

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

1998

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

ANNUAL REPORT

of the

CERTIFICATION OFFICER FOR NORTHERN IRELAND

1998

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I am required under Article 69(7) of the Industrial Relations (Northern Ireland) Order 1992 to submit to each of you a report on my activities as Certification Officer during the previous year. I have pleasure in submitting my report for the period 1 April 1997 to 31 March 1998.

A handwritten signature in black ink, appearing to read 'A H McAlister', written in a cursive style.

A H McALISTER
Certification Officer for Northern Ireland

21 December 1998

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INTRODUCTION

This report deals with my activities for the period 1 April 1997 to 31 March 1998. It is the sixth Annual Report to be published since the post of Certification Officer was established in 1992. My functions are contained in the Industrial Relations (Northern Ireland) Order 1992 (as amended) and in the Trade Union and Labour Relations (Northern Ireland) Order 1995.

They include responsibility

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; seeing that trade unions and employers' associations keep proper accounting records, have their accounts properly audited and submit annual returns; the investigation of the financial affairs of trade unions and employers' associations; and 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, Article 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.

These functions are discussed in the following chapters.

FINANCE AND SUPPORT SERVICES

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.

Accounts of the Office, prepared under Paragraph 15(2) of Schedule 4 to the 1992 Order, are published separately by the Labour Relations Agency. The net cost of the Office for the year ended 31 March 1998 was £57,999. The Certification Officer's salary remained unchanged at 31 March 1998 and was £6,696, excluding Employers NI contribution, for a one-day week. This sum is not pensionable and is taxed under PAYE.

My office is committed to the prompt payment of bills for goods and services received in accordance with the Confederation of British Industry's Prompt Payment Code. Unless otherwise stated in the contract, payment is due within 30 days of the receipt of goods or services or presentation of a valid invoice or similar demand, whichever is the later. During the period of this report 100% of bills were paid to this standard.

COMPLAINTS AND HEARINGS

Where a complaint is made, I have to investigate it and decide it impartially on the facts of the case and in the light of representations made by the parties concerned. I 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. Requests for the booklets and for further information on any aspect of the Certification Officer's duties should be made to the Certification Office 2-8 Gordon Street, Belfast BT1 2LG, telephone: 01232 237773, fax: 01232

330827, e-mail: Lra@dnet.co.uk. A text phone number is also available for those customers with hearing difficulties. Those who wish to use this service should ring 01232 238411.

List 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 4.

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 organisation of workers or of employers may apply to be listed. 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, effectiveness or viability. Articles 3(1) and 4(1), which set out the statutory definitions, are reproduced in full at paragraph 1.16.
- 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 Application must be made on the appropriate form and be accompanied by the statutory fee, see Appendix 9. The form CO(NI)1 can be obtained on request from the Certification Office.
- 1.6 The current lists are available for inspection free of charge at the Certification Office, 2-8 Gordon Street, Belfast BT1 2LG.
- 1.7 There were no applications for listing during the period of this report.

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.
- 1.9 During the period of this report, no Northern Ireland bodies were removed from the trade union or employers' association lists.
- 1.10 The GB Certification Officer removed the following five bodies, which had Northern Ireland members, from his list following their dissolution.

<i>Trade Unions</i>	<i>Effective Date</i>
National and Provincial Building Society Staff Association	25.7.97
Association of University and College Lecturers	1.9.97
Civil and Public Services Association	10.3.98
Public Services, Tax and Commerce Union	20.3.98
Clerical Medical Staff Association	31.3.98

Employers' Associations

None

Special register bodies

- 1.11 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.
- 1.12 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. Bodies which are removed from the special register for whatever reason are not subsequently allowed to re-enter the register.

- 1.13 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 twelve 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 Chiropractors and Podiatrists
Society of Radiographers

Unlisted organisations

- 1.14 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. During the period of this report the Office has begun a comprehensive review of its lists to ensure maximum accuracy.

Department of Economic Development Statistics

1.15 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 and employers' associations.

Statutory Definitions in the 1992 Order

TRADE UNIONS

1.16 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.

EMPLOYERS' ASSOCIATIONS

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.

Trade Union Independence

A trade union which is on the list of trade unions may apply for a certificate of independence. This chapter 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 such certificates and of 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 by third parties. 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 in Great Britain. 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 criteria: 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 (see Appendix 9). The form - CO(NI)5 - can be obtained on request from the Certification Office.

Applications/Decisions

- 2.8 There were no applications for certificates of independence during the period of this report and no decisions were made relating to earlier applications.

G.B. Certification Officer Decisions

2.9 During the year the G.B. Certification Officer made the following decisions concerning trade unions with Northern Ireland members:

Certificates of independence issued

None

Certificates refused

None

Certificates cancelled because the union ceased to exist as a result of a merger

	<i>Effective Date</i>
National and Provincial Building Society Staff Association	1.7.97
Association of University and College Lecturers	1.9.97
Civil and Public Services Association	10.3.98
Public Services Tax and Commerce Union	10.3.98

Certificates cancelled because union requested removal from the list of trade unions

None

Certificates cancelled because the union was dissolved.

None

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 deals with the provisions relating to the investigation of the financial affairs of trade unions and employers' associations.

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 those which consist 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.
- 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 In all cases the returns must include revenue and other accounts and a balance sheet which must give a true and fair view of the matters to which they relate. Details of all funds maintained for trade union and employers' association purposes must be included in the return. 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, regardless of whether those rules were altered or not. It is the Certification Officer's responsibility to ensure that clear accounts, covering all funds

administered by the organisation are available for public inspection.

- 3.4 The 1992 Order requires each trade union and employers' association to submit a return of its financial affairs before 1 June in each year covering 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 period would cause serious inconvenience to the organisation concerned. Eighty-three per cent of trade unions and 62 per cent of employers' associations use 31 December as their year ending.
- 3.5 The annual return must include a copy of the auditor's report on the accounts. A person is qualified to act as auditor to a trade union or employers' association if he is eligible for appointment as a company auditor under Article 28 of the Companies (NI) Order 1990. Schedule 1 of the 1992 Order sets out the rights of auditors, including access to information and the entitlement to attend and speak at general meetings of the organisation.
- 3.6 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.
- 3.7 Provided the period covered is the same and there is no significant diminution in the degree of disclosure, a special register body (see paras 1.11 - 1.13) 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.
- 3.8 A trade union - other than a special register body - or an employers' association may use auditors who are not eligible for appointment under the Companies Orders provided that the following conditions apply: its receipts and payments do not in aggregate exceed £5,000, the

value of its assets are less than £5,000 and it has less than 500 members. During the period of this report only three organisations submitted returns under this criteria.

