

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

Retained for
Historical Archive.

DO NOT DESTROY

2000

FOR ARCHIVE ONLY
DO NOT DESTROY

Copy

Northern Ireland Certification Office for
Trade Unions and Employers' Associations

2-8 Gordon Street
Belfast BT1 2LG
Tel: 028 90 237773
Fax: 028 90 237773
Textphone 02890 238411
email: cert_office@nicertoffice.fsnet.co.uk

NIA 41/00

Mr A Shannon
Permanent Secretary
Department of Further and Higher Education
Training and Employment
Adelaide House
Adelaide Street
BELFAST
BT2 8FD

I am required under Article 69(7) of the Industrial Relations (NI) Order 1992 to submit to the Department of Further and Higher Education, Training and Employment a report on my activities as Certification Officer during the previous year. I have pleasure in submitting my report for the period 1 April 1999 to 31 March 2000.

S McELREA
Certification Officer for Northern Ireland

10th March 2001

2000

Professor D Rea OBE
Chairman
Labour Relations Agency
2-8 Gordon Street
BELFAST
BT1 2LG

I am required under Article 69(7) of the Industrial Relations (NI) Order 1992 to submit to the Labour Relations Agency a report on my activities as Certification Officer during the previous year. I have pleasure in submitting my report for the period 1 April 1999 to 31 March 2000.

S McELREA
Certification Officer for Northern Ireland

10th March 2001

2000

EQUALITY SCHEME

The Certification Office is required, under Section 75 of the Northern Ireland Act 1998, to produce an Equality Scheme. In carrying out all its statutory functions, it will seek to promote equality of opportunity and good relations as required under this legislation.

	Page		Page
INTRODUCTION	(i)	Applications	12
		Complaints	13
		Changes of name	13
CHAPTER			
1. LISTS OF TRADE UNIONS AND EMPLOYERS' ASSOCIATIONS	1	7. POLITICAL FUNDS	14
Entry in the lists, its significance and their inspection by the public	1	The statutory provisions for Northern Ireland based organisations –	14
Removal from the lists	1	General	14
Additions to the list	1	Exemption	14
Special register bodies	1	Members of GB and ROI -based Trade Unions	14
Unlisted organisations	2	Political Fund Model Rule	14
Definition of a trade union	2	Republic of Ireland	15
Definition of an employers' association	2	Complaints	15
2. TRADE UNION INDEPENDENCE	3	Advice on procedures	16
The statutory provisions	3	Northern Ireland organisations with political fund rules at 31 December 1999	16
Working methods	3	GB based organisations with political fund rules at 31 December 1999	16
Determining criteria	3	Approval of Political Fund rules/amendments	16
Procedure	3	Political Funds Review	16
Applications/Decisions	3		
GB Certification Officer decisions	3	8. SECRET POSTAL BALLOTS FOR TRADE UNION ELECTIONS	17
3. ANNUAL RETURNS AND ACCESS TO ACCOUNTING RECORDS	4	The statutory provisions	17
The statutory provisions	4	Applications, investigations and decisions	17
Northern Ireland Resident Address	5		
Late submission of annual returns	5	9. BREACHES OF TRADE UNION RULES APPLICATIONS	19
Public inspection of annual returns	5	The statutory provisions	19
Statement to members	5	Applications, investigations and decisions	19
Financial affairs of trade unions and employers' associations - use of statutory powers	5		
Investigations	6	APPENDICES	
Access to Accounting Records	6	1. Lists of trade unions with Headquarters in Northern Ireland and Republic of Ireland Headquartered unions with NI members at 31 December 1999	
Duty to secure positions not held by certain offenders	6	2. GB Trade Unions with 100 or more NI members at 31 December 1999	
Branch funds	7	3. GB Trade Unions with less than 100 NI members at 31 December 1999	
4. FINANCIAL AND MEMBERSHIP INFORMATION AND MEMBERSHIP REGISTER	8	4. Northern Ireland Employers' Associations at 31 December 1999	
Financial information - 1999 Returns	8	5. GB Employers' Associations with NI members at 31 December 1999	
Salaries and benefits	8	6. Salaries and benefits of the Chief Officers of GB Headquartered Trade Unions with NI members at 31 December 1999	
Northern Ireland Trade Unions	8	7. List of GB unions with NI members who have contracted in to the political fund at 31 December 1999	
Republic of Ireland Trade Unions with NI members	8	8. List of GB Unions with NI members who do not contribute to the political fund at 31 December 1999	
GB Trade Unions with NI members	9	9. Statutory fees applicable from 14 September 1998	
Membership Register	9	10. List of Certification Office Forms	
Trade Unions - Membership, Financial and Benefits Information	9	11. Certification Office Publications	
Employers' Associations - Membership and Financial Information	10		
5. SUPERANNUATION SCHEMES	11		
The statutory provisions	11		
Actuarial reports	11		
Schemes maintained - Northern Ireland Trade Unions	11		
Schemes maintained - GB based Trade Unions	11		
6. MERGERS	12		
The statutory provisions	12		
Mergers involving GB Trade Unions	12		
Advice on procedures	12		

This report deals with my activities during the period 1 April 1999 to 31 March 2000. It is the eighth Annual Report to be published since the post of Certification Officer was established in 1992. Up to mid December 1999, my functions were contained in the Industrial Relations (Northern Ireland) Order 1992 (as amended) and in the Trade Union and Labour Relations (Northern Ireland) Order 1995. On 15 December 1999 both Orders were amended by the Employment Relations (Northern Ireland) Order 1999 in a number of significant ways. In particular my powers were extended to deal with a range of additional complaints that had previously been in the High Court Jurisdiction, and I now have the power to make an order to remedy any breach that I find to have occurred.

My statutory powers (including my newly acquired powers) include responsibility for:

Under the 1992 Order -

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

under Part II, Articles 11, 12 and 13 - ensuring that trade unions and employers' associations keep proper accounting records, have their accounts properly and independently audited and submit annual returns; the investigation of the financial affairs of trade unions and employers' associations; and ensuring that statutory requirements concerning the appointment and duties of auditors and the actuarial examination of members' superannuation schemes are observed; dealing with complaints by members that a trade union has failed to secure that members of its executive committee, its president and general secretary do not hold a position in the union, if they have been convicted of certain offences connected with (or related to) duties as to records and returns;

under Part II, Article 37 - dealing with complaints by members that a trade union has failed to permit access to its accounting records;

Under the 1995 Order -

under Part 11, Article 3 - dealing with complaints by members that a trade union has failed to maintain an accurate register of members;

under Part III, Article 22 - 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, president and general secretary;

under Part V, Articles 45, 54 and 71 - ensuring observance by Northern Ireland based trade unions of the statutory procedures governing the setting up, operation and review of political funds, approving the 'contracting-in' rule and amendments for Northern Ireland members of trade unions based elsewhere, and for dealing with trade union members' complaints about political fund balloting procedures and political funds, or the application of general funds for political objects;

under Part VI, Article 73 to 90 - ensuring that the statutory procedures for amalgamations, transfers of engagements and changes of name of trade unions and employers' associations are complied with, and dealing with complaints by members about the conduct of merger ballots;

under Part VII, Article 90A - dealing with complaints by members that there has been a breach or threatened breach of the rules of a trade union relating to; the appointment, election or removal of an office holder; disciplinary proceedings; ballots of members other than in respect of industrial action and the constitution or proceedings of an executive committee or decision making meeting.

These functions are discussed more fully in the following chapters.

The Industrial Relations (Northern Ireland) Order 1992 was further amended by the Employment Relations (Northern Ireland) Order 1999 and requires me to make provisions about the disclosure and restriction of disclosure of the identity of a complainant. Prior to this amendment the 1992 Order provided that the identity of a complainant would only be revealed with the consent of the individual concerned. I am now required to disclose a complainant's identity to the union unless I think the circumstances are such that it should not be disclosed. To ensure openness where possible the presumption will be that a complainant's identity will be revealed and only in exceptional cases will anonymity be required. Full details of the provisions about disclosure and restriction of disclosure can be obtained from my Office.

