance, employer - provided facilities and negotiating record. Copies of the booklet are available on request from the Certification Office. The Certification Officer reaches his decision on the basis of the criteria as a whole and, in doing so, is strictly bound by the statutory definition. He is not empowered to take into account other considerations such as the effect the issue of a certificate might have on industrial relations.

### Procedure

2.7 An application for a certificate of independence must be made on the appropriate form and be accompanied by the statutory fee of £720<sup>1</sup>. The form - CO(NI)5 - can be obtained on request from the Certification Office.

### Applications

2.8 One application for a certificate of independence was received during the period of this report.

### Decisions

2.9 During the year one certificate of independence was issued in respect of an application carried over from the previous year. One application remained outstanding at the end of the year.

<sup>1</sup> £740 from 30 June 1996.

## Chapter 3

### Annual Returns and Accounts

*The requirements for trade unions and employers' associations to keep proper accounting records and to submit annual returns to the Certification Officer are set out in this chapter. It also describes how the changes relating to financial affairs introduced by the Trade Union and Labour Relations (NI) Order 1995 were administered.*

#### The statutory provisions

- 3.1 Article 10 of the 1992 Order provides that every trade union and employers' association whose head or main office is situated in Northern Ireland (except one which consists wholly or mainly of representatives of constituent or affiliated organisations) must keep proper accounting records in respect of its transactions, assets and liabilities, and must establish and maintain a satisfactory system of control of its accounting records, its cash holdings and all its receipts and remittances. The accounting records kept must be such as are necessary to give a true and fair view of the state of affairs of the organisation and to explain its transactions.
- 3.2 Under Articles 11 and 12 of the 1992 Order (as amended) those organisations headquartered in Northern Ireland and Great Britain (unless they have been in existence for less than 12 months) are required to submit an annual return to the Certification Officer in the form prescribed. Also, any trade union or employers' association carrying on business in Northern Ireland but having its head or main office outside the United Kingdom is required to send to the Certification Officer a statement setting forth, in relation to business carried on in Northern Ireland, such particulars of its receipts and payments, and such other information, as the Certification Officer may require.
- 3.3 Schedule I of the Order provides that the return is to include revenue and other accounts and a balance sheet, which must give a true and fair view of the matters to which they relate. Any changes in the organisation's officers or in the address of its head office, must be shown on the return and must be accompanied by a copy of the rules in force at the end of the period covered by the return. The Schedule also prescribes that annual returns should be submitted before 1 June in each year and to cover the year ending the preceding 31 December. However, the Certification Officer may direct that the return is to relate to a different annual period, and this is usually done if the normal timetable would cause serious inconvenience to the organisation concerned.

- 3.4 Schedule I stipulates that the annual return must include a copy of the auditor's report on the accounts. It confers extensive powers on auditors, who must be professionally qualified unless the organisation's membership, assets, receipts and payments are below specified levels, or certain special circumstances apply. The Schedule contains detailed provisions about the qualifications, appointment and removal of auditors, and confers on them certain rights to have access to books and information, and to attend and speak at general meetings of the organisation.
- 3.5 The auditor must state whether, in his opinion, the accounts give a true and fair view of the matters to which they relate. He has a duty to carry out such investigations as will enable him to form an opinion on whether proper accounting records have been kept, whether a satisfactory system of control has been maintained and whether the accounts are in agreement with the accounting records. If, in his opinion, the statutory requirements have not been satisfied, or he fails to obtain all the necessary information and explanations, he must say so in his report by way of qualification.
- 3.6 Provided the period covered is the same and there is no significant diminution in the degree of disclosure, a special register body (see paras 1.9 - 1.11) or an employers' association incorporated under the Companies Orders may submit with its return, in lieu of the prescribed accounts, a copy of its accounts prepared under the Companies Orders and so avoid the duplication of broadly similar financial statements. In such circumstances, however, and notwithstanding anything in the Companies Orders, an auditor's report is still required to be made and this report must comply with the requirements of the 1992 Order.
- 3.7 With the exceptions already noted, the duties imposed by Articles 10 and 11 and by Schedule I apply to all trade unions and employers' associations, whether listed under Article 5 of the 1992 Order or not. Refusal or wilful neglect to perform any of them is an offence for which the organisation concerned may be prosecuted and fined. The Certification Officer is responsible for enforcing these provisions, but would not normally consider taking prosecutions for such offences as embezzlement or fraud which could be dealt with by other prosecuting agents under the ordinary criminal law. However, the Certification Officer is empowered to appoint inspectors to investigate allegations of financial irregularities in the affairs of a trade union or employers' association, and in such circumstances it would be open to the Certification Officer to instigate legal proceedings (see para 3.15).
- 3.8 Any trade union or employers' association carrying on business in Northern Ireland which has its head or main office outside Northern Ireland must provide the Certification Officer with the name and address of at least one Northern Ireland resident authorised to accept on its behalf service of process and any notices required to be served on it.

#### Salaries and benefits

- 3.9 Financial information derived from the annual returns of trade unions and employers' associations is given at Appendices 1-6. That information and the following comments in this Chapter relate to the year 1995, unless otherwise indicated.

- 3.10 The Trade Union and Labour Relations (NI) Order 1995 ("the 1995 Order") amended the 1992 Order and provided, amongst other things, that a trade union's annual return to the Certification Officer must contain information about the salaries and benefits paid to its national officers and executive members from the organisation's funds.

#### Northern Ireland Trade Unions

- 3.11 The following table gives, in the third and fourth columns, the amount paid in salary and benefits to chief officers of trade unions headquartered in Northern Ireland. This is the first year for which these figures are available. The benefits returned consist mainly of superannuation contributions. Employers national insurance contributions are excluded.

UNION	TITLE	1995	
		(£) Salary	(£) Benefits excluding NI contribution
Associations of Principals Colleges (NI)	Chairman	NIL	NIL
Belfast Airport Police Association (31/3/96)	Chairman	NIL	NIL
North of Ireland Bakers, Confectioners' and Allied Workers' Union	General Secretary	16,393	NIL
Northern Ireland Musicians' Association	General Secretary	15,541	NIL
Northern Ireland Public Service Alliance	General Secretary	37,530	NIL
Ulster Teachers Union	General Secretary	36,120	27,515

#### GB Trade unions

- 3.12 The amount paid in salary and benefits to the chief officers of trade unions headquartered in Great Britain with 100 or more Northern Ireland members are given in Appendix 5. The benefits returned consist mainly of superannuation contributions and employers national insurance contributions are excluded.