- 3.9 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 does not generally undertake prosecutions for such offences as embezzlement or fraud which are dealt with by other prosecuting authorities. 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 the decision to instigate legal proceedings in such cases would be a matter for the Certification Officer (see para 3.23).

Northern Ireland Resident Address

- 3.10 Every trade union or employers' association carrying on business in Northern Ireland which has its head or main office outside Northern Ireland must, on an annual basis, 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.
- 3.11 Every trade union and employers' association headquartered outside Northern Ireland which has submitted a return to the Office has complied with this requirement.

Late submission of returns

- 3.12 The 1992 Order requires an organisation to submit its annual return to the Certification Officer within five months of its financial year end. In 1997 the office received a total of 155 annual returns from trade unions and employers' associations, of which approximately 7% were submitted over two months late; however by the end of the year all returns had been received. The office continues to seek full compliance with the statutory requirements for the submission of returns.

Changes of financial year

- 3.13 During the period of this report the Certification Officer did not receive any requests for changes of financial year.

Financial Information

- 3.14 Financial information derived from the annual returns of trade unions and employers' associations is given at Appendices 1-7. That information and the following comments in this Chapter relate to the year ended 31 December 1997, unless otherwise indicated.

Branch funds

- 3.15 During the year it became evident that trade union funds held at branch level were not always being included in the annual returns. The Certification Officer wrote to all unions explaining that there was a legal requirement for such funds to be included. Discussions are being held with a number of unions to enable full compliance with their legal obligations.

Salaries and benefits

- 3.16 The Trade Union and Labour Relations (NI) Order 1995 ("the 1995 Order") provides, 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. Information is required on individual benefits with a value of £100, or more, in any accounting period. Benefits are defined as Inland Revenue "taxable" benefits, pension and superannuation contributions and redundancy/termination payments.

Northern Ireland Trade Unions

- 3.17 The following table gives, in the third and fourth columns, the amount paid in salary and benefits to chief officers of five trade unions headquartered in Northern Ireland. The benefits

returned consist mainly of superannuation contributions. Employers national insurance contributions are excluded.

UNION	TITLE	1997	
		(£) Salary	(£) Benefits excluding NI contribution
Association of Principals of Colleges (NI)	Chairman	NIL	NIL
Belfast Airport Police Association (31/3/98)	Chairman	NIL	NIL
Northern Ireland Musicians' Association	General Secretary	6,000	NIL
Northern Ireland Public Service Alliance	NIMA Organiser	41,368	10,714
Ulster Teachers Union	General Secretary	39,590	3,089

Republic of Ireland Trade Unions with NI Members

3.18 The following table gives, in the third and fourth columns, the amount paid in salary and benefits in Irish punts to chief officers of trade unions headquartered in the Republic of Ireland. Pay related social insurance contributions are excluded.

UNION	TITLE	1997	
		(IR£) Salary	(IR£) Benefits excluding Pay Related Social Insurance
Irish Bank Officials Association	General Secretary	72,060	63,351 ¹
Irish National Teachers Organisation	General Secretary	67,123	1,007
Seamans Union of Ireland (4 month period)	General Secretary	5,335	2,755
SIPTU	General Secretary	73,891	3,748 ²

¹ Part of this figure represents amounts paid to a pension scheme to cover a shortfall in funding.

² As well as the benefits listed above SIPTU operates a defined benefit pension scheme. Contributions are made to the scheme in accordance with recommendations of independent actuaries. The funding of the scheme is based on total salary roll and not on an individual by individual basis. The current funding level is 26.025%.

GB Trade unions with NI Members

3.19 The amounts paid in salary and benefits to the chief officers of ninety-nine trade unions headquartered in Great Britain are given in Appendix 6. The benefits returned consist mainly of superannuation contributions. Employers national insurance contributions are excluded.

Statement to members

3.20 Northern Ireland headquartered trade unions must issue a statement containing specific information to all members within eight weeks of the submission of the annual return to the Certification Officer. The Certification Officer is required to ensure total compliance with this requirement. 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.

3.21 The 1995 Order is specific about how this should be done; 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.”

- 3.22 During the period of this report two trade unions did not properly fulfil this statutory requirement. Following discussions between my staff and officials of the trade unions, steps have been taken to ensure full compliance.

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

- 3.23 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 (see para 3.9).

Trade unions - Membership and Financial Information

- 3.24 The total Northern Ireland membership of all trade unions at 31 December 1997 was 229,492. Statistics reveal that 76% of all NI trade union members belong to GB based trade unions with 18% and 6% respectively being members of NI and ROI trade unions. Whilst NI membership of GB and ROI trade unions has remained fairly constant, membership of indigenious trade unions has fallen by 6.5% nett over the last year.
- 3.25 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 1997 the gross income of NI trade unions was approximately £2.8m; gross expenditure was £2.6m.
- 3.26 A summary of statistics concerning the membership and finances for 1997 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 40,498 members of NI unions providing an annual contribution of approximately £2.6, while there were 12,703 NI members of ROI unions providing an annual contribution of approximately £1.3m.
- 3.27 Financial and membership details of fifty-five GB based unions with 100 or more Northern Ireland members are given in Appendix 2. This shows a total of 174,998 NI members making an annual contribution of £11.8m which is approximately 1.9% of the total income of £602m for the unions listed.
- 3.28 Membership details of a further forty-four GB based trade unions with less than 100 Northern Ireland members are listed in Appendix 3. These show a total of 1,293 Northern Ireland members.

Employers' associations - Membership and Financial Information

- 3.29 A summary of statistics concerning the membership and finances of sixteen Northern Ireland employers' associations for 1997 is given in Appendix 4. Details of thirty-one GB based

employers' associations with Northern Ireland members is given in Appendix 5.

Public inspection of annual returns

- 3.30 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.