The volume of work on complaints by trade union members continues to grow. As expected, the extension of my powers by the 1999 Order and the related abolition of the Office of the Northern Ireland Commissioner for the Rights of Trade Union Members in December 1999 brought with it a significant increase in the number of enquiries to my Office by members with a grievance against their union.

In many instances a considerable amount of staff time is required to determine whether a case falls within my jurisdiction. To assist in this matter my Office has produced a new application form, with explanatory notes, for the registration of a complaint. So far, two cases received fall within my new powers. However, as the 1999 Order requires me to be satisfied that applicants have taken all reasonable steps to resolve their grievance by the use of any internal complaints procedure of the union before I become involved, there is the potential for many more cases in the future. Furthermore, given that each properly made complaint has to be determined by me, within six months, if possible, and that I must offer the parties an opportunity to be heard in a formal hearing, this could lead to a significant increase in the Office's workload. A new chapter 9 in this year's report covers this new jurisdiction.

In October 1999, under The Public Interest Disclosure (Prescribed Persons) Order (Northern Ireland) 1999 (SR 1999 No 401), colloquially referred to as the 'Whistle Blowers' Charter', the Certification Officer was named a 'prescribed person' for the purposes of Article 67F of the Employment Rights (Northern

Ireland) Order 1996. The broad effect of the Order, taken with Article 67F, is that a worker potentially protected by the provisions of the 1996 Order will be protected by that Order if they make a qualifying disclosure in good faith to a prescribed person. The matters covered by the Order relate to fraud, and other irregularities, relating to the financial affairs of trade unions and employers' associations.

There was a significant increase in the number of enquiries concerning the financial affairs of trade unions and employers' associations referred to me in this reporting period. Two cases in particular required further investigation. In the first case, regarding an employers' association, I appointed a member of my staff and subsequently, a chartered forensic accountant, as inspectors. I am awaiting a final report in this matter. In the second case, discussions are continuing with the trade union concerned to determine if it will be necessary to appoint an inspector.

In my last report, I recorded that the review being carried out into the 13 GB unions which allowed their NI members to contribute to the unions' Political Funds (see chapter 7 - Political Funds) was continuing. The need for this review arose because inappropriate practices had been identified by my predecessor in a number of cases.

This review continues to be complex and time-consuming and there has been no lessening of activities arising from it throughout the period of this report. That said, I expect the remaining work to be fully concluded by the next reporting period.

FINANCE AND SUPPORT SERVICES

The Labour Relations Agency (LRA) 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 LRA and the Department of Further and Higher Education, Training and Employment.

Accounts relating to the activities of the Office, prepared under Paragraph 15(2) of Schedule 4 to the 1992 Order, are published separately by the LRA. The net cost of the Office for the year ended 31 March 2000 was £84,633. My salary at 31 March 2000 was £6,695 excluding Employers National Insurance contribution, for a one-day week. This sum is not pensionable and is taxed under PAYE. On 31 March 2000 there were two staff in post in the Certification Office. The development and training of staff to ensure that I am able to meet my statutory responsibilities is given a high priority and a range of developmental activities were undertaken during the year.

As my office is deemed a public authority and it is listed in Schedule 2 to the Commissioner for Complaints (Northern Ireland) Order 1996, it is required, under Section 75 of the

Northern Ireland Act 1998, to produce an Equality Scheme. This Scheme relates to the administration work carried out by my Office, and does not effect my statutory duties and responsibilities nor my independent status.

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.

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

COMPLAINTS AND HEARINGS

The Office receives many enquiries and requests for guidance from trade unions, employers' associations, their members and the general public. Often it can help, but there are constraints on the advice that can be given. It is, for example, inappropriate (unless the law requires it) to give guidance on, or prior approval to, a specific course of action in those areas where complaints can be made to the Certification Officer by an individual member.

It would also be clearly inappropriate for my Office to comment on the merits of a possible complaint. 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 and my staff have to avoid giving advice which might seem in any way to prejudice that impartiality.

ADVICE AND CONTACTS FOR INFORMATION

My 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 028 90 237773, fax 028 90 330827 or by e-mail: cert_office@nicertoffice.fsnet.co.uk. A text phone number is also available for those customers with hearing difficulties. Those who wish to use this service should ring 028 90 238411. The booklets, application forms, the Office's Equality Scheme and this report are also on the Office website at www.nicertoffice.co.uk

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, its significance and their inspection by the public

- 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. The current lists are available for inspection, free of charge, at the Office.
- 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 in the 1992 Order (reproduced in full at the end of this Chapter) he must enter its name in the relevant list. Entry in the list is usually straightforward 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.
- 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.
- 1.5 There are no corresponding advantages for employers' associations. However, once a name is entered on the list it may not be used by another organisation.
- 1.6 Application must be made on the appropriate form and be accompanied by the statutory fee (Appendix 9). The form CO/ND1 can be obtained on request from the Certification Office.
- 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 The lists of Northern Ireland trade unions and employers' associations remained unchanged during the period of this report.
- 1.10 The GB Certification Officer removed the following eight bodies, which had Northern Ireland members, from his lists. * Denotes those who ceased to exist as a result of mergers. The others were dissolved or deemed no longer to be trade unions or employers' associations.

<i>Trade Unions</i>	<i>Effective Date</i>
*Banking, Insurance and Finance Union	11/5/99
*Britannic Supervisory Union	30/11/99
*National League of the Blind and Disabled	14/2/00
*National Union of Insurance Workers	10/1/00
*UNIFI	18/5/99
*Union of Royal and Sun Alliance Staff	27/4/99
*United Friendly Agents Association	16/11/99

Employers' Associations

National Master Tile Fixers Association	31/3/00
---	---------

Additions to the List

- 1.11 There were no additions to the Northern Ireland lists during the period of the report.
- 1.12 The GB Certification Officer added the following bodies, which have Northern Ireland members, to his list.

<i>Trade Unions</i>	<i>Effective Date</i>
None	

Employers' Associations

None

Special register bodies

- 1.13 Under GB law (the Industrial Relations Act 1971) 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.
- 1.14 Subsequent legislation in 1974 (the Trade Union & Labour Relations Act 1974) resulted in trade unions no longer being allowed to have corporate status, although an exception was built into the legislation to preserve the corporate status 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.
- 1.15 The statutory requirements affecting trade unions in the 1992 and 1995 Orders are, therefore, adapted to take account of the corporate status of these bodies and their other activities. 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

A trade union which is on the Certification Officer's 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.

Society of Chiropodists and Podiatrists
Society of Radiographers

Unlisted organisations

1.16 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 this Office is unaware. Being unlisted does not limit an organisation's statutory responsibilities in relation to trade union law, and returns from unlisted bodies of which this Office is aware are available for inspection along with those of listed organisations.

Statutory Definitions in the 1992 Order

TRADE UNIONS

1.17 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.*

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 trade union independence is laid down in Article 6 of the 1992 Order. A union must be on the Certification Officer's list (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, in his opinion, 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 Once the Certification Officer has determined that a trade union is independent and issued a certificate, that certificate remains valid until it is withdrawn by the Certification Officer or is cancelled. Duplicate certificates are not issued.

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

Working methods

2.6 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

2.7 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 or on the Office website. 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

2.8 An application for a certificate of independence must be made on form CO(N)5 and be accompanied by the statutory fee (Appendix 9). The form is available, on request, from the Certification Office and the Office website.

Applications/Decisions

2.9 Concerns were raised about the independence of one Northern Ireland trade union during the reporting period. Discussions with the union concerned were ongoing at 31 March 2000 to determine if a formal review is required.