### Statement to members

3.13 A statement containing specific information must be issued to all members within eight weeks of the submission of the annual return to the Certification Officer. The statement must specify:

- (i) the total income and expenditure of the union;
- (ii) how much of the income consisted of payments in respect of membership;
- (iii) the total income and expenditure of any political fund of the union, and
- (iv) the salary and other benefits paid to each member of the executive, the president and the general secretary.

The statement must also give the name and address of the auditor, set out in full the auditor's report and should not contain anything which is inconsistent with the contents of the annual return. Members must also be told how they can complain should they be concerned that some irregularity is occurring or has occurred in the financial affairs of the trade union.

3.14 The 1995 Order is specific about how members must be told how they can complain; the exact wording of the statement to be issued is reproduced below:

"A member who is concerned that some irregularity may be occurring, or has occurred, in the conduct of the financial affairs of the union may take steps with a view to investigating further, obtaining clarification and, if necessary, securing regularisation of that conduct.

The member may raise any such concern with such one or more of the following as it seems appropriate to raise it with: the officials of the union, the trustees of the property of the union, the auditor or auditors of the union, the Certification Officer for Northern Ireland (who is an independent officer appointed by the Department of Economic Development) and the police.

Where a member believes that the financial affairs of the union have been or are being conducted in breach of the law or in breach of rules of the union and contemplates bringing civil proceedings against the union or responsible officials or trustees, he may apply for material assistance from the Northern Ireland Commissioner for the Rights of Trade Union Members and should, in any case, consider obtaining independent legal advice."

### Financial affairs of trade unions and employers' associations - use of statutory powers

3.15 The 1995 Order amended the Industrial Relations (Northern Ireland) Order 1992 in such way as to allow the Certification Officer to investigate the financial affairs of trade unions and employers' associations. Under the new provisions, the Certification Officer may, if he thinks there is good reason to do so, give a direction to the organisation concerned to produce relevant documents and explanations of them; in addition, he may appoint inspectors to investigate the organisation's financial affairs and to report on them. He may only appoint inspectors if one or more of the following circumstances are suggested: *that the*

*financial affairs of the trade union or employers' association have been or are being conducted fraudulently or unlawfully; that those managing those affairs have been guilty of fraud, misfeasance or other misconduct in connection with that management; that the organisation concerned has failed to comply with a duty under the 1995 Order relating to its financial affairs or that a rule of the organisation relating to its financial affairs has not been complied with.* A member may complain to the Certification Officer that there are circumstances suggesting any of the foregoing. The Certification Officer must then consider whether it is appropriate to exercise any of the powers conferred on him by the 1995 Order.

### Trade unions

3.16 A summary of statistics concerning the membership and finances for 1995 of Northern Ireland based trade unions, and Republic of Ireland trade unions with Northern Ireland members, is given in Appendix 1. This shows a total of 43,159 members of NI unions providing an annual contribution of approximately £2.5m, while there are 13,069 NI members of ROI unions providing an annual contribution of approximately £1.2m.

3.17 Details of fifty-nine GB based unions with 100 or more Northern Ireland members are given in Appendix 2. This shows a total of 179,163 NI members making an annual contribution of £12m which is approximately 2% of the total income of the unions listed.

3.18 A further forty GB based trade unions with less than 100 Northern Ireland members also made returns to the Office. These show a total of 1,131 Northern Ireland members.

3.19 The total Northern Ireland membership of all trade unions at 31 December 1995 is 236,522.

3.20 Trade union income derives mainly from membership subscriptions and income from investments. There may also be additional income and assets arising if, for example, a union accepts the transfer of engagements of another union. In 1995 the gross income of NI trade unions was approximately £2.7m; gross expenditure was £2.4m.

### Employers' associations

3.21 A summary of statistics concerning the membership and finances of sixteen Northern Ireland employers' associations for 1995 is given in Appendix 3. Details of thirty-one GB based employers' associations with Northern Ireland members is given in Appendix 4.

### Public inspection of annual returns

3.22 Copies of the annual returns and rules of trade unions and employers' associations with Northern Ireland members are available for public inspection at the Certification Office.

## Chapter 4

### Superannuation Schemes

*It is a legal requirement that any superannuation scheme maintained by a trade union or employers' association covering members must be subject to periodic actuarial examination and that a copy of the actuary's report must be sent to the Certification Officer.*

#### The statutory provisions

4.1 The 1992 Order requires that any superannuation scheme maintained by a Northern Ireland based trade union or employers' association\* for its members must be examined periodically by a qualified actuary and a copy of each actuarial report sent to the Certification Officer. The actuarial examination is required to be made not later than five years after the effective date of the preceding examination, but the Certification Officer has power to direct that, in any particular case, the period of five years may be reduced to such shorter period as he may specify. The Certification Officer also has power to exempt a members superannuation scheme from actuarial examination in certain circumstances. No trade union or employers' association may maintain a members superannuation scheme unless it also maintains a separate fund for the payment of benefits in accordance with the scheme. A copy of the actuarial report made under the above provisions must be supplied free of charge to any member of the trade union or employers' association on application to the organisation concerned.

#### Actuarial reports

4.2 The statutory provisions require that the report by the actuary following his examination of any scheme shall state whether in his opinion the premium or contribution rates are adequate, whether the accounting or funding arrangements are suitable, and whether the separately maintained superannuation fund is adequate.

#### Schemes maintained - Northern Ireland Trade Unions

4.3 During the period of this report no trade union or employers' organisation based in Northern Ireland operated a superannuation scheme for its members.

#### Schemes maintained - GB Based Trade Unions

4.4 The following four GB based trade unions maintain superannuation schemes which have Northern Ireland members:

- Amalgamated Engineering and Electrical Union
- Graphical, Paper and Media Union (Two schemes: Platepreparers and Litho printers)
- MSF
- National Union of Rail, Maritime and Transport Workers

4.5 The most recent actuarial reports for all of these unions were received by the Certification Officer during the year.

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\* In practice the requirements affect trade unions only; the office is not aware of any schemes maintained by employers' associations.