- 3.31 Whilst the returns contain detailed and comprehensive financial information, a one-page financial consolidation summary is included with each return.

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.

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

Schemes maintained - Northern Ireland Trade Unions

- 4.3 During the period of this report no trade union 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 Lithoprinters)

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.

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. The statutory fee payable is shown in Appendix 9.
- 5.4 Ballots must be postal* and subject to independent scrutiny. The inclusion in the notice to members of any statement making a recommendation or expressing an opinion about a proposed amalgamation or transfer is prohibited; also, the voting paper sent to a member may

* 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.

not be accompanied by any material other than the notice to members, an addressed pre-paid envelope and a document giving instruction for the return of the ballot paper. Other requirements relate to storage, distribution and counting of votes by independent persons and the availability of a union's membership register and the circumstances of its inspection by an independent scrutineer.

- 5.5 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 an application to register the instrument may be made to the Certification Officer. The application cannot be made until a copy of the scrutineer's report has been despatched to every member of the union or they have been notified of its contents by other means.
- 5.6 In the case of both a transfer and an amalgamation, 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.

Mergers involving GB Trade Unions

- 5.7 Although the merger provisions of the 1995 Order do not extend to Great Britain, the Order does apply with certain modification to a transfer of engagements or amalgamation between a Northern Ireland union and a union in Great Britain.
- 5.8 Formal documents kept by the Certification Officer relating to mergers under the 1995 Order are available for public inspection. The statutory fee payable is shown in Appendix 9.

Advice on procedures

- 5.9 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 staff are always prepared to meet officials of organisations proposing to merge to discuss procedures and time-tables.

Applications

- 5.10 No proposals to enter into a transfer of engagements or an amalgamation were received from any Northern Ireland based union.
- 5.11 Four proposals involving GB unions with Northern Ireland members were referred to me for approval of Northern Ireland related aspects. These proposals were approved and the GB Certification Officer subsequently approved the following mergers:
- Transfer of engagements of the National and Provincial Building Society Staff Association to Banking, Insurance and Finance Union (1.7.97).
 - Transfer of engagements of the Association of University and College Lecturers to the Association of University Teachers (1.9.97).
 - Amalgamation of the Civil and Public Services Association and Public Services, Tax and Commerce Union (10.3.98).
 - Transfer of Engagements of the Clerical Medical Staff Association to the Independent Union of Halifax Staff (31.3.98).

Complaints

5.12 No complaints were received during the period of this report.

Changes of name

5.13 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 (see Appendix 9 for the statutory fee). The Northern Ireland Certification Officer did not receive any applications during the period of this report. The GB Certification Officer approved the changes of name of three trade unions with Northern Ireland members; these are listed below.

Great Britain

Trade Unions

From	Bradford and Bingley Building Society Staff Association	8.4.97
To	The Union for Bradford and Bingley Staff	
From	Joint Boots Pharmacists Association	15.4.97
To	The Boots Pharmacists Association	
From	Britannia Staff Association	15.5.97
To	Britannia Staff Union	

Employers' Associations

None

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 activities. 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. This chapter also explains the statutory provisions relating to complaints by trade union members about breaches of political fund rules and also reports developments in 1997/98.

The statutory provisions for Northern Ireland based organisations

General

- 6.1 A trade union or an unincorporated employers' association, whether listed or not, can include the furtherance of political objects among the activities of the organisation. To do so, it must adopt rules providing for the expenditure of funds on such objects. These rules, known as political fund rules, must be approved by the Certification Officer. A resolution to adopt political objects must be approved by the members in a postal[†] ballot held under the approved rules. An independent scrutineer must be appointed by the union to oversee the requirements of the ballot.
- 6.2 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.

Exemptions

- 6.3 Unlike members in Great Britain, it is a statutory requirement that trade union members in

[†] 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.

Northern Ireland must “contract-in” to a political fund in their union. Where a Northern Ireland trade union member does not “contract-in”, or, having “contracted-in” subsequently decides to “contract out”, he is exempt from contributing to the political fund.

- 6.4 Contribution to the political fund must not be made a condition for admission to the organisation. Those members not contributing to the political fund must not be excluded from any benefits of the organisation or placed under any disability or disadvantage compared with other members, except in relation to the control or management of the political fund.
- 6.5 Members wishing to “contract-in” must do so in writing by using an approved application form (Article 59 of the 1995 Order) or apply in a form to the same effect. Unless contributions are collected by a separate levy, exempt members of the organisation must be relieved from the payment of the political fund element of the normal periodical contributions. The rules must also provide for each member to know what portion, if any, of his contribution is a contribution to the political fund. Moreover, any Northern Ireland member who wishes to “contract out” must also do so in writing.

Members of GB and ROI -based trade unions

- 6.6 The statutory requirement that Northern Ireland trade union members must “contract-in” to a political fund in their union applies to every Northern Ireland trade union member, regardless of where his union is headquartered. The requirements and conditions outlined in paras 6.3 to 6.5 therefore apply also to Northern Ireland members of unions headquartered in Great Britain or the Republic of Ireland.

Political Fund Model Rule

- 6.7 A revised 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. However, as approval for its use, or proposed amendment, is a legal requirement before any political fund deduction may

be made, GB trade unions should contact the Northern Ireland Certification Office before including it in its Rule Book.

Republic of Ireland

- 6.8 Only two Republic of Ireland trade unions with NI members operate political funds. These unions have given the Certification Officer an assurance that they do not deduct political fund subscriptions from NI members.

Complaints

(i) Northern Ireland Headquartered Trade Unions

- 6.9 Any member of a trade union with a political fund who considers that the political fund rules have been breached may complain to the Certification Officer under Article 57(2) of the 1995 Order. If, after investigating the complaint, the Certification Officer considers that a breach has occurred, he may, under Article 69 of the 1995 Order, make an order for remedying it. An appeal against the decision of the Certification Officer may be made to the Court of Appeal on a question of law.

- 6.10 A trade union member can also 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 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.

(ii) Great Britain Headquartered Trade Unions

- 6.11 Any Northern Ireland member of a GB headquartered trade union who considers that the political fund rules in relation to the statutory requirement for “contracting-in” have been breached may complain to the Northern Ireland Certification Officer. If, after giving the complainant and the union an opportunity of being heard, the Certification Officer considers that a breach has occurred, he may make an order for remedying it. An appeal against any decision of the Certification Officer may be made to the Court of Appeal on a question of law.