2.10 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

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

Certificates of independence issued	Date of Issue
Prison Staff Association	17/9/99
UNiFi	13/7/99

Certificates refused

None

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

	Effective Date
Banking, Insurance and Finance Union	8/5/98
Britannic Supervisory Union	7/12/99
National League of the Blind and Disabled	14/2/00
National Union of Insurance Workers	10/1/00
UNiFi	18/5/99
Union of Royal and Sun Alliance Staff	27/4/99
United Friendly Agents Association	7/12/99

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

None

Certificates cancelled because the union was dissolved.

None

CHAPTER 3 ANNUAL RETURNS AND ACCESS TO ACCOUNTING RECORDS

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 provisions relating to the investigation of the financial affairs of trade unions and employers' associations; Northern Ireland registered addresses; new provisions relating to jurisdiction in respect of access to accounting records and the duty to secure that certain offenders do not hold positions on a trade union's executive committee.

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. 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 Those organisations headquartered in Northern Ireland and Great Britain must submit an annual return to the Certification Officer in the form prescribed, unless they have been in existence for less than 12 months. 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 (Articles 11 & 12 of the 1992 Order).
- 3.3 There are currently four Republic of Ireland based trade unions with Northern Ireland members making returns to the Office. The Office is not aware of any Republic of Ireland employers' associations with Northern Ireland members.
- 3.4 In every case the returns must provide details of all funds maintained for trade union and employers' association purposes, including revenue and other accounts and a balance sheet which must give a true and fair view of the matters to which they relate. A consolidation summary must also be completed. 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.
- 3.5 The Certification Officer must ensure that clear accounts, covering all funds administered by the organisation, are available for public inspection.
- 3.6 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, on application, direct that the return is to relate to a different annual period, if the statutory period would cause serious inconvenience to the organisation concerned. 81% of trade unions and 71% of employers' associations use 31 December as their year ending.
- 3.7 The accounting records must be such as are necessary to allow an auditor or auditors to prepare a report and carry out such investigations to enable him or them to form an opinion on whether the organisation has kept proper accounting records (Article 10), whether it has maintained a satisfactory system of control over its transactions (Article 10) and whether the accounts to which the report refers are in agreement with the accounting records.
- 3.8 The annual return must include a copy of the auditor's report on the accounts. The auditor must state in his report whether, in his opinion, the accounts give a true and fair view of the matters to which they relate. If, in his opinion, the statutory requirements have not been satisfied, or if the accounts to which the report relates are not in agreement with the accounting records, or he fails to obtain all the necessary information and explanations, he must state these facts in his report by way of qualification.
- 3.9 A special register body (paras 1.13 - 1.15) 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 thereby avoiding the duplication of broadly similar financial statements; however, there must be no significant diminution in the degree of disclosure and the period covered must be the same. In such circumstances, 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.
- 3.10 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 (Northern Ireland) Order 1990. Schedule 1 of the 1992 Order sets out the qualifications, appointment and removal of auditors, the rights of auditors, including access to information and the entitlement to attend and speak at general meetings of the organisation.
- 3.11 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 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. If any one of these conditions is not satisfied, it must use Companies Orders auditors. During the period of this report no organisations submitted returns under this criteria.
- 3.12 With the exceptions already noted, the duties imposed by Articles 10, 11 and by Schedule 1 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 and for hearing complaints under Article 13 of the 1992 Order, 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 is a matter for the Certification Officer (para 3.20).

Northern Ireland Resident Address

- 3.13 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. The resident does not have to be a member of the organisation.
- 3.14 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 annual returns

- 3.15 The 1992 Order requires an organisation to submit its annual return to the Certification Officer within five months of its financial year end. In 1999 - 2000 the office received a total of 169 annual returns from trade unions and employers' associations, of which approximately 10% were submitted over two months late. However, by the end of the year all but 1 return* had been received. The office continues to seek full compliance with the statutory requirements, and will take appropriate steps to improve the performance of persistent offenders.

Public inspection of annual returns

- 3.16 Copies of the annual returns and the appropriate rules in force of trade unions and employers' associations with Northern Ireland members are available for public inspection at the Certification Office. Whilst the returns include detailed and comprehensive financial information, a one-page financial consolidation summary is also included with each return for ease of interpretation.

Statement to members

- 3.17 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:
- the total income and expenditure of the union;
 - how much of the income consisted of payments in respect of membership;

- the total income and expenditure of any political fund of the union; and
- 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.

- 3.18 The 1995 Order is specific about how this must be done; the exact wording of the statement to be issued is reproduced below. It should be noted that the statement has been amended to omit any reference to the Office of the Northern Ireland Commissioner for the Rights of Trade Union Members as this post has now been abolished. The Certification Officer has drawn this to the attention of Northern Ireland trade unions.

'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 Further and Higher Education, Training and Employment) 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 should consider obtaining independent legal advice.'

- 3.19 During the period of this report every Northern Ireland trade union complied with this statutory requirement. The Office will continue to ensure that full compliance with the Order is maintained.

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

- 3.20 The 1992 Order allows the Certification Officer to investigate the financial affairs of virtually every trade union and employers' association. Under the 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 and to specify the date by which such information is to be provided. In addition, he may appoint inspectors to investigate the organisation's financial affairs and to report to him on them. He may only appoint inspectors if one or more of the following circumstances

* At time of publication the Northern Ireland Bakery Council had not submitted a return.

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 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 1992 Order (para 3.12).

- 3.21 Information suggesting circumstances where one or more of the situations described in paragraph 3.20 have occurred may come to the Certification Officer's attention from a variety of sources including, for example, as a result of a member querying information supplied by a trade union in its statement to members, or from other approaches by members. In addition, the Certification Officer's staff monitor the press / media for reports of situations which suggest that such circumstances may exist in the financial affairs of a trade union or employers' association.

Investigations

- 3.22 During the year concerns were raised about particular aspects of the conduct of the financial affairs of two organisations: the Hospitality Association for Northern Ireland (HANI) and the Northern Ireland Musicians' Association (NIMA). In the case of HANI the Certification Officer invoked his powers under Article 12B of the 1992 Order to appoint an inspector (Mr D Rafferty of his staff) and required HANI to produce certain documents. As a result of the inspector's findings the Certification Officer subsequently appointed another inspector, Miss K. Linnell, a chartered accountant and forensic auditor of H W Fisher & Company Limited, London. This investigation was ongoing at 31 March 2000.
- 3.23 In relation to NIMA the Certification Officer's enquiries were continuing at 31 March 2000 to determine if it will be necessary to appoint an inspector.
- 3.24 Where difficulties in the management of political funds by GB trade unions have been resolved and concluded with a report from the union concerned (see chapter 7), the report is associated with the annual return of that union on the public file. These reports provide, inter-alia, details of the total number of members affected, the total amount of funds involved, the sums refunded to those members, the amount of residual funds re-allocated from the political fund account and the fund receiving the residual amounts.
- #### **Access to Accounting Records**
- 3.25 The Employment Relations (Northern Ireland) Order 1999 extended the Certification Officer's powers to deal with a range of complaints (see Chapter 9 of this Report). Such powers now include claims made by a member that a trade union has refused the member access to the trade union's accounting records under Article 37 of the 1992 Order. Since 15 December 1999 a trade union member has the option of applying to the Certification Officer or to the High Court in this matter.