## Chapter 5

### Mergers

*Mergers between trade unions and between unincorporated employers' associations must be conducted under the relevant statutory procedures; these procedures allow for members to complain to the Certification Officer about particular aspects of the balloting process. This chapter deals with the statutory background.*

#### The statutory provisions

5.1 The 1995 Order and the Trade Unions and Employers' Associations (Amalgamations, etc) Regulations 1965 lay down procedures governing two types of merger - *transfers of engagements and amalgamations* - between trade unions and between unincorporated employers' associations. The procedures apply to listed and unlisted organisations. Their main purposes are to facilitate the processes of transfer and amalgamation and, at the same time, to safeguard the rights of members affected by the terms of a merger by ensuring that they are fully informed about the proposal and have the opportunity to vote on it.

5.2 Under a *transfer of engagements* the transferring organisation ('the transferor') loses its legal identity whilst the organisation to which it transfers ('the transferee') continues in being with its legal identity unchanged. An *amalgamation* produces a new organisation replacing the amalgamating bodies which cease to exist.

5.3 Organisations proposing to enter into a transfer of engagements or an amalgamation must prepare an instrument setting out the proposed terms of the merger and an explanatory notice to members. These documents are formally submitted to the Certification Officer and must have his approval before a ballot of members can be held to approve the instrument.

5.4 In a transfer of engagements only the members of the transferor organisation vote on the resolution to approve the instrument. An amalgamation requires a favourable vote by the members of each amalgamating organisation. If the required majority of votes recorded in each ballot is in favour of the merger, application to register the instrument is made to the Certification Officer.

5.5 An interval of six weeks must elapse between the application for registration and registration itself; and before the expiry of the six-week period any member of the transferor organisation or of any amalgamating organisation may complain to

the Certification Officer on the grounds that one or more of the statutory conditions governing the ballot arrangements have not been observed. The Certification Officer may dismiss the complaint or if, after hearing both sides, he finds the complaint justified, he may either make a declaration but no order, or make an order specifying the steps which must be taken before he will register the instrument. There is a right of appeal against the Certification Officer's decision to the Court of Appeal on a question of law.

- 5.6 Formal documents kept by the Certification Officer relating to mergers under the Order are available for public inspection.

**Advice on procedures**

- 5.7 The Office's booklet *Mergers: a guide to the statutory requirements for transfers of engagements and amalgamations of trade unions and employers' associations* explains the merger procedures in detail and sets out, with explanatory notes, the matters to be included in an instrument of transfer or amalgamation. Copies may be obtained free of charge from the Office. The Office will offer advice where needed and is always prepared to meet officials of organisations proposing to merge to discuss procedures and time-tables.

**Mergers: 1995/96**

- 5.8 One proposed transfer of engagements involving a Northern Ireland-based trade union and a Great Britain-based trade union was in progress at the end of the year.

During the period of this report the GB Certification Officer approved the merger of the following GB trade unions with Northern Ireland members:

- Amalgamation of the National Union of Civil and Public Servants and Inland Revenue Staff Federation to form the Public Services, Tax and Commerce Union
- Transfer of engagements of the Professional Association of Nursery Nurses to the Professional Association of Teachers
- Amalgamation of Union of Communication Workers and National Communications Union (Engineering and Clerical Groups) to form Communication Workers Union.

**Complaints**

- 5.9 No complaints were received during the period of this report.

**Changes of name**

- 5.10 Article 88 of the 1995 Order stipulates that a change of name of a listed trade union or employers' association must be approved by the Certification Officer before it can take effect. The Northern Ireland Certification Officer received one application during the period of this report from an employers' association. The GB Certification Officer approved the changes of name of three trade unions and one employers' association with Northern Ireland members:

**Northern Ireland**

Employers' Associations

Effective Date

From Northern Ireland Hotels and Caterers Association 10.11.95  
 To Hospitality Association of Northern Ireland

**Great Britain**

Trade Unions

From Clerical Medical and General Staff Association 26.1.95  
 To Clerical Medical Association

From District Nursing Association UK 4.4.95  
 To Community and District Nursing Association

From Headmasters' Conference 22.1.96  
 To Headmasters' and Headmistresses' Conference

Employers' Associations

From National Association of Shopkeepers and Self-Employed of Great Britain and Northern Ireland 22.5.95  
 To National Association of Self-Employed of Great Britain and Northern Ireland

## Chapter 6

### Political Funds

*The 1995 Order enables trade unions and unincorporated employers' associations to establish separate funds in furtherance of political objects as part of their aims. Under the terms of the Order a resolution to adopt political objects must be passed by a ballot of the members. The Certification Officer is the statutory authority for approving the establishment and continuance of such funds.*

#### **The statutory provisions for Northern Ireland based organisations**

- 6.1 The 1995 Order enables a trade union or an unincorporated employers' association, whether listed or not, to include the furtherance of political objects, as defined in the Order, among the objects of the organisation and to adopt political fund rules providing for the expenditure of funds on such objects. A resolution to adopt political objects must be passed by a simple majority in a ballot of the members held under rules approved by the Certification Officer. The rules governing the political fund must also be approved by the Certification Officer.
- 6.2 The Order requires the political fund rules to provide, among other things, that any payments in the furtherance of the political objects set out in the Order must be made out of a separate political fund; that contribution to the political fund must not be made a condition for admission to the organisation; and that members who do not wish to contribute to a political fund must not be excluded from any benefits of the organisation or placed under any disability or disadvantage compared with other members.
- 6.3 Unlike members in Great Britain, trade union members in Northern Ireland must "contract-in" to a political fund in their union.
- 6.4 Any member of a trade union with a political fund who alleges that he is aggrieved by a breach of the political fund rules may complain to the Certification Officer under Article 57(2) to (4) of the 1995 Order. If, after giving the complainant and the union an opportunity to be heard, the Certification Officer considers that a breach has occurred, he may make an order for remedying it. Under Article 69 of the 1995 Order an appeal against the decision of the Certification Officer may be made to the Court of Appeal on a question of law.
- 6.5 Part V of the 1995 Order requires trade unions and employers' associations which already have a political fund resolution in force and wish to continue to spend money on political objects to renew the political fund resolution by a ballot of their members (a review ballot) at least once every 10 years. The review ballot must be held in accordance with rules approved by the Certification Officer.