6.12 Any Northern Ireland member of a GB headquartered trade union who considers that its political fund rules have been breached, other than in relation to “contracting-in” requirements, may complain to the GB Certification Officer, 180 Borough High Street, London, SE1 1LW (Tel: 0171 210 3734).

Advice on Procedures

6.13 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 1997

6.14 None.

GB based organisations with political fund rules at 31 December 1997

6.15 There were twenty-seven GB based trade unions with Northern Ireland members operating political funds at 31 December 1997. Of these, seventeen had contributing members in Northern Ireland.

6.16 The returns show that in 1997, 31,387 Northern Ireland members - representing 14% of the total NI trade union membership - contributed £96,008 towards political funds. A detailed list of the unions, their Northern Ireland membership and their financial contributions is given at Appendix 7. Appendix 8 contains details of those ten GB unions with Northern Ireland members who did not contribute to the unions’ political funds in 1997.

Approval of Political Fund Rules/Amendments

New Political Funds

6.17 During the period of this report the Certification Officer approved the Northern Ireland

political fund rules of the Prison Officers' Association. A further ten GB headquartered trade unions, listed below, have also submitted draft Northern Ireland political fund rules for approval.

Association of Her Majesty's Inspectors of Taxes and Senior Revenue Officials	(21.5.97)
Communication Managers' Association	(9.7.97)
Institution of Professionals, Managers and Specialists	(5.3.98)
National Union of Rail, Maritime and Transport Workers	(31.7.97)
National Association of Schoolmasters and Union of Women Teachers	(23.9.97)
National Association of Teachers in Further and Higher Education	(17.3.98)
Public and Commercial Services Union	(25.11.97)
Society of Radiographers	(7.10.97)
Transport Salaried Staffs Association	(25.11.97)
UNISON	(4.2.98)

Political Funds Review

- 6.18 A review is being carried out of 13 GB unions which allow their NI members to contribute to the unions' Political Funds. The purpose of this review is to ensure that these unions are following NI law with regard to the political fund contributions. Inappropriate practices have been identified in a number of cases and negotiations are ongoing as to how difficulties arising from these practices can be resolved and the requirements of NI law fully complied with. Statistics show that since the review began those NI members "contracting in" has, so far, fallen by 21% and contributions have fallen by 26%.

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[†] 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, subject to certain exceptions in respect of officers facing retirement. Elections are required to be by secret postal[†] ballot of the members of the union, conducted in accordance with the relevant conditions 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 which the union has taken or proposes to take to remedy the breach. Additionally, the Certification Officer must give reasons for his decision in writing and

[†] 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.

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.

Appendix 1

(see para 3.26)

LIST OF TRADE UNIONS WITH HEADQUARTERS IN NORTHERN IRELAND AND WITH HEADQUARTERS IN THE REPUBLIC OF IRELAND - AT 31 DECEMBER 1997

NORTHERN IRELAND UNIONS	NI MEMBERS	TOTAL MEMBERS
Association of Principals of Colleges (NI)*		28
Belfast Airport Police Association (31/3/98)*		49
Northern Ireland Musicians' Association*		1,003
Northern Ireland Public Service Alliance*		34,121
Ulster Teachers Union*		5,297
TOTALS		40,498

REPUBLIC OF IRELAND UNIONS

Irish Bank Officials' Association*	4,358	14,217
Irish National Teachers' Organisation*	5,294	26,345
Seamans Union of Ireland**	15	537
Services, Industrial, Professional and Technical Union*	3,036	230,006
TOTALS	12,703	271,105

* Denotes a trade union holding a certificate of independence at 31 December 1997.

** Denotes an unlisted union.

NI SUBSCRIPTION CONTRIBUTIONS	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
168	-	-	-	-	-
5,580	11	8	23	23	-
11,592	19	23	45	46	1
2,176,293	2,447	2,267	3,229	3,262	33
369,096	407	366	641	658	17
2,562,729	2,884	2,664	3,938	3,989	51
604,755	2,245	2,131	6,795	7,143	348
488,840	4,571	4,717	3,596	4,082	486
950	65	86	73	129	56
182,795	19,640	19,419	17,889	21,476	3,587
1,277,340	26,521	26,353	28,353	32,830	4,477

Appendix 2

(see para 3.27)

G.B. TRADE UNIONS WITH 100 or more NI MEMBERS - 31 DECEMBER 1997 (UNLESS OTHERWISE INDICATED)

	NI MEMBERS	GB MEMBERS	ROI MEMBERS	MEMBERS BASED ELSEWHERE (incl. Channel Islands)
Abbey National Staff Association	136	7,473	-	3
Alliance & Leicester Group Union of Staff	104	3,186	-	-
Amalgamated Engineering & Electrical Union	20,608	690,352	8,679	657
Association of First Division Civil Servants	288	8,852	-	66
Association of Teachers & Lecturers	4,078	148,671	3	591
Association of University Teachers (at 31/8/97)	1,446	33,129	-	-
Bakers, Food and Allied Workers Union	676	28,743	1,069	Nil
Banking, Insurance and Finance Union	112	111,688	-	1,172
British Actors Equity Association	384	34,070	48	-
British Association of Occupational Therapists (at 30/9/97)	352	14,648	54	313
British Dental Association (at 30/9/97)	404	14,587	43	401
British Dietetic Association (at 28/2/98)	138	3,689	121	181
British Medical Association	2,863	96,719	199	4,563
Broadcasting, Entertainment, Cinematograph & Theatre Union	519	28,654	46	24
Ceramic and Allied Trades Union	155	20,323	-	-
Chartered Society of Physiotherapy	1,231	41,722	1,090	6,009
Civil & Public Services Association	509	111,120	7	21
Communication Managers Association	220	13,429	-	59
Communication Workers Union	6,158	267,200	Nil	456
Community and District Nursing Association (at 31/3/98)	135	4,127	1	9
Engineers and Managers Association	940	28,277	4	341
Fire Brigades Union	1,794	55,149	-	-
GMB	18,770	690,761	38	139
General Dental Practitioners Association	142	1,848	-	10
Graphical, Paper and Media Union (at 30/9/97)	2,366	197,822	4,500	134
Guinness Brewing Staff Association	106	450	-	6
Independent Union of Halifax Staff	242	25,972	-	3
Institution of Professionals, Managers & Specialists	311	73,084	28	1,161
Manufacturing Science and Finance Union	9,463	387,499	18,245	793
National Association of Head Teachers	1,014	42,829	-	321
National Association of Probation Officers	115	6,263	-	-
National Association of Schoolmasters & UWT	14,548	229,459	-	1,925
National Association of Teachers in F & HE	1,834	63,336	-	96
National Federation of Sub-Postmasters	576	12,827	-	46
National Union of Insurance Workers	256	10,064	-	27
National Union of Journalists (at 30/9/97)	717	26,878	3,243	948