- 3.26 The Certification Officer may not consider an application if the applicant has applied to the High Court in respect of the same matter. Similarly once an application has been made to the Certification Officer the same matter may not be put to the High Court even if the applicant withdraws his/her application to the Certification Officer.
- 3.27 If, the Certification Officer accepts an application he is required to make such enquires as he thinks fit and, before reaching a decision on the application, provide the applicant and the trade union with an opportunity to be heard. Should a hearing be held, in certain circumstances, expenses incurred by applicants attending the hearings can be reimbursed by the Office. Such hearings are also open to the general public.
- 3.28 Where the Certification Officer is satisfied that the claim is well - founded he shall make an order as he considers appropriate for ensuring that the applicant is allowed to -
- inspect the records requested;
 - be accompanied by an accountant when making the inspection of those records; and
 - take, or is supplied with, such copies of, or of extracts from, the records as he may require.
- 3.29 Where the Certification Officer requests a person to furnish information to him in connection with enquiries made by him, he shall specify the date by which that information is to be furnished and, unless he considers it inappropriate, shall proceed with his determination of the application notwithstanding that the information has not been furnished to him by the specified date.
- 3.30 In exercising these functions, the Certification Officer is required to ensure that, so far as is reasonably practicable, an application made to him is determined within six months of being made.
- 3.31 An order made by the Certification Officer may be enforced in the same way as an order of the High Court.
- 3.32 Since the commencement date (15 December 1999) of the provisions of the 1999 Order relating to the powers of the Certification Officer to handle complaints under Article 37 of the 1992 Order, the Office has received a number of enquiries from trade union members, but no formal complaints had been received by 31 March 2000.

Duty to secure positions not held by certain offenders

- 3.33 The 1992 Order requires trade unions to ensure that any person convicted of an offence under Article 13 of that Order does not hold any position in the union by virtue of which that person is a member of the executive, president or general secretary for either a five year or ten year period, depending on the offence. The offences, inter alia, generally relate to the duties to keep accounting records and make annual returns under Articles 10 to 12 of the 1992 Order.
- 3.34 The 1999 Order has also extended the Certification Officer's powers in relation to claims made by a member that a trade union has failed to secure that members of its executive committee, its president and general secretary do not hold such positions if they have been so convicted.

- 3.35 Since 15 December 1999, a trade union member may apply to the Certification Officer or to the High Court for a declaration to that effect. The Certification Officer may not consider an application if the applicant has applied to the High Court in respect of the same matter. Similarly, once an application has been made to the Certification Officer the same matter may not be put to the High Court even if the applicant withdraws his/her application to the Certification Officer.
- 3.36 If, the Certification Officer accepts an application, he is required to make such enquires as he thinks fit and, before reaching a decision on the application, provide the applicant and the trade union with an opportunity to be heard. Should a hearing be held, in certain circumstances, expenses incurred by applicants attending the hearings can be reimbursed by the Office. Such hearings are also open to the general public.
- 3.37 The Certification Officer must give reasons for his decision in writing and, where he makes the declaration sought, is required unless he considers that to do so would be inappropriate, make an order imposing on the union a requirement to take within such period as may be specified in the order such steps to remedy the declared failure as may be so specified.
- 3.38 Where the Certification Officer requests a person to furnish information to him in connection with enquiries made by him, he shall specify the date by which that information is to be furnished and, unless he considers it inappropriate, shall proceed with his determination of the application notwithstanding that the information has not been furnished to him by the specified date.
- 3.39 In exercising these functions the Certification Officer is required to ensure that, so far as is reasonably practicable, an application made to him is determined within six months of being made.
- 3.40 An order made by the Certification Officer may be enforced in the same way as an order of the High Court.
- 3.41 Since the commencement date (15 December 1999) of the Employment Relations (Northern Ireland) Order 1999 relating to the powers of the Certification Officer to handle complaints under Article 13 of the 1992 Order, the Office has not received any formal complaints as at 31 March 2000.

Branch Funds

- 3.42 Trade unions are required to include details of funds held at branch level. At the end of the period of this report only one trade union, Irish National Teachers' Organisation (INTO) had still to fulfil its legal obligations in this respect. Discussions were held with senior officials of INTO and the Certification Officer was given an undertaking that it intends to comply fully with Northern Ireland law.

CHAPTER 4 Financial and Membership Information and Membership Register

This Chapter identifies trade union membership income and expenditure and employers' association income and expenditure at 31 December 1999. It also details jurisdiction for the Certification Officer to determine complaints about the maintenance of trade unions' membership registers.

Financial Information - 1999 Returns

4.1 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 1999, unless otherwise indicated.

Salaries and benefits

- 4.2 The Trade Union and Labour Relations (Northern Ireland) Order 1995 provides, that a trade union's annual return to the Certification Officer must contain information about the salaries and benefits paid to certain of its national officers and executive members from the organisation's funds. Employer pension contributions make up a significant, if not major, proportion of the benefits paid. Employer's national insurance contributions are excluded from the information in Appendix 6.
- 4.3 The General Secretary is usually the highest paid elected official in any trade union. However, in some cases, such as redundancy or retirement, elected officials may receive substantial payments from trade union funds. In those cases where such payments are equal to or exceed the amount paid in salary and benefits to the General Secretary, that additional information is also provided in Appendix 6 of this report.
- 4.4 The 1995 Order does not define what constitutes a benefit. For the purposes of making returns, benefits are taken to have the same meaning as that applied by the Inland Revenue when calculating "taxable" benefits, pensions and superannuation contributions and redundancy/termination payments. Benefits with a value of £100 or more in any accounting period are included.
- 4.5 Employers' associations are not required to provide the Certification Officer with details of officers' salaries and benefits.

Northern Ireland Trade Unions

4.6 The following table gives, in the third and fourth columns, the amount paid in salary and benefits to chief officers of four trade unions headquartered in Northern Ireland. The benefits returned consist mainly of superannuation contributions. Employer's national insurance contributions are excluded from the table.

UNION	TITLE	1999	
		(£) Salary	(£) Benefits excluding NI contribution
Belfast Airport Police Association (31/3/00)	Chairman	Nil	Nil
Northern Ireland Musicians' Association	NIMA Organiser	6,000	Nil
Northern Ireland Public Service Alliance	General Secretary	45,156	6,096
Ulster Teachers' Union	General Secretary	37,785	2,891

Republic of Ireland Trade Unions with NI Members

4.7 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 with Northern Ireland members. Pay related social insurance (PRSI) contributions are excluded from the table.

UNION	TITLE	1999	
		(IR£) Salary	(IR£) Benefits excluding PRSI
Irish Bank Officials Association	General Secretary	76,841	60,338 ¹
Irish National Teachers Organisation	General Secretary	76,900	Nil ²
Seamen's Union of Ireland	General Secretary	Nil	Nil
Services, Industrial, Professional and Technical Union (SIPTU)	General President	73,891	2,253 ³

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

² INTO 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. The current funding level is 6%.

³ 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. The current funding level is 20%.

GB Trade unions with NI Members

4.8 The amounts paid in salary and benefits to the chief officers of 104 trade unions headquartered in Great Britain and which have Northern Ireland members are given in Appendix 6. The benefits returned consist mainly of superannuation contributions. Employer's national insurance contributions are excluded from the table.

Membership register

4.9 Under Article 3(3) of the 1995 Order, a trade union has a duty to maintain a register of the names and addresses of its members, and so far as reasonably practicable, to ensure that entries in the register are accurate and kept up - to - date. The 1995 Order provides that a trade union shall allow any member, on request, with reasonable notice, to have information relating to them, which is held on the register, free of charge. The member may also request a copy of any entry on the register, related to him, from the union and this is to be provided either free of charge, or on payment of a reasonable fee.

4.10 Applications that a trade union has failed to comply with the requirements of Article 3 (3) can be made to the Certification Officer or the High Court. The Certification Officer may not consider an application if the applicant has applied to the High Court in respect of the same matter. Similarly once an application has been made to the Certification Officer the same matter may not be put to the High Court even if the applicant withdraws his/her application to the Certification Officer.

4.11 Where an application to the Certification Officer is made by a different person under Article 3 (3), the Certification Officer is required to have due regard to any declaration, order, observations or reasons made or given by the High Court which are brought to the notice of the Certification Officer.