- 6.6 Under Article 55 of the 1995 Order a member of a trade union can complain to the Certification Officer if a political fund ballot has been held, or is proposed to be held, in a way that does not comply with the rules for holding the ballot. Any complaint must be made within the period of one year beginning with the day on which the result of the ballot is announced by the union.
- 6.7 Any Northern Ireland member of a GB-based trade union who wishes to complain about a breach of the statutory requirements under Article 71(2) to (5) of the 1995 Order should contact the Northern Ireland Certification Officer.

Where a complaint relates to the statutory provisions of GB law, Northern Ireland members should contact the Certification Officer, 180 Borough High Street, London, SE1 1LW.

#### **Political fund rules of GB-based trade unions with Northern Ireland members**

- 6.8 The following political fund model rule, covering Northern Ireland members, has been agreed with the GB Certification Officer for use by Great Britain unions with members in Northern Ireland, and is included in the booklet "Guidance for trade unions and employers' associations wishing to establish a political fund" issued by the GB Certification Office.

##### **"NORTHERN IRELAND MEMBERS**

In compliance with Article 59 of the Trade Union and Labour Relations (Northern Ireland) Order 1995, members of the Northern Ireland Branch are not required to make any contribution to the political fund unless they -

- (a) have given notice in writing of their willingness to contribute to the fund; and
- (b) have not notified the union in writing of withdrawal of such notice.

Northern Ireland members are exempt from contributing to the political fund unless they give written notice that they wish to do so. A form of notice indicating the wish to contribute to the political fund may be obtained from the general office of the Northern Ireland Branch".

The Northern Ireland Certification Officer is likely to approve the use of this rule in the political fund rules of any Great Britain union. However, preliminary approval for its use must be sought at an early stage from the Northern Ireland Certification Officer.

#### **Advice on procedures**

- 6.9 On request the Office gives advice on the procedures for establishing political funds and for holding review ballots. An information pack including model rules is available free of charge. Any trade union or employers' association wishing to ballot its members on a political fund resolution should contact the Office at an early stage.

#### **Northern Ireland organisations with political fund rules at 31 December 1995**

- 6.10 None.

## GB based organisations with political fund rules at 31 December 1995

- 6.11 There were twenty-seven GB based trade unions with Northern Ireland members operating political funds at 31 December 1995. Of these twenty-one had contributing members in Northern Ireland.
- 6.12 The returns show that in 1995, 39,865 Northern Ireland members - representing 17% of the total NI trade union membership - contributed £129,536. A detailed list of the unions, their Northern Ireland members and their financial contributions is given at Appendix 6. Appendix 7 contains details of those GB unions with Northern Ireland members who do not contribute to the political fund.
- 6.13 The Certification Officer approved the Northern Ireland political fund rules of the following four GB trade unions during the period of this report:
- Graphical, Paper and Media Union
  - The Prison Officers' Association
  - The Public Services, Tax and Commerce Union
  - Union of Shop, Distributive and Allied Workers.

## Chapter 7

### Secret Postal Ballots for Trade Union Elections

*The 1995 Order requires that members of a trade union's executive committee must be elected to it by secret postal<sup>2</sup> ballot; if they remain in that position for more than five years they must be re-elected. Unions must also maintain a register of members and keep it up-to-date.*

#### The statutory provisions

- 7.1 Trade unions must ensure that no-one takes up a position as a member of the union's principal executive committee, president or general secretary, except in limited circumstances, without having been elected to it. Nor may anyone remain in such a position for more than five years without having been re-elected to it. Elections are required to be by secret postal<sup>2</sup> ballot of the members of the union, conducted in accordance with the relevant conditions laid down in the 1995 Order. In addition, every trade union must maintain a register of its members' names and addresses and, as far as reasonably practicable, keep the entries accurate and up-to-date.
- 7.2 Individual trade union members have the statutory right to apply to the Certification Officer, or to the High Court, for a declaration that their trade union has failed to comply with one or more of the relevant provisions of the Order. Where such an application is made to him, the Certification Officer will make such enquiries as he thinks fit and, where he considers it appropriate, give the applicant and the trade union an opportunity to be heard, before he makes a decision on the complaint. In certain circumstances, expenses incurred by persons attending complaint hearings can be reimbursed by the Office.
- 7.3 If the Certification Officer decides that there has been a breach of the statutory provisions, he may take into account steps or proposed steps taken by the union to remedy the breach. Additionally the Certification Officer must give reasons for his decision in writing and such reasons may be accompanied by written observations on any matter arising from, or connected with, the proceedings.
- 7.4 Making a complaint to the Certification Officer does not prevent the applicant, or any other person, from making a subsequent application to the Court in respect of the same matter. Where a subsequent application is made, the Court is required to have due regard to any declaration, reasons or observations of the Certification Officer which are brought to the notice of the Court.

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<sup>2</sup> Northern Ireland law contains provisions, in relation to voting in a ballot, which provide for reasons of personal safety a trade union member may request his union to send him a voting paper by some means other than by post.

## Chapter 8

### Funds for Trade Union Ballots

*The 1992 Order provides for a scheme to be made for independent trade unions to claim a refund from the Certification Officer for certain costs of holding secret ballots for specified purposes held before 1 April 1996. Detailed conditions for administering the scheme are laid down in regulations. This chapter outlines which ballots qualify for assistance.*

#### The statutory provisions

8.1 Under a statutory scheme the Certification Officer is permitted to refund certain costs incurred by independent trade unions in holding secret ballots for specified purposes. The conditions to be observed are laid down in the Scheme<sup>3</sup>.

#### Qualifying purposes

8.2 The 1992 Regulations provide that *in order to qualify for refund of certain costs* the ballot must be held for one or more of the following purposes:

- (a) obtaining a decision or ascertaining the views of members of a trade union as to the calling or ending of a strike or other industrial action;
- (b) carrying out an election
  - (i) in relation to which Article 47 of the 1992 Order is required to be satisfied (that is, every member of a trade union's principal executive committee must be elected by secret postal ballot of the members at least once every five years); or
  - (ii) provided for by the rules of a trade union for elections to the principal committee of the union exercising executive functions, by whatever name it is known; or
  - (iii) provided by the rules of a trade union for elections to the positions of president, chairman, secretary or treasurer of the union or to any position which the person elected will hold as an employee of the union;
- (c) amending the rules of a trade union;
- (d) obtaining a decision on a resolution to approve an instrument of amalgamation or transfer;
- (e) obtaining a decision on a political fund resolution (this applies only in cases where a political fund resolution is already in force, that is to say, only in respect of a political fund review ballot);

- (f) obtaining a decision or ascertaining the views of members of a trade union as to the acceptance or rejection of a proposal made by an employer which relates in whole or in part to remuneration, hours of work, level of performance, holidays or pensions.