NI SUBSCRIPTION CONTRIBUTIONS	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
34,588	2,228	2,289	521	876	355
6,372	524	507	400	467	67
3,290	253	210	273	286	13
1,369,000	42,610	39,045	46,622	62,054	15,432
42,486	1,394	1,391	670	926	256
153,980	9,225	8,234	6,605	7,809	1,204
122,867 (e)	3,352	3,329	3,480	3,826	346
7,000 (e)	7,400	7,495	3,502	4,197	695
21,290	4,838	3,449	10,401	12,701	2,300
26,859	1,257	1,257	Nil	452	452
66,660	3,295	3,424	1,961	2,785	824
19,182	151	146	128	136	8
498,950	67,048	62,892	49,637	75,062	25,425
61,600	3,605	3,622	1,482	1,932	450
8,538	1,531	1,183	6,654	6,761	107
107,753	6,387	6,130	4,079	5,649	1,570
41,172	7,940	7,456	14,563	18,224	3,661
24,147	1,653	1,596	1,973	2,038	65
543,992	33,919	26,447	24,261	31,177	6,916
11,475	339	327	70	102	32
111,993	3,540	3,026	5,976	6,304	328
124,967	7,532	7,192	5,382	6,068	686
1,118,182	43,970	47,686	53,251	57,305	4,054
13,000	225	196	136	151	15
180,027	29,086	29,053	40,015	42,788	2,773
4,929	25	29	34	49	15
10,663	1,334	1,310	644	1,194	550
36,200 (e)	7,644	7,071	19,466	20,697	1,231
459,000	24,197	22,572	10,506	21,285	10,779
101,000	5,052	4,376	3,516	3,935	419
21,340	1,156	1,115	548	631	83
582,885	13,123	11,179	18,198	18,926	728
182,244	6,379	6,772	3,140	5,497	2,357
33,428	950	1,223	2,313	2,407	94
13,703	923	882	1,674	1,799	125
80,100	3,237	2,921	(67)	482	549

CONTINUED

	NI MEMBERS	GB MEMBERS	ROI MEMBERS	MEMBERS BASED ELSEWHERE (incl. Channel Islands)
National Union of Knitwear, Footwear & Apparel Trades	244	37,831	-	-
National Union of Marine, A & ST Officers (NUMAST)	381	17,104	340	691
National Union of Rail, Maritime & Transport Workers	177	55,925	137	98
Nationwide Group Staff Union	159	9,250	-	-
Prison Officers Association	2,634	26,065	-	-
Professional Association of Teachers	240	35,393	-	106
Public Services, Tax and Commerce Union	1,398	151,882	24	941
Retained Firefighters Union	240	3,935	-	-
Royal College of Midwives (31/8/97)	1,175	33,191	24	452
Royal College of Nursing of the UK (at 31/3/98)	10,606	298,928	309	2,298
Secondary Heads Association	152	8,486	2	68
Society of Chiropodists and Podiatrists	225	6,328	42	302
Society of Radiographers (at 30/9/97)	423	13,032	-	316
Society of Telecom Executives	425	16,457	-	80
Transport & General Workers Union	31,042	820,653	18,268	11,394
Transport Salaried Staff Association	429	29,117	1,551	35
Union of Construction Allied Trades & Technicians	2,330	100,879	10,346	Nil
UNISON	22,530	1,277,921	-	-
Union of Shop, Distributive & Allied Workers	6,478	286,992	-	-
TOTALS	174,998	6,764,269	68,461	37,256

(e) Estimated

NI SUBSCRIPTION CONTRIBUTIONS	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
17,426	3,498	3,324	9,599	9,736	137
34,820	2,352	2,011	4,184	4,618	434
19,512	7,026	7,797	5,052	11,621	6,569
7,298	560	500	320	484	164
243,906	3,429	2,909	702	1,582	880
11,000 (e)	1,749	1,796	406	1,235	829
122,774	14,750	13,847	9,875	10,694	819
8,313	154	172	89	93	4
138,893	4,070	4,083	308	313	5
439,178	13,052	13,052	Nil	Nil	Nil
22,985	1,587	1,607	359	1,145	786
36,249	1,242	1,391	1,281	1,565	284
55,836	1,956	1,902	39	256	217
50,800	2,960	2,703	4,520	4,633	113
2,111,000	63,710	61,038	77,411	83,528	6,117
39,388	3,717	3,049	16,258	16,774	516
80,000	4,584	3,741	301	1,990	1,689
1,744,222	105,891	109,949	81,581	91,721	10,140
339,111	18,723	18,473	19,269	19,882	613
11,767,573	602,332	580,376	573,635	688,848	115,280

Appendix 3

(see para 3.28)

GB TRADE UNIONS WITH LESS THAN 100 NI MEMBERS - AT 31 DECEMBER 1997 (UNLESS OTHERWISE INDICATED)