4.12 Where the Certification Officer makes a declaration he shall also, unless he considers that to do so would be

inappropriate, make an enforcement order imposing on the union one or both of the following requirements:

- to take such steps to remedy the declared failure, within such period, as may be specified in the Order;
- to abstain from such acts as may be so specified with a view to securing that a failure of the same or a similar kind does not occur in future.

4.13 A declaration made by the Certification Officer may be relied on as if it were a declaration made by the High Court.

4.14 An enforcement Order made by the Certification Officer may be enforced in the same way as an Order of the High Court. There were no applications concerning the maintenance of the register of members' names and addresses during the period of this report.

Trade unions - Membership, Financial and Benefits Information

4.15 The annual returns submitted by unions to the Certification Officer require the union to provide figures for both total membership under the rules of the union, and for members who pay contributions. There may be significant differences between these sets of figures, usually because figures can include student membership, retired and unemployed members, members on long term sick leave and maternity/child care leave and those on career breaks.

4.16 The Office is in the process of reviewing the analysis of benefits information provided to members by trade unions. Details of this review are likely to be shown in the next annual report.

4.17 The total Northern Ireland membership of all trade unions at 31 December 1999 was 244,481. 77% of all NI trade union members belong to GB based trade unions with 17% and 6% respectively being members of NI and ROI based trade unions.

- 2000
- 4.18 Trade union income derives mainly from membership subscriptions and investment income. There may also be additional income and assets arising if, for example, a union accepts the transfer of engagements of another union. In 1999 the gross income of Northern Ireland trade unions was approximately £2.9 million; gross expenditure was £2.5 million. Total assets (net) of these unions amounted to £4.5 million.
- 4.19 A summary of statistics concerning the membership and finances for 1999 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 42,659 members of Northern Ireland unions providing an annual contribution of approximately £2.7 million, while there were 14,413 Northern Ireland members of Republic of Ireland unions providing an annual contribution of approximately £1.3 million. In 1999 the gross income of these unions was approximately IR £32 million, gross expenditure was approximately IR £30 million. Total assets (net) of these unions amounted to IR £42.7 million.
- 4.20 Financial and membership details of 53 Great Britain based unions with 100 or more Northern Ireland members are given in Appendix 2. This shows a total of 185,910 Northern Ireland members making an annual contribution of £13.4 million. In 1999 the gross income of these unions was approximately £640 million, gross expenditure was approximately £609.8 million. Total assets (net) of these unions amounted to £765.7 million.
- 4.21 Membership details of a further 51 Great Britain based trade unions with less than 100 Northern Ireland members are listed in Appendix 3. These show a total of 1,499 Northern Ireland members contributing just over £142,600. In 1999 the gross income of these unions was approximately £18 million, gross expenditure was approximately £16.7 million. Total assets (net) of these unions amounted to approximately £33.7 million.

Employers' associations - Membership and Financial Information

Northern Ireland

- 4.22 A summary of statistics concerning the membership and finances of 16 Northern Ireland employers' associations for 1999 is given in Appendix 4. The figures given in the Appendix include both general funds and, where applicable, funds maintained for specific purposes. In 1999 the total income of these organisations was approximately £3.3 million, expenditure was approximately £3 million. Total assets (net) of these associations amounted to approximately £4.2 million.

Great Britain

- 4.23 Details of 42 Great Britain based employers' associations with Northern Ireland members is given in Appendix 5. In 1999 Northern Ireland members of these organisations contributed approximately £905,000. The total income of these organisations was approximately £67.5 million, expenditure was approximately £82.5 million. Total assets (net) of these associations amounted to approximately £108.2 million.

CHAPTER 5 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. An explanation of the statutory provisions is given in this Chapter together with information on the number of schemes maintained and the number of reports received.

The statutory provisions

- 5.1 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

- 5.2 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

- 5.3 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

- 5.4 The following four GB based trade unions maintain superannuation schemes which have Northern Ireland members:
- Amalgamated Engineering and Electrical Union - Report Dated 31 December 1997
 - Graphical, Paper and Media Union (Two schemes: Platepreparers and Lithographers)
 - MSF - Craft Fund
 - National Union of Rail, Maritime and Transport Workers - Workers Orphan Fund Report Dated 1 September 1998.
- 5.5 The most recent actuarial reports for the AEEU and RMT unions were received by the Certification Officer during the year. The reports from GPMU and MSF are still outstanding, and the office is in discussion with these unions to ensure compliance with the legislation.

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

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

- 6.1 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 at no direct cost to themselves.
- 6.2 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.
- 6.3 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. They must submit these documents to the Certification Officer and the documents 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.
- 6.4 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 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. For mergers involving employers' associations the provisions are slightly different. Details can be found in the guidance booklet (para 6.8 of this chapter)
- 6.5 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. Such an application must be preceded by the despatch of a copy of the scrutineer's report to every member of the union or

- of them being notified of its contents by other means. Members must also be told that they will, on request, be provided with a copy of the scrutineer's report - either free or subject to a reasonable specified charge. The Certification Officer has power to direct an organisation to publicise its application to register a merger.
- 6.6 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 transferring 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.
- 6.7 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 point of law.

Mergers involving GB Trade Unions

- 6.8 Although the merger provisions of the 1995 Order do not extend to Great Britain, the Order does apply with certain modifications to a transfer of engagements or amalgamation between a Northern Ireland union and a union in Great Britain.
- 6.9 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

- 6.10 The Office will offer advice, where needed, on the statutory provisions, and staff are always prepared to meet officials of organisations proposing to merge to discuss procedures and time-tables. The Office has produced two booklets, one on the statutory requirements for transfers of engagements and amalgamations between trade unions and the other dealing with employers' associations. These explain the merger procedures in detail and set 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 and the Office website.

Applications

- 6.11 Although no formal proposals to enter into a transfer of engagements or an amalgamation were received from any Northern Ireland based union during the period of this report, a number of informal talks were started.

Complaints

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

Changes of name

- 6.13 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 for a name change 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 Boots Pharmacists Association (JBPA)

To Boots Pharmacists Association (BPA)
20/5/99

From Society of Telecom Executives

To Connect; The Union for Professionals in Communications 21/7/99

From Scottish Equitable Staff Association

To AEGIS; The Aegon UK Staff Association
16/12/99

Employers' Associations

None

* 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.

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 the statutory exemption of Northern Ireland members and complaints by trade union members about breaches of political fund rules and also reports developments in 1999/2000.

The statutory provisions for Northern Ireland based organisations

General

- 7.1 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. In which case, it must adopt political fund rules providing for the expenditure of funds on such objects. Those 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 rules which again require approval by the Certification Officer. An independent scrutineer must always be appointed to oversee the requirements of the ballot.
- 7.2 Trade unions and employers' associations which already have a political fund resolution in force and wish to continue to spend money on political objects are required to pass a political fund resolution again by a further ballot of their members (*a review ballot*) at least once every 10 years. The review ballot must also be held in accordance with rules approved by the Certification Officer.

Exemption

'Contracting - in'

- 7.3 Unlike trade union members in Great Britain, it is a statutory requirement that members in Northern Ireland must provide a written authority to their trade union before any deduction for political purposes may be made from their membership subscription. This is colloquially referred to as 'contracting-in'.
- 7.4 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 and any such deduction by a trade union, in these circumstances, would be unlawful. Any Northern Ireland trade union member who finds himself or herself in this position may complain to the Certification Officer. Details on how to complain are dealt with below.
- 7.5 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.

- 7.6 Northern Ireland 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, those statutorily exempt members of the organisation must be relieved from the payment of the political fund element of the normal periodical contributions. Trade union rules must also provide for each member to know what portion, if any, of his contribution is a contribution to the political fund. These rules must be approved by the Certification Officer.