#### Conditions

8.3 An application for refund will qualify for payment if the ballot is secret and meets the requirements of the 1992 Order and relevant Regulations and is held for one or more of the qualifying purposes. The Certification Officer may not make any payments under the Scheme if he considers that any of the conditions have not been met or if any assurances asked for about observance of the conditions have not been given by the trade union concerned.

#### Time Limits and Guidance

8.4 Applications under the Scheme must be made within six months of the end of the voting period. The procedure for making an application is set out in the Office's booklet *Guidance for trade unions applying for refund of costs of a secret postal ballot* which is available from the Certification Office free of charge.

#### Applications

8.5 During the period of this report six unions made applications in respect of seven ballots.

8.6 In certain circumstances, the amount refunded was less than the total applied for. Common reasons for reductions are:

refund claimed for items outside the scope of the Scheme eg scrutineers' fees, nomination forms, result sheets and election literature other than that enclosed with voting papers;

excessive printing and stationery costs.

8.7 The Certification Officer made payments totalling £31,997.08. A detailed breakdown of ballot payments is given in Appendix 8.

<sup>3</sup> The Funds for Trade Union Ballots Regulations 1992 (SI 1992 No 240).

# Appendix 1

(see Paragraph 3.16)

## List of Trade Unions with Headquarters in Northern Ireland and with Headquarters in the Republic of Ireland – at 31 December 1995 (unless otherwise indicated)

NORTHERN IRELAND UNIONS	NI Members	Total Members	NI Subscription Contribution	Total Income	Total Expenditure	Funds at the End of the Year	Total Assets at the end of the Year	Total Liabilities at the end of the Year
			£	£000's	£000's	£000's	£000's	£000's
Association of Principals of Colleges (NI)*		34	394	—	—	—	—	—
Belfast Airport Police Association (31/3/96)		53	4,492	9	5	16	16	0
North of Ireland Bakers', Confectioners' and Allied Workers' Union*		1,002	42,007	45	54	62	70	9
Northern Ireland Musicians' Association*		1,003	9,093	29	41	70	72	2
Northern Ireland Public Service Alliance*		35,159	2,092,000	2,336	2,020	2,911	2,973	62
Ulster Teachers Union*		5,908	340,500	365	318	518	536	18
<b>TOTALS</b>		<b>43,159</b>	<b>2,488,486</b>	<b>2,784</b>	<b>2,438</b>	<b>3,577</b>	<b>3,667</b>	<b>91</b>
<b>REPUBLIC OF IRELAND UNIONS</b>								
Irish Bank Officials' Association*	4,702	14,509	617,831	2,094	2,046	6,487	6,846	359
Irish National Teachers' Organisation*	5,378	25,559	424,568	4,692	4,875	3,494	4,840	1,346
Services, Industrial, Professional and Technical Union*	2,989	215,947	176,478	18,506	17,484	15,937	18,399	2,462
<b>TOTALS</b>	<b>13,069</b>	<b>256,015</b>	<b>1,218,877</b>	<b>25,292</b>	<b>24,405</b>	<b>25,918</b>	<b>30,085</b>	<b>4,167</b>

\* Denotes a trade union holding a certificate of independence at 31 December 1995.

## Appendix 2

(see Paragraph 3.17)

### G.B. Trade Unions with 100 (or more) NI Members – 31 December 1995 (unless otherwise indicated)

	NI Members	GB Members	NI Contribution £	Total Income £000' s	Total Expenditure £000' s	Funds at the End of the Year £000' s	Total Assets at the end of the Year £000' s	Total Liabilities at the end of the Year £000' s
Abbey National Staff Association	135	7,734	6,808	550	550	304	365	61
Alliance & Leicester Building Society Staff Association	152	4,038	4,369	234	228	217	231	14
Amalgamated Engineering & Electrical Union	19,469	696,277	505,391	43,030	41,733	42,492	51,503	9,011
Association of First Division Civil Servants	333	9,018	43,956	1,223	1,176	793	894	101
Association of Teachers & Lecturers	4,358	165,971	133,505	8,129	7,380	4,627	5,382	755
Association of University Teachers (at 31/8/95)	1,434	34,024	116,772	2,917	2,736	3,320	3,615	295
Banking, Insurance and Finance Union	114	122,147	7,000(e)	7,174	7,580	3,673	4,307	634
British Actors Equity Association	357	41,268	17,931(e)	4,994	3,074	7,570	9,226	1,656
British Association of Occupational Therapists (at 30/9/95)	301	13,349	17,443	2,688	1,893	0	0	0
British Air Line Pilots Association	26	8,445	10,400	2,645	2,676	4,863	5,204	341
British Dental Association (at 30/9/95)	359	15,248	59,235	2,521	2,459	1,996	2,747	751
British Dietetic Association (at 28/2/96)	115	3,105	4,226	125	130	133	145	12
British Medical Association	2,671	89,909	463,360	43,134	43,286	37,647	56,614	18,967
Broadcasting, Entertainment, Cinematograph & Theatre Union	539	28,576	60,835(e)	3,549	3,616	1,295	2,560	1,265
Chartered Society of Physiotherapy	1,309	39,183	86,150	4,369	4,255	3,598	4,565	967
Ceramic and Allied Trades Union	124	22,082	6,422	1,489	1,360	5,997	6,151	154
Civil & Public Services Association	490	121,234	42,131	8,760	8,292	13,892	16,980	3,088
Commercial Union Group Staff Association	150	7,958	4,600	215	180	350	369	19
Communication Managers Association	229	13,291	24,210	1,543	1,502	2,017	2,076	59
Communication Workers Union	6,365	267,681	571,993	31,280	26,772	23,292	25,050	1,758
Community and District Nursing Association (at 31/3/96)	136	3,936	9,520	281	267	63	103	40
Eagle Star Staff Union (1988)	105	4,952	5,377	252	276	33	80	47
Engineers and Managers Association	984	29,860	115,021	3,367	2,755	4,666	4,883	217
Fire Brigades Union	1,645	52,762	154,800	6,805	6,501	5,149	5,542	393
GMB	20,427	719,836	1,053,716	38,182	45,879	58,529	62,486	3,957
General Dental Practitioners Association	199	2,835	16,250	199	196	73	85	11
Graphical, Paper and Media Union (at 25/9/95)	2,276	210,313	173,423	26,583	26,496	38,415	41,832	3,417
Guinness Brewing Staff Association	140	430	5,780	24	23	37	44	7
Independent Union of Halifax Staff	232	17,140	12,060	1,063	1,027	430	948	518
Inland Revenue Staff Federation	1,025	51,339	83,613	7,259	4,454	5,388	5,653	265
Institution of Professionals, Managers & Specialists	322	78,301	34,454(e)	7,400	6,272	17,177	19,246	2,069
Manufacturing Science and Finance Union	10,511	414,902	512,000	22,584	22,658	8,073	25,387	17,314
National Association of Group Secretaries to the National Farmers Union	113	666	30,366	858	900	2,599	2,746	147
National Association of Head Teachers	947	39,393	80,219	4,482	3,927	1,709	2,350	641
National Association of Probation Officers	122	6,985	21,392	1,119	1,116	488	551	63
National Association of Schoolmasters & UWT	12,581	218,930	514,630	10,296	9,041	14,755	15,385	630