TRADE UNION	NI MEMBERS	GB MEMBERS	ROI MEMBERS	MEMBERS BASED ELSEWHERE (incl. Channel Islands)
Association of Clinical Biochemists Ltd	42	1,717	57	352
Association of Educational Psychologists	54	2,122	-	18
Association of HM Inspector of Taxes	33	2,200	-	2
Association of Principal Fire Officers (31.3.98)	4	185	-	-
Association of Professional Ambulance Personnel	17	2,668	-	-
Association of Professional Music Therapists	6	349	5	20
Association of University and College Lecturers	30	2,999	-	-
Brittanic Field Staff Association	25	1,627	-	11
Brittania Staff Union	6	2,178	-	-
British Airline Pilots Assn	59	5,946	-	-
British Assn of Advisors & Lecturers in PE	2	313	1	4
British Association of Dental Nurses	72	2,731	16	46
British Orthoptic Society	23	827	14	-
British Assn of Journalists	6	494	-	8
British Union of Social Work Employees (31.5.98)	34	3,981	-	-
Clerical Medical Staff Association (31.3.98)	7	1,455	-	9
Commercial Union Group Staff Assn	78	5,134	15	-
Eagle Star Staff Union (1988)	99	4,379	-	31
Federated Union of Managerial & Professional Officers	61	10,094	-	31
Girobank	1	122	-	-
Guild of Professional Teachers of Dancing	10	1,039	-	-
Hambro Staff Assn	7	243	-	-
Headmasters and Headmistresses' Conference (31.3.98)	7	287	1	75
Hospital Consultants & Specialists Assn (30/9/97)	36	2,228	-	-
Boots Pharmacists Assn	5	628	1	2
Leeds & Holbeck Building Society Staff Assn	4	299	-	-
National Assn of Co-operative Officials	13	3,141	-	15
National Assn of Educational Inspectors, Advisors and Consultants	75	2,344	-	3
National Assn of Group Secretaries to NFU	55	684	-	-
National League of the Blind and Disabled	36	2,106	-	-
National Provincial Building Society Staff Assn (6 months to 30/6/97) merged with BIFU	17	980	-	-
National Society for Education in Art & Design (30/9/97)	38	2,258	3	66
Prison Service Union	78	2,238	-	-
Prison Governors Assn	57	864	-	3
Retired Officers Assn (30.6.98)	9	1,167	0	136
Royal Society for the Protection of Birds	9	442	-	-
Scottish Equitable Staff Assn	9	1,986	-	-
Society of Authors Ltd	25	5,815	43	390
Sun Alliance Staff Union	37	4,188	-	-
Sun Life Staff Assn	6	2,100	-	-
Union For Bradford & Bingley Staff	16	2,646	-	-
United Friendly Agents Assn	19	984	-	6
Woolwich Independent Staff Assn	56	5,776	-	-
Writers Guild of Great Britain	10	1,788	6	67
TOTALS	1,293	97,752	162	1,295

Appendix 4

(see para 3.29)

NORTHERN IRELAND EMPLOYERS' ASSOCIATIONS - 31 DECEMBER 1996 (UNLESS OTHERWISE INDICATED)

NI Employers' Associations	Members	Total Income £	Total Expenditure £	Total Assets £	Total Liabilities £
Anglo-North Irish Fish Producers Organisation (at 31/7/97)	88	96,272	111,140	218,133	27,027
Association of Local Authorities of Northern Ireland (at 31/3/98)	26	122,876	116,916	139,228	Nil
Belfast County Vintners' Association (at 31/8/97)	117	2,050	1,773	24,807	8,357
Central Council of the Irish Linen Industrial Ltd	12	38,206	37,140	16,169	16,346
Construction Employers Federation Ltd	451	449,171	457,945	553,676	197,406
Engineering Employers Federation NI Association	139	368,818	320,158	365,925	80,259
The Hospitality Association	280	524,588	532,127	182,403	126,246
The Lough Neagh Fishermen's Association	378	20	Nil	4,228	285
Northern Ireland Bakery Council (at 31/3/98)	7	13,404	13,326	4,559	2,213
Northern Ireland Fish Producers Organisation Ltd	171	586,064	552,808	734,662	101,165
Northern Ireland Grain Trade Association Ltd	36	16,935	18,461	5,905	7,756
Northern Ireland Timber Trade Association	18	12,920	11,126	5,185	444
Retail, Electrical and Television Retailers Association of NI	20	2,000	2,000	10,000	1,000
Ulster Chemists Association (at 30/9/98)	473	61,560	55,522	173,241	32,077
Ulster Farmers' Union	12,304	938,000	768,000	1,367,000	260,000
Ulster Launderers Association (at 31/10/97)	6	426	437	2,329	329
TOTALS	14,526	3,233,310	2,998,879	3,807,450	860,910

Appendix 5

(see para 3.29)

GB EMPLOYERS' ASSOCIATIONS WITH NI MEMBERS - 31 DECEMBER 1997 (UNLESS OTHERWISE INDICATED)

GB EMPLOYERS' ASSOCIATIONS WITH NI MEMBERS	NI MEMBERS	NI CONTRIBUTION £	TOTAL MEMBERS (incl. Channel Islands and ROI)	TOTAL INCOME £	TOTAL EXPENDITURE £
Association of Newspapers and Magazine Wholesalers (at 31/3/98)	2	7,112	29	211,254	252,504
British Amusement Catering Trades Association (at 30/9/96)	1	650	654	848,064	831,541
British Clothing Industry Federation Ltd	12	27,842	171	746,218	812,810
British Metals Federation	6	5,570	215	301	231
British Pre-Cast Concrete Federation Ltd	2	5,835	74	327	319
British Soft Drinks Association	4	19,970	163	1,317,617	1,344,249
Chemical Industries Association (at 30.6.98)	1	Not Known	175	5,294,000	5,294,000
Construction Plant Hire Association (at 30/6/97)	6	1,435	1,114	538,926	455,209
Engineering Employers' Federation	1	75,691	17	3,188	4,767
Federation of Master Builders	448	65,588	15,238	3,149	3,173
Freight Transport Association	258	49,387	11,767	13,144	12,733
Glass and Glazing Federation	29	27,794	478	35,391	35,391
Heating & Ventilating Contractors' Association (at 29.2.98)	39	27,820	1,159	7,808,933	7,249,498
National Federation of Master Window and General Cleaners	12	283	1,741	129,943	86,682
National Federation of Retail Newsagents	899	177,642	24,886	4,981,268	4,450,673
National Association of Self Employed†	400	22,560	1,133	61,000	60,000
National Federation of Roofing Contractors Limited (at 31.1.98)	20	8,020	675	510,000	470,000
National Hairdressers Federation	11	968	5,028	697,815	745,978
National Sawmilling Association	3	Nil	51	1,300	Nil
Producers Alliance for Cinema and Television Ltd (30.9.97)	26	30,000	1,000	1,814,947	1,679,503
Publishers Association	2	431	177	1,549	1,506
Radio, Electrical and Television Retailers' Association (31/10/97)	2	256	1,505	374,091	358,757
Retail Motor Industry Federation Ltd	362	107,057	11,424	12,434	11,573
Scottish Association of Master Bakers	2	240	562	965,438	840,448
Scottish & NI Plumbing Employers' Federation	120	24,963	951	477,340	478,232
Screen Printing Association (UK) Ltd (at 31.10.96)	4	1,000	261	118,409	115,584
Thermal Insulation Contractors Association	2	1,220	134	770,281	782,877