'Contracting - out'

- 7.7 Any Northern Ireland member having initially 'contracted in' who wishes subsequently to 'contract out' must also do so in writing. Such 'notice of withdrawal' may be given to the union by being delivered at the head office or a branch office of the union or being delivered personally or by any authorised agent or by post. Where a member 'contracts - out', having initially 'contracted - in', the law makes provision for the withdrawal to take effect as from 1st January next, following the giving of that notice to the union.

Members of GB and ROI -based trade unions

- 7.8 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 7.3 to 7.7 therefore apply also to Northern Ireland members of unions headquartered in Great Britain or the Republic of Ireland.

Political Fund Model Rule

- 7.9 A 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 (2000)*' issued by the GB Certification Office. However, approval for its use, or proposed amendment, is required from the Northern Ireland Certification Officer before any lawful political fund deduction may be made regardless of whether the union has a signed authority from a member. GB trade unions should contact the Northern Ireland Certification Office before including it, or amending its existing Northern Ireland political fund rules, in their rule book.

Republic of Ireland

- 7.10 Only two Republic of Ireland trade unions with NI members operate political funds. The unions concerned, Services, Industrial, Professional and Technical Union (SIPITU) and the Irish National Teachers Organisation (INTO) have given the Certification Officer an assurance that they do not deduct political fund subscriptions from NI members.

Complaints

The spending of money on political objects without a political fund resolution being in force

- 7.11 The Employment Relations (Northern Ireland) Order 1999 amended the 1995 Order in such a way as to provide that a person who is a member of a trade union and who claims that his or her trade union has spent money on political objects without a political fund resolution being in force, or without approved political fund rules, may apply to the Certification Officer, under Article 46A of the 1995 Order, for a declaration that it has done so.
- 7.12 The Certification Officer may not consider an application if the applicant has applied to the High Court in respect of the same matter. Similarly, once an application has been made to the Certification Officer the same matter may not be put to the High Court even if the applicant withdraws his/her application to the Certification Officer.
- 7.13 On an application under this Article the Certification Officer is required to make such enquiries as he thinks fit and, before reaching a decision on an application, provide the applicant and the trade union with an opportunity to be heard. Should a hearing be held, in certain circumstances, expenses incurred by applicants attending the hearings can be reimbursed by the Office. Such hearings are also open to the general public.
- 7.14 In exercising these functions the Certification Officer is required to ensure that, so far as is reasonably practicable, an application made to him is determined within six months of being made.
- 7.15 Where the Certification Officer requests a person to furnish information to him in connection with enquiries made by him, he shall specify the date by which that information is to be furnished and, unless he considers it inappropriate, shall proceed with his determination of the application notwithstanding that the information has not been furnished to him by the specified date.
- 7.16 The Certification Officer must give reasons for his decision in writing and, where he makes the declaration sought, he may make such Order for remedying the breach as he thinks just in the circumstances. Where he makes a declaration he shall specify in it -
- (a) the provisions of Article 45 (restriction on use of funds for political objects) breached, and
 - (b) the amount of the funds applied in breach.

- 7.17 An enforcement Order made by the Certification Officer may be enforced in the same way as an Order of the High Court.

- 7.18 An appeal against any decision of the Certification Officer may be made to the Court of Appeal on a question of law.

Breaches of political fund ballot rules

- 7.19 A person who is a member of a trade union and, where the ballot has been held, was a member at the time it was held, who considers that the union has held a ballot on a political resolution otherwise than in accordance with political fund ballot rules approved by the Certification Officer, or has failed in relation to a proposed ballot on a political fund resolution to comply with political ballot rules so approved, may apply to the Certification Officer for a declaration to that effect.
- 7.20 Such complaints are time - limited and 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. The Certification Officer may not consider an application if the applicant has applied to the High Court in respect of the same matter. Similarly, once an application has been made to the Certification Officer the same matter may not be put to the High Court even if the applicant withdraws his/her application to the Certification Officer.
- 7.21 Where an application to the Certification Officer is made by a different person, the Certification Officer is required to have due regard to any declaration, order, observations or reasons made or given by the High Court which are brought to the notice of the Certification Officer.
- 7.22 On an application under this Article the Certification Officer is required to make such enquiries as he thinks fit and, before reaching a decision on an application, provide the applicant and the trade union with an opportunity to be heard. Should a hearing be held, in certain circumstances, expenses incurred by applicants attending the hearings can be reimbursed by the Office. Such hearings are also open to the general public.
- 7.23 In exercising these functions the Certification Officer is required to ensure that, so far as is reasonably practicable, an application made to him is determined within six months of being made.
- 7.24 Where the Certification Officer requests a person to furnish information to him in connection with enquiries made by him, he shall specify the date by which that information is to be furnished and, unless he considers it inappropriate, shall proceed with his determination of the application notwithstanding that the information has not been furnished to him by the specified date.
- 7.25 The Certification Officer must give reasons for his decision in writing and, where he makes the declaration sought, is required unless he considers it inappropriate, to make an enforcement order imposing one or more of the following requirements -
- (a) to secure the holding of a ballot in accordance with the Order ;
 - (b) to take such other steps to remedy the declared failure as may be specified in the Order ;
 - (c) to abstain from such acts as may be so specified with a view to securing that a failure of the same or similar kind does not occur in future.

[†] 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.

7.26 The Certification Officer shall in any Order imposing the requirement(s) mentioned in sub-paragraphs a) or b) specify the period within which the union must comply with the requirements of the Order. Where the Certification Officer makes an Order requiring the union to hold a fresh ballot, he shall unless he considers it inappropriate, require the ballot to be conducted in accordance with the union's political ballot rules and such other provisions as may be made by the Order. An appeal against any decision of the Certification Officer may be made to the Court of Appeal on a question of law.

Unlawful deductions of political fund contributions from members - NI, GB and ROI trade unions

- 7.27 Any Northern Ireland trade union member who considers that political fund deductions are being deducted without his or her written consent may complain to the Certification Officer. On a complaint being made to him the Certification Officer shall make such enquiries as he thinks fit.
- 7.28 Where the Certification Officer requests a person to furnish information to him in connection with enquiries made by him, he shall specify the date by which that information is to be furnished and, unless he considers it inappropriate, shall proceed with his determination of the application notwithstanding that the information has not been furnished to him by the specified date.
- 7.29 Where, after giving the member and a representative of the union an opportunity of being heard, the Certification Officer considers that a breach has been committed, 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.

Breaches of political fund rules - Northern Ireland trade unions

- 7.30 Any Northern Ireland trade union member of an NI based union who considers that political fund rules of his or her trade union are being breached may complain to the Certification Officer. On a complaint being made to him the Certification Officer shall make such enquiries as he thinks fit.
- 7.31 Where the Certification Officer requests a person to furnish information to him in connection with enquiries made by him, he shall specify the date by which that information is to be furnished and, unless he considers it inappropriate, shall proceed with his determination of the application notwithstanding that the information has not been furnished to him by the specified date.
- 7.32 Where, after giving the member and a representative of the union an opportunity of being heard, the Certification Officer considers that a breach has been committed, 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.

Breaches of political fund rules - Great Britain trade unions

- 7.33 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 his or her political fund

deductions, may complain to the GB Certification Officer, 180 Borough High Street, London, SE1 1LW (Tel: 0207 210 3734).

Advice on Procedures

- 7.34 On request, the Office can give advice on the procedures for establishing political funds and for holding review ballots. Guidance booklets which includes model rules, are available free of charge from the Office. 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 1999

- 7.35 None.

Great Britain based organisations with political fund rules at 31 December 1999

- 7.36 There were 26 GB based trade unions with Northern Ireland members operating political funds at 31 December 1999. Of these, 18 had contributing members in Northern Ireland.
- 7.37 The returns show that in 1999, 35,119 Northern Ireland members - representing 14% of the total Northern Ireland trade union membership - contributed £142,602 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 8 Great Britain unions with Northern Ireland members who did not contribute to the unions' political funds in 1999.