(e) = estimated



	NI Members	GB Members	NI Contribution  £	Total Income  £000' s	Total Expenditure  £000' s	Funds at the End of the Year  £000' s	Total Assets at the end of the Year  £000' s	Total Liabilities at the end of the Year  £000' s
National Association of Teachers in F & HE	1,960	68,730	181,782	6,452	6,114	3,293	5,713	2,420
National Federation of Sub-Postmasters	610	14,002	30,366	858	900	2,599	2,746	147
National Union of Civil & Public Servants	492	102,136	404,381	9,800	9,235	6,955	9,018	2,063
National Union of Insurance Workers	265	10,181	14,010	1,037	1,116	1,664	1,757	93
National Union of Journalists (at 30/9/95)	636	26,056	55,807	3,004	2,986	(662)	433	1,095
National Union of Knitwear, Footwear & Apparel Trades	345	43,462	20,733	3,206	3,504	9,050	9,293	243
National Union of Marine, A & ST Officers	402	17,823	34,472	1,916	1,719	3,885	4,248	363
National Union of Rail, Maritime & Transport Workers	187	58,894	13,000	7,105	8,951	6,213	12,977	6,764
Nationwide Group Staff Association	133	8,889	7,254	489	472	240	401	161
Prison Officers Association	2,807	24,857	300,234	3,000	2,994	680	2,007	1,327
Professional Association of Teachers	274	42,195	10,200(e)	1,680	1,651	571	1,308	737
Retained Firefighters Union	284	3,826	10,190	139	128	99	143	44
Royal College of Midwives	1,224	34,144	122,904	3,686	3,661	0	0	0
Royal College of Nursing of the UK (at 31/3/96)	10,408	288,735	424,525	13,053	13,053	0	0	0
Secondary Heads Association	143	8,331	19,625	1,420	1,408	452	1,201	749
Society of Chiropractors and Podiatrists	203	5,806	31,490	1,121	1,030	1,210	1,348	138
Society of Radiographers (at 30/9/95)	415	12,674	49,800	1,506	1,434	(1)	129	130
Society of Telecom Executives	316	18,235	45,000	2,949	3,042	4,906	5,051	145
Transport & General Workers Union	32,484	835,380	3,247,000	64,136	58,691	61,765	71,527	9,762
Transport Salaried Staff Association	453	33,267	38,132	3,897	3,031	14,665	14,902	237
Union of Construction Allied Trades & Technicians	2,140	97,696	56,000	4,092	3,997	(839)	2,038	2,877
UNISON	26,088	1,329,225	1,408,751	97,023	103,926	81,474	96,642	15,168
Union of Shop, Distributive & Allied Workers	6,099	277,156	329,489	17,087	16,303	17,927	18,274	347
<b>TOTALS</b>	<b>179,163</b>	<b>6,924,818</b>	<b>11,864,503</b>	<b>549,240</b>	<b>542,012</b>	<b>533,308</b>	<b>646,461</b>	<b>114,654</b>

(e) = estimated

## Appendix 3

(see Paragraph 3.21)

### Northern Ireland Employers' Associations – 31 December 1995 (unless otherwise indicated)

NI Employers' Associations	Members	Total Income £	Total Expenditure £
Anglo-North Irish Fish Producers Organisation (at 31/7/95)	80	79,069	322
Association of Local Authorities of Northern Ireland (at 31/3/96)	26	144,116	114,306
Belfast County Vintners' Association (at 31/8/95)	85	2,056	2,226
Construction Employers Federation Ltd	428	461,885	469,354
Engineering Employers Federation NI Association	131	295,425	265,750
The Hospitality Association	216	262,278	247,897
The Lough Neagh Fishermen's Association	378	15	297
Northern Ireland Bakery Council (at 31/3/96)	8	13,606	13,970
The Central Council of the Irish Linen Industry Ltd	12	38,771	42,087
Northern Ireland Fish Producers Organisation Ltd	180	604,393	600,298
Northern Ireland Grain Trade Association Ltd	37	35,651	36,497
Northern Ireland Timber Trade Association	25	5,624	4,945
Radio & Television Retailers Association	36	3,560	4,052
Ulster Chemists Association (at 30/9/95)	487	47,124	42,500
Ulster Farmers' Union (at 31/3/96)	12,940	728,538	695,578
Ulster Launderers Association (at 31/10/95)	6	427	369
<b>TOTALS</b>	<b>15,075</b>	<b>2,722,538</b>	<b>2,540,448</b>

## Appendix 4

(see Paragraph 3.21)