GB EMPLOYERS' ASSOCIATIONS WITH NI MEMBERS	NI MEMBERS	NI CONTRIBUTION £	TOTAL MEMBERS	TOTAL INCOME £	TOTAL EXPENDITURE £
UK Jute Goods Association	1	125	31	3,539	3,803
Theatrical Management Association	6	5,838	369	492	496
Society of Master Shoe Repairers	4	244	312	28,250	24,196
Vehicle Builders & Repairers Association Ltd	24	8,150	1,593	840	789
TOTALS	2,709	703,691	83,087	27,769,448	26,407,522

†Formerly the National Association of Self-Employed of Great Britain and Northern Ireland

Appendix 6

(see para 3.19)

SALARY AND BENEFITS OF THE CHIEF OFFICERS OF GB HEADQUARTERED TRADE UNIONS WITH NI MEMBERS - AT DECEMBER 1997 (unless otherwise indicated)

TRADE UNION	OFFICE HELD	SALARY £	BENEFITS (excluding NI Contributions) £
Abbey National Staff Assn	General Secretary	10,074	2,823
Alliance & Leicester Group Union of Staff	None held	Nil	Nil
Amalgamated Engineering & Electrical Union	General Secretary	56,199	14,254
Association of Clinical Biochemists	General Secretary	Nil	Nil
Association of Educational Psychologists	General Secretary	36,097	4,332
Association of First Division Civil Servants	General Secretary	53,071	10,920
Association of HM Inspector of Taxes	General Secretary	Nil	Nil
Association of Principal Fire Officers	General Manager	Nil	Nil
Association of Professional Ambulance Personnel	General Secretary	Nil	Nil
Association of Professional Music Therapists†	Chairman	Nil	1,154
Association of Teachers & Lecturers	General Secretary	79,592	15,322
Association of University Teachers	General Secretary	Nil	Nil
Association of University & College Lecturers (8 month period) ¹	General Secretary	Nil	Nil
Bakers Food & Allied Workers Union		27,223	6,050
Banking Insurance & Finance Union	General Secretary	43,480	8,794
Boots Pharmacists Association	General Secretary	5,000	Nil
Britannia Staff Union	General Secretary	Nil	Nil
Brittanic Field Staff Assn	National Treasurer	21,632	6,432
British Actors Equity Assn	General Secretary	46,056	5,277
Union for Bradford & Bingley Staff	General Secretary	32,412	2,886
British Airline Pilots Assn	General Secretary	69,500	11,416
British Association of Advisors & Lecturers in PE (31.3.98)	General Secretary	11,806	Nil
British Association of Dental Nurses	General Secretary	Nil	Nil
British Association of Occupational Therapists (30.9.97)	Chief Executive	Nil	Nil
British Dental Assn (30/9/97)	Chief Executive	73,290	416
British Dietetic Assn (28/2/98)	General Secretary	Nil	Nil
British Medical Assn	General Secretary	98,017	20,293
British Orthoptic Society	General Secretary	Nil	Nil
British Association of Journalists	General Secretary	9,900	439
British Union of Social Work Employees	General Secretary	5,208	802
Broadcasting Entertainment, Cinematograph & Theatre Union	General Secretary	38,162	7,878
Ceramic & Allied Trade Union	General Secretary	30,689	13,615
The Chartered Society of Physiotherapy (1.4.97/14.10.97)	Chief Executive	30,805	4,173
Civil & Public Services Assn	General Secretary	50,271	Nil
Clerical Medical Staff Assn (31.3.98)	General Secretary	Nil	5,166
Commercial Union Group Staff Assn	General Secretary	48,402	5,324
Community & District Nursing Assn (31/3/98)	General Secretary	36,083	Nil
Communication Managers Assn	General Secretary	45,049	17,266

TRADE UNION	OFFICE HELD	SALARY	BENEFITS
Communication Workers Union ²	Joint General Secretaries	(a) 49,718 (b) 61,713	20,599 8,743
Eagle Star Staff Union (1988)	General Secretary	50,245	9,332
Engineers & Managers Assn	General Secretary	63,870	13,437
Fire Brigades Union	General Secretary	43,864	16,582
Federated Union of Managerial & Professional Officers	General Secretary	44,290	10,193
General Dental Practitioners Assn [†]	General Secretary	Nil	23,158
Girobank	General Secretary	Nil	Nil
GMB	General Secretary	57,000	14,000
Graphical Paper & Media Union (30.9.97)	General Secretary	59,183	15,350
Guinness Brewing Staff Assn	President	Nil	Nil
Guild of Professional Teachers of Dancing	General Secretary	5,500	Nil
Hambro Staff Association	General Secretary	5,258	795
Headmasters & Headmistresses' Conference (31.3.98)	General Secretary	51,508	6,811
Hospital Consultants & Specialists Assn (30/9/97)	Chief Executive	41,310	20,863
Independent Union of Halifax Staff	General Secretary	59,663	10,515
Institution of Professionals Managers & Specialists	General Secretary	73,735	14,498
Leeds & Holbeck Building Society Staff Assn	General Secretary	Nil	Nil
Manufacturing Science & Finance Union	General Secretary	65,499	7,912
National Association of Co-operative Officials	General Secretary	49,025	11,672
National Association of Educational Inspectors, Advisors and Consultants	General Secretary	25,807	Nil
National Association of Group Secretaries NFU ³	General Secretary	Nil	5,440
National Association of Head Teachers ⁴	General Secretary	75,487	11,041
National Association of Probation Officers	General Secretary	40,330	7,266
NASUWT	General Secretary	63,340	16,270
National Association of Teachers in F & HE ⁵	General Secretary	21,242	81,623
National League of the Blind & Disabled	General Secretary	20,398	3,256
National Federation of Sub-Postmasters	General Secretary	53,753	15,982
National & Provincial Building Society Staff Assn (6 months to 30.6.97) ⁶	General Secretary	16,183	1,847
National Society for Education in Art & Design (30.9.97)	General Secretary	34,964	3,061
National Union of Insurance Workers ⁷	General Secretary	36,105	25,497
National Union of Journalists (30/9/97)	General Secretary	38,183	1,972
National Union of Knitwear, Footwear and Apparel Trades	General President	35,667	16,571
NUMAST	General Secretary	52,148	9,084
National Union of Rail Maritime & Transport Workers	General Secretary	51,123	15,891
Nationwide Group Staff Union	General Secretary	47,320	7,154
Prison Service Union	National Secretary	Nil	Nil
Prison Governors Assn	General Secretary	Nil	Nil
Prison Officers Assn ⁸	General Secretary	42,017	19,340
Professional Association of Teachers (1.1.97 to 27.9.97)	General Secretary	37,636	121,054
Public Services Tax & Commerce Union ⁹	Joint General Secretaries	(a) 59,221 (b) 50,953	7,083 Nil
Retained Firefighters Union	General Secretary	26,160	10,742
Retired Officers Assn (30.6.98) [†]	General Secretary	1,000	2,500