Approval of Political Fund Rules/Amendments

- 7.38 No trade unions had political fund rules formally approved during the period of this report. Draft political fund rules were received from two Great Britain unions and this work is progressing. In addition, the Public Services Tax and Commerce union, a GB based union with Northern Ireland members held a ballot on a resolution to establish a new political fund during 1999. The Certification Office was notified on 7 April 1999 that the members of the PCS had voted against the resolution.

Political Funds Review

- 7.39 The review, which was begun in 1998 by my predecessor, of 13 Great Britain unions which allow their Northern Ireland members to contribute to the unions' Political Funds is still ongoing. Its purpose was to ensure that these unions follow Northern Ireland law with regard to the political fund contributions. Where inappropriate practices were identified, discussions were started for the purposes of agreeing how difficulties arising from these practices could be resolved and the requirements of Northern Ireland law fully complied with. This involved me and my staff in meetings in GB with the relevant general secretary, finance officer, auditors and solicitors etc.
- 7.40 The review continues to be a long and complex process, however, I am now satisfied with the Northern Ireland political fund rules and administrative procedures followed in all of the thirteen GB unions and on the basis of assurances given to me I am confident that this review can be concluded during the next reporting period.

CHAPTER 8 SECRET POSTAL BALLOTS FOR TRADE UNION ELECTIONS

The 1995 Order requires that certain officers and all 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. This chapter deals with the statutory provisions governing elections. As explained in chapter 9, the Certification Officer now has powers to deal with breaches of a union's own rules governing elections and certain other matters.

The statutory provisions

- 8.1 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. There are exceptions in respect of officers facing retirement, amalgamations and newly formed unions. Elections must be by secret postal[†] ballot of the members of the union, conducted in accordance with the provisions in the 1995 Order.
- 8.2 Under the 1995 Order individual trade union members have a statutory right to apply to the Certification Officer for a declaration that their trade union has failed to comply with one or more of the relevant provisions of the Order.
- 8.3 The Employment Relations (Northern Ireland) Order 1999 amended the 1995 Order by extending the Certification Officer's powers in a number of ways. The commencement order date of these new powers was 15 December 1999. Since that date the 1995 Order now provides that where the Certification Officer makes a declaration he shall also, unless he considers that to do so would be inappropriate, make an enforcement Order imposing on the union one or more of the following requirements -
- to hold the election in accordance with the Order.
 - to take such other steps to remedy the declared failure as the Certification Officer may specify in the Order.
 - to abstain from such acts as the Certification Officer specifies with a view to ensuring that a failure of the same, or similar kind, does not occur in the future.
- 8.4 The 1999 Order now also requires the Certification Officer to give applicants and the trade union concerned an opportunity to be heard in a formal, public hearing before he determines an application and makes, or refuses, the declaration sought. In certain circumstances, expenses incurred by applicants attending the hearing can be reimbursed by the Office.
- 8.5 The amendment made by the 1999 Order to the 1995 Order also provides that an appeal on any question of law arising in proceedings before, or arising from a determination by the Certification Officer, may be made to the Court of Appeal.
- 8.6 If the Certification Officer decides that there has been a breach of the statutory provisions, he must state in his declaration any steps which the union has taken or has agreed to take to remedy the breach or prevent such a breach from occurring in the future.

- 8.7 The Certification Officer may not consider an application if the applicant has applied to the High Court in respect of the same matter. Similarly once an application has been made to the Certification Officer the same matter may not be put to the High Court even if the applicant withdraws his/her application to the Certification Officer. Where an application to the Certification Officer is made by a different person, the Certification Officer is required to have due regard to any declaration, Order, observations or reasons made or given by the High Court which are brought to the notice of the Certification Officer.

Applications, investigations and decisions

- 8.8 During the period of this report a number of enquiries were made which led to two applications being made by two members of the Northern Ireland Musician's Association (NIMA). The members claimed that NIMA had failed to appoint a scrutineer in accordance with the legislation in relation to the appointment of its president in 1999 and that NIMA's general secretary continued to serve in post unlawfully. These applications were being investigated by the Certification Officer at 31 March 2000.
- 8.9 In addition, the GB Certification Officer made the following noteworthy decisions in respect of GB headquartered trade unions with Northern Ireland members.
- 8.10 Two applications were made by a member of the British Actors' Equity Association. The union conceded before the hearing of the first application that the post of president of the union was a position which should have been filled by an election complying with the requirements of GB law, and that the present incumbent had not been so elected. The first application was therefore upheld. The second application related to whether the Council of Equity or its Executive Committee was now the principal body within the union exercising executive functions. The application was that the Executive Committee had taken over this function and that the Committee members had not been elected to their positions in a ballot of all the members. This application was dismissed.
- 8.11 In respect of an application from a member of the Public and Commercial Services Union arising out of the union's 1998 elections for its National Executive Committee, the Certification Officer upheld applications that the union had failed to ensure that having appointed an independent person to distribute the ballot papers it failed, contrary to the legislation, to ensure that the person appointed duly carried out this function. The Certification Officer further declared that in respect of its presidential election, the union, by requiring the independent person to include inserts with some ballot papers but not others, failed to

[†] 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.

The 1995 Order now provides that a member of a trade union who claims that there has been a breach, or threatened breach, of the rules of a trade union relating to certain matters as set down in the Order, may apply to the Certification Officer for a declaration to that effect.

ensure that the legislative requirements on the independent person to minimise the risk of any unfairness or malpractice were respected.

- 8.12 In an application by a member of the Fire Brigade Union relating to an election for a regional seat on its executive, the application was dismissed when the application was withdrawn by the applicant. In his written observations the Certification Officer commented on the approach to his enquiries by both the union and the scrutineer of the election (Hard Dowdy - Chartered Accountants). The Certification Officer commented that to the best of his knowledge this was the only case in 14 years where the scrutineer had failed to co-operate with his enquiries and that no response that he received from either the union or the scrutineer contained any assurance that the election was being conducted in accordance with legislation. The decision also commented on the anonymity of an applicant.
- 8.13 In applications by three members of the Musicians' Union in relation to the election of the general secretary of the union in October 1999, the union conceded before the hearing, that Mr B Johnston (one of the applicants) had been unreasonably excluded from standing as a candidate in the election. The union also conceded a second application that the union had failed to take the required steps to notify the members of the name of the qualified independent person appointed by the union as scrutineer of the election. Both applications were therefore upheld and as two of the three applications were made after the Certification Officer had received his additional powers in 1999, he issued an enforcement Order, ordering the union to hold a fresh election for the post of general secretary and to publish the result before 1 January 2001.
- 8.14 Copies of these decisions are available from the GB Certification Office, telephone 0207 210 3734.

The statutory provisions

- 9.1 The Employment Relations (Northern Ireland) Order 1999 amended the 1995 Order in a number of ways. Article 27 of the 1999 Order abolished the Office of the Northern Ireland Commissioner for the Rights of Trade Union Members and Schedule 6 to that Order extended the Certification Officer's powers to deal with a range of additional complaints that had previously been presented in the High Court Jurisdiction.
- 9.2 The commencement date for the provisions of the 1999 Order relating to breach of rule applications is 15 December 1999 and the Certification Officer's powers to deal with such applications is restricted to alleged breaches occurring on or after 12 October 1999.
- 9.3 Since 15 December 1999 a member of a trade union has the right to apply to the Certification Officer if there has been a breach or threatened breach of a trade union's rules relating to any of the matters set out in Article 90A (2) of the 1995 Order (as inserted by Schedule 6 to the 1999 Order). The matters are:
- (a) the appointment or election of a person to, or the removal of a person from, any office;
 - (b) disciplinary proceedings by the union (including expulsion);
 - (c) the balloting of members on any issue other than industrial action;
 - (d) the constitution or proceedings of any executive committee of any decision-making meeting;
 - (e) such other matters as may be specified in an Order made by the Department of Further and Higher Education, Training and Employment.
- 9.4 The Certification Officer may not consider an application if the applicant has applied to the High Court in respect of the same matter. Similarly once an application has been made to the Certification Officer the same matter may not be put to the High Court even if the applicant withdraws his/her application to the Certification Officer.
- 9.5 The Certification Officer may refuse to accept an application unless he is satisfied that the applicant has taken all reasonable steps to resolve the claim by the use of any internal complaints procedure of the union.
- 9.6 If the Certification Officer accepts an application he is required to make such enquiries as he thinks fit and, before reaching a decision on the application, provide the applicant and the trade union with an opportunity to be heard. Should a hearing be held, in certain circumstances, expenses incurred by applicants attending the hearings can be reimbursed by the Office. Such hearings are also open to the public.
- 9.7 The Certification Officer must give reasons for his decision in writing and, where he makes the declaration sought, is required unless he considers that to do so would be

inappropriate, make an enforcement order imposing on the union one or more of the following requirements:

- (a) to take such steps to remedy the breach, or withdraw the threat of a breach, as may be specified in the Order;
- (b) to abstain from such acts as may be so specified with a view to securing that a breach or threat of the same or similar kind does not occur in future.