### GB Employers' Associations with NI Members – 31 December 1995 (unless otherwise indicated)

GB Employers' Associations with NI Members	NI Members	NI Contribution £	Total Members	Total Income £	Total Expenditure £
Association of Newspapers and Magazine Wholesalers (at 31/3/96)	1	1,006	25	89,892	103,502
British Amusement Catering Trades Association (at 30/9/95)	1	253	1,253	675,857	721,386
British Clothing Industry Federation Ltd	15	34,295	183	808,704	808,707
British Metals Federation	7	3,886	242	320,000	286,000
British Pre-Cast Concrete Federation Ltd	1	4,683	83	300,103	301,783
British Soft Drinks Association	5	16,067	141	1,086,587	999,708
Chemical Industries Association (at 30/6/96)	2	Not Known	178	5,035,000	5,047,000
Construction Plant Hire Association (at 30/6/96)	5	1,807	1,057	509,428	514,966
Engineering Employers' Federation	1	56,467	17	6,485,000	4,595,000
Federation of Master Builders	500	68,001	16,022	3,211,000	3,153,000
Freight Transport Association	227	50,000	11,566	11,952,209	11,884,537
Glass and Glazing Federation	26	25,178	469	1,243,746	1,170,064
Heating & Ventilating Contractors' Association (at 29/2/96)	30	20,881	1,161	8,171,000	8,711,000
National Federation of Master Window and General Cleaners	15	60	1,839	97,534	71,828
National Federation of Retail Newsagents	965	155,558	28,053	4,808,000	4,888,000
National Association of Self Employed of Great Britain and Northern Ireland	467	24,661	906	68,140	84,836
National Federation of Roofing Contractors Limited (at 31/1/96)	14	5,925	636	448,522	419,086
National Hairdressers Federation	10	770	41,743	857,000	923,000
National Sawmilling Association	6	NIL	49	918	461
Producers Alliance for Cinema and Television Ltd	22	10,000	1,104	1,596,000	1,367,000
Publishers Association	3	722	178	1,604,000	1,563,000
Radio, Electrical and Television Retailers' Association (at 31/10/95)	3	240	1,425	347,150	196,339
Retail Motor Industry Federation Ltd	387	79,667	12,754	6,659,000	7,542,000
Scottish Association of Master Bakers	3	480	608	892,921	801,052
Scottish & NI Plumbing Employers Federation	107	17,226	933	425,184	428,864
Screen Printing Association (UK) Ltd (at 31/10/95)	2	825	207	86,036	84,409
Thermal Insulation Contractors Association	1	590	124	738,964	761,957
UK Jute Goods Association	1	125	32	4,000	3,000
Theatrical Management Association	5	4,075	355	377,000	359,000
Society of Master Shoe Repairers	5	282	421	38,338	41,079
Vehicle Builders & Repairers Association Ltd	31	12,476	2,444	1,359,000	1,376,000
<b>TOTALS</b>	<b>2,868</b>	<b>596,206</b>	<b>126,208</b>	<b>60,296,233</b>	<b>59,207,564</b>

## Appendix 5

(see Paragraph 3.12)

### Salaries and Benefits of the Chief Officers of GB Headquartered Trade Unions with 100 or more NI Members - 31 December 1995 (unless otherwise indicated)

SALARIES AND BENEFITS			
UNION	TITLE	SALARY £	BENEFITS including Superann £
Abbey National Staff Association	General Secretary	8,000	274
Alliance & Leicester B/S Staff Association	General Secretary	Nil	Nil
Amalgamated Engineering and Electrical Union	General Secretary	37,537	8,922
Association of First Division Civil Servants	General Secretary	48,635	9,824
Association of Teachers and Lecturers	General Secretary	75,008	14,844
Association of University Teachers (at 31/8/95)	General Secretary	46,163	8,309
Banking Insurance & Finance Union	General Secretary	53,720	11,400
British Actors Equity Association	General Secretary	42,342	4,869
British Association of Occupational Therapists at 30/9/95	Secretary	Nil	Nil
British Airline Pilots Association	General Secretary	50,564	10,779
British Dental Association (at 30/9/95)	Chief Executive	67,832	10,556
British Dietetic Association (at 28/2/96)	General Secretary	Nil	Nil
British Medical Association	Secretary	85,743	17,069
Broadcasting Entertainment Cinematograph & Theatre Union	General Secretary	37,528	9,382
Chartered Society of Physiotherapy	Secretary	44,866	6,142
Ceramic & Allied Trades Union*	General Secretary	22,915	14,135
Civil & Public Services Association	General Secretary	46,610	Nil
Commercial Union Group Staff Association	General Secretary	45,553	2,260
Communication Managers Association	General Secretary	41,927	15,244
Communication Workers Union**	Joint General (a) Secretaries (b)	54,817 56,269	Nil 8,103
Community & District Nursing Association (UK) at 31/3/96	General Secretary	40,000	Nil
Eagle Star Staff Union (1988)	General Secretary	41,752	8,841
Engineers & Managers Association	General Secretary	59,079	13,992
Fire Brigades Union	General Secretary	40,391	14,883
GMB	General Secretary	55,000	15,000
General Dental Practitioners Association***	General Secretary	25,717	Nil
Graphical Paper & Media Union (at 25/9/95)	General Secretary	53,045	14,336
Guinness Brewing Staff Association	General Secretary	Nil	Nil
Independent Union of Halifax Staff	General Secretary	44,127	4,784
Inland Revenue Staff Federation	General Secretary	54,535	6,653
Institution of Professionals Managers and Specialists	General Secretary	59,515	13,396
Manufacturing Science and Finance Union	General Secretary	59,756	11,466
National Association of Group Secretaries to the NFU	General Secretary	6,928	Nil
National Association of Head Teachers****	General Secretary	70,531	10,515
National Association of Probation Officers	General Secretary	33,295	7,417
National Association of Schoolmasters & Union of Women Teachers	General Secretary	59,691	15,291

### Salaries and Benefits of the Chief Officers of GB Headquartered Trade Unions with 100 or more NI Members - 31 December 1995 - Cont.

SALARIES AND BENEFITS			
UNION	TITLE	SALARY £	BENEFITS including Superann £
National Association of Teachers in Further and Higher Education	General Secretary	45,680	8,206
National Federation of Sub-Postmasters	General Secretary	47,912	13,451
National Union of Civil & Public Servants	General Secretary	46,737	4,302
National Union of Insurance Workers	General Secretary	31,379	19,308
National Union of Journalists at 30/9/95	General Secretary	35,670	3,540
National Union of Knitwear Footwear & Apparel Trades	General President	33,147	15,307
National Union of Marine A&St Officers	General Secretary	44,937	8,337
National Union of Rail Maritime & Transport Workers	General Secretary	49,997	14,856
Nationwide Group Staff Association	General Secretary	36,000	4,976
Prison Officers Association	General Secretary	35,980	20,503
Professional Association of Teachers	General Secretary	48,046	34,419
Retained Firefighters Union	General Secretary	20,000	8,177
Royal College of Midwives*****	General Secretary	39,684	6,032
Royal College of Nursing of UK at 31/3/96*****	General Secretary	30,510	9,384
Secondary Heads Association	General Secretary	53,762	8,728
Society of Chiropractors and Podiatrists	General Secretary	46,064	4,149
Society of Radiographers at 30/9/96	General Secretary	45,000	Nil
Society of Telecom Executives	General Secretary	55,478	10,852
Transport & General Workers Union	General Secretary	53,317	6,586
Transport Salaried Staff Association	General Secretary	38,258	7,843
Union of Construction Allied Trades & Technicians	General Secretary	27,551	5,848
UNISON	General Secretary	71,227	8,164
Union of Shop Distributive & Allied Workers	General Secretary	54,251	9,521

\* The General Secretary was appointed on 1 June 1995. The salary/benefits include his earnings for the previous 5 months as a national officer.