TRADE UNION	OFFICE HELD	SALARY	BENEFITS
Royal College of Midwives (30/8/97) ¹⁰	General Secretary	41,893	8,124
Royal College of Nursing of UK (31/3/98) ¹¹	General Secretary	32,897	9,332
Royal Society for the Protection of Birds	General Secretary	Nil	Nil
Scottish Equitable Staff Assn	General Secretary	Nil	Nil
Secondary Heads Assn	General Secretary	58,778	9,012
Society of Authors Ltd	General Secretary	58,500	18,683
Society of Chiropodists and Podiatrists ¹²	General Secretary	28,583	42,341
Society of Radiographers (30/9/97)	General Secretary	23,625	453
Society of Telecom Executives	General Secretary	59,005	8,842
Sun Life Staff Assn	General Secretary	Nil	Nil
Transport & General Workers Union	General Secretary	58,615	14,681
Transport Salaried Staffs Assn	General Secretary	40,681	8,340
UCATT	General Secretary	31,181	7,061
UNISON	General Secretary	64,840	19,129
USDAW ¹³	General Secretaries	(a) 35,813 (b) 28,926	5,847 6,071
United Friendly Agents Assn	General Secretary	22,442	3,485
Woolwich Independent Staff Assn	General Secretary	31,076	7,854
Writers Guild of Gt Britain	General Secretary	40,000	3,000

† Indicates the payment of an honorarium

Notes

1. Merged with the Association of University Teachers on 1 September 1997.
2. (a) Mr A A Johnston, (b) Mr A I Young
3. NAGS Also paid £15,000 in fees to its administrative officer.
4. The General Secretary also acts as the union's solicitor - £14,961 of the salary total is for this function.
5. The General Secretary retired in May 1997. The salary and benefits information given relates to this 5 month period.
6. Merged with BIFU on 1 July 1997.
7. MSF contributes 20% of these costs.
8. The Deputy General Secretary received a salary of £35,287 and benefits of £79,805 - he retired at the end of 1997.
9. (a) Mr C Brooke, (b) Mr J Sheldon
10. The Royal College of Midwives is a special register body and as such 74% of the General Secretary's salary of £56,612 and benefits of £10,978 are in respect of trade union activities.
11. 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 £82,243 and superannuation contribution of £13,157 are in respect of trade union activities. The benefits figure also includes an additional £4,069 charged at 100% in respect of trade union activities.
12. The General Secretary served for a 10 month period.
13. a) Mr D G Davies retired on 27.6.97, b) Mr W Connor was elected on 30.6.97.

Appendix 7

(see para 6.16)

LIST OF GB UNIONS WITH NORTHERN IRELAND MEMBERS WHO HAVE "CONTRACTED IN" TO THE POLITICAL FUND - 31 DECEMBER 1997 (unless otherwise indicated)

	NI Members	NI Contributions £
Amalgamated Engineering and Electrical Union	3,671	12,849
Association of Her Majesty's Inspector of Taxes	32	96
Association of University Teachers (31/8/97)	442	344
Communication Managers' Association	94	113
Communication Workers' Union	2,958	15,246
Fire Brigades Union	614	1,884
GMB	33	158
Graphical Paper and Media Union (30/9/97)	369	1,797
MSF	694	3,248
National Association of School Masters and Union of Women Teachers	3,441	1,651
National Association of Teachers in Further and Higher Education	326	391
National Union of Insurance Workers	76	118
National Union of Rail Maritime and Transport Workers	176	549
Public Services, Tax and Commerce Union	1,174	2,105
Society of Telecom Executives	29	216
Transport and General Workers' Union	15,542	48,997
Union of Shop Distributive and Allied Workers	1,716	6,246
TOTALS	31,387	96,008

(e) = estimated

Appendix 8

(see para 6.16)

**LIST OF GB UNIONS WITH NORTHERN IRELAND MEMBERS WHO DO NOT
CONTRIBUTE TO THE POLITICAL FUND - 31 DECEMBER 1997 (unless otherwise
indicated)**

Bakers, Food and Allied Workers

Broadcasting, Entertainment Cinematograph & Theatre Union

Ceramic & Allied Trades Union

Civil and Public Services Association

Institution of Professionals, Managers and Specialists

National League of the Blind & Disabled

National Union of Knitwear, Footwear and Apparel Trades

Transport Salaried Staffs Association

Union of Construction, Allied Trades and Technicians

UNISON

Appendix 9

STATUTORY FEES APPLICABLE FROM 14 SEPTEMBER 1997

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

	Current Fee
Application for entry in the list of trade unions	£55
Application for entry in the list of employers' associations	£55
Application for approval of a change of name	£50
Application for a certificate of independence	£760
Application for formal approval of an instrument of transfer of engagements or an instrument of amalgamation	£1,005
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 cost 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.*
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