\*\* (a) Mr A A Johnston  
(b) Mr A I Young

\*\*\* Honorarium.

\*\*\*\* The General Secretary also acts as the union's solicitor.

\*\*\*\*\* The Royal College of Midwives is a special register body and as such 76% of the General Secretary's salary of £52,216 and benefits of £7,937 are in respect of trade union activities.

\*\*\*\*\* The Royal College of Nursing of the United Kingdom is a special register body and as such only 40% of the General Secretary's salary of £76,275 is in respect of trade union activities.

## Appendix 6

(see Paragraph 6.12)

### List of GB Unions with Northern Ireland Members who have "Contracted in" to the Political Fund - 31 December 1995 (unless otherwise indicated)

	NI Members	NI Contributions £
Amalgamated Engineering and Electrical Union	6,451	26,767
Association of Her Majesty's Inspector of Taxes	30	90
Association of University Teachers (31/8/95)	402	377
Communication Managers' Association	156	187
Communication Workers' Union	2,921	12,069
Fire Brigades Union	613	2,070
GMB	103	448
Graphical Paper and Media Union (30/9/95)	398	572
Inland Revenue Staff Federation	765	1,836
MSF	1,856	8,686
National Association of School Masters and Union of Women Teachers	3,315	1,533
National Association of Teachers in Further and Higher Education	236	283
National Union of Civil and Public Servants	492	590
National Union of Insurance Workers	73	113
National Union of Rail Maritime and Transport Workers	186	580
Society of Telecom Executives (31/7/96)	102	300
Transport and General Workers' Union	18,344	62,783
Transport Salaried Staffs Association	435	1,275
Union of Construction, Allied Trades and Technicians	1,521	4,000
Union of Shop Distributive and Allied Workers	1,290	4,360
UNISON	176	617
<b>TOTALS</b>	<b>39,865</b>	<b>129,536</b>

## Appendix 7

(see Paragraph 6.12)

### List of GB Unions with Northern Ireland Members who do not Contribute to the Political Fund - 31 December 1995 (unless otherwise indicated)

Broadcasting, Entertainment Cinematograph & Theatre Union  
 Ceramic & Allied Trades Union  
 Civil and Public Service Association  
 Institution of Professionals, Managers and Specialists  
 National League of the Blind & Disabled  
 National Union of Knitwear, Footwear and Apparel Trades

## Appendix 8

(see Paragraph 8.5)

### Refund of Costs of Secret Postal ballots for the period 1 April 1995 to 31 March 1996

Trade Union	Reason for Ballot	Amount Paid £	Date Paid
Transport Salaried Staff Association	Political Fund	182.94	28/4/95
NIPSA	Election	24,162.62	31/8/95
MSF	NI Political Fund	3,005.56	31/10/95
NIPSA	Health Service Ballot	1,156.11	30/11/95
Chartered Society of Physiotherapy	Election	205.68	17/1/96
IBOA	Election Ballot IBOA Executive Committee	1,345.87	1/2/96
Amalgamated Engineering & Electrical Union	EETPU Section Election of General Secretary	1,938.30	27/3/96

## Appendix 9

### Statutory Fees Applicable from 30 June 1996

*Fees are calculated to represent the full cost of providing each service*

	Current Fee
Application for entry in the list of trade unions	£50
Application for entry in the list of employers' associations	£50
Application for approval of a change of name	£50
Application for a certificate of independence	£740
Application for formal approval of an instrument of transfer of engagement or an instrument of amalgamation	£980
Inspection of merger documents	£35

## Appendix 10

### List of Certification Office Forms

TITLE	Form No:
Application for entry in the list of trade unions	CO(NI)1
Application for entry in the list of employers' associations	CO(NI)2
Application for approval of a change of name	CO(NI)3
Declaration in support of an application of a change of name	CO(NI)4
Application for a certificate of independence	CO(NI)5
Application for formal approval of instrument of transfer of engagements	CO(NI)6
Application for formal approval of a notice to members in connection with a transfer of engagements	CO(NI)7
Application for formal approval of an instrument of amalgamation	CO(NI)8
Application for formal approval of a notice to members in connection with an amalgamation	CO(NI)9
Application for the registration of an instrument of transfer of engagements	CO(NI)10
Statutory declaration on behalf of the transferor organisation in support of the registration of an instrument of transfer of engagements	CO(NI)11
Statutory declaration on behalf of the transferee organisation in support of the registration of an instrument of transfer of engagements	CO(NI)12
Application for registration of an instrument of amalgamation	CO(NI)13
Statutory declaration in support of an application for the registration of an instrument of amalgamation	CO(NI)14
Application for the refund of costs of secret postal ballot	CO(NI)30
Application for the approval of amendment(s) to political fund rules	PF(NI)1
Application for approval of rules for political fund	PF(NI)2
Application for approval of rules for political fund ballot or political fund	PF(NI)4
Return of result of political fund ballot	PF(NI)5

## Appendix 11

### Certification Office Publications

The following Certification Office booklets are available free of charge on request:

1. *Mergers: a guide to the statutory requirements for transfers of engagements and amalgamations of trade unions and employers associations*
2. *Guidance for trade unions wishing to apply for a certificate of independence*
3. *Guidance for trade unions applying for refund of costs of a secret postal ballot*
4. *Guidance for trade unions and employers' associations wishing to establish a political fund*
5. *A guide to political fund review ballots*
6. *Financial Irregularities in Trade Unions and Employers' Associations*
7. *Annual Reports of the Certification Officer*