Where an Order imposes a requirement on the union as in sub-paragraph (a) above, the Order must specify the period within which the union must comply with the requirements of the Order.

- 9.8 An enforcement Order made by the Certification Officer may be enforced in the same way as an Order of the High Court. An appeal on any question of law arising in proceedings before or arising from a determination by the Certification Officer, may be made to the Court of Appeal.

Applications, investigations and decisions

- 9.9 No decisions have been issued in the period of this report. At the close of the period three applications against two unions are outstanding.
- 9.10 Since the commencement date (15 December 1999) for the provisions of the 1999 Order relating to the powers of the Certification Officer, a total of 42 enquiries were received as at 31 March 2000. The analysis of these enquiries is as follows:

General advice on the role of the Certification Officer	15
Appointment, election or dismissal from any office in the union	4
Disciplinary proceedings within the union	3
Balloting of union members (other than industrial action)	2
Constitution or proceedings of a union's executive or certain other meetings	0
Inadequate representation of members by their union	15
Union benefits or membership issues	0
Others	3
Total	42

LIST OF TRADE UNIONS WITH HEADQUARTERS IN NORTHERN IRELAND AND WITH HEADQUARTERS IN THE REPUBLIC OF IRELAND - AT 31 DECEMBER 1999 (UNLESS OTHERWISE INDICATED)

Northern Ireland Unions	NI Members	Total Members	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
			£	IR£000's	IR£000's	IR£000's	IR£000's	IR£000's
Belfast Airport Police Association (3/3/00)*	45	5,620	10	22	5	22	22	-
Northern Ireland Musicians' Association**	741	12,080	13	24	24	26	26	4
Northern Ireland Public Service Alliance*	36,043	2,304,479	2,528	2,143	3,746	3,776	3,776	30
Ulster Teachers Union*	5,830	393,558	434	385	741	752	752	11
TOTALS	42,659	2,715,737	2,985	2,557	4,531	4,576	4,576	45

Republic Of Ireland Unions	NI Members	Total Members	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
			£	IR£000's	IR£000's	IR£000's	IR£000's	IR£000's
Irish Bank Officials' Association*	4,684	15,532	628,487	5,774	3,300	9,399	13,898	4,499
Irish National Teachers' Organisation* †††	7,025	28,330	503,788	4,664	4,740	5,429	5,525	96
Seamens' Union of Ireland ††(e)	15	538	1,070	32	59	44	100	56
Services, Industrial, Professional and Technical Union*	2,689	243,064	158,041	21,597	22,103	20,240	23,132	2,892
TOTALS	14,413	287,464	1,291,386	32,067	30,202	35,112	42,655	7,543

* Denotes a trade union holding a certificate of independence at 31 December 1999.
 †† Denotes an unlisted union.
 ††† Figures do not include branch funds.
 (e) Estimated.

Appendix 2 (see para 4.20)

G.B. Based Trade Unions with 100 or more NI Members at 31 December 1999 (unless otherwise indicated)

	NI	GB	ROI	Elsewhere (incl. Channel Islands)	NI Subscriptions 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
					£	£	£	£	£	£
Abbey National Staff Association	178	8,123	2	3	7,467	468	405	466	504	38
Amalgamated Engineering & Electrical Union	21,942	692,718	12,091	618	1,747,000	46,524	39,894	57,831	70,076	12,245
Association of First Division Civil Servants	276	9,399	-	59	42,444	1,499	1,506	662	763	101
Association of Teachers & Lecturers	3,542	179,016	11	575	205,854	10,107	9,712	7,659	9,155	1,496
Association of University Teachers (at 31/08/99)	1,685	40,628	-	-	130,725	3,748	3,706	3,930	5,480	1,550
Bakers, Food and Allied Workers Union	658	28,009	894	-	36,314	2,382	2,353	790	1,026	236
Banking, Insurance and Finance Union* (1/1/99 - 10/5/99)	115	102,053	-	998	N/A	2,725	3,262	2,450	3,691	1,241
British Actors Equity Association	255	34,809	49	-	16,575	5,205	4,072	11,832	14,593	2,761
British Association of Occupational Therapists (at 30/9/99)	427	18,174	12	383	39,865	1,448	1,448	-	640	640
British Dental Association (at 30/9/99)	612	18,600	55	348	83,554	4,849	4,923	1,643	3,116	1,473
British Dietetic Association (at 28/2/00)	175	4,267	117	267	2,304	213	189	157	163	6
British Medical Association	3,126	102,696	202	4,182	583,586	58,172	58,143	54,331	75,527	21,196
Broadcasting, Entertainment, Cinematograph & Theatre Union	469	24,222	18	19	64,000	3,677	3,713	1,032	1,634	602
Ceramic and Allied Trades Union	186	15,982	-	-	9,713	1,564	1,178	7,270	7,372	102
Chartered Society of Physiotherapy	1,212	35,200	204	849	139,000	8,228	8,213	4,389	6,074	1,685
Communication Workers Union	6,590	274,431	-	451	602,388	32,784	28,266	24,864	30,593	5,729
Community and District Nursing Association (at 31/3/00)	119	4,121	-	3	11,781	373	356	96	118	22
Connect, The Union for Professionals in Communication	408	16,943	7	-	70,694	2,643	2,953	4,326	5,735	1,409
Engineers and Managers Association	913	28,224	7	370	108,502	3,906	3,437	7,085	7,530	445
Fire Brigades Union	1,835	55,862	-	-	189,137	9,168	7,921	5,789	7,119	1,330
G.M.B	18,683	675,307	44	140	1,256,198	44,298	45,511	51,605	56,375	4,770
General Dental Practitioners Association	134	1,894	10	-	9,493	215	200	181	191	10
Graphical, Paper and Media Union (at 30/9/99)	2,650	193,614	4,849	183	194,122	27,287	27,684	41,130	49,620	8,490
Guinness Staff Association	102	501	-	-	4,492	29	27	34	45	11
Independent Union of Halifax Staff	222	25,021	3	17	12,790	1,425	1,388	820	1,433	613
Institution of Professionals, Managers & Specialists	290	72,704	21	1,230	35,670	8,140	7,556	21,069	21,737	668
Manufacturing Science and Finance Union	8,986	377,602	17,823	330	705,279	26,578	26,243	13,592	25,980	12,388

	NI	GB	ROI	Elsewhere (incl. Channel Islands)	NI Subscriptions 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
National Association of Head Teachers	921	39,287	-	322	113,912	5,442	3,766	3,220	3,583	363
National Association of Probation Officers	119	6,165	-	-	23,625	1,255	1,250	543	752	209
National Association of Schoolmasters & UWT	14,927	235,003	-	2,091	749,828	14,946	14,173	20,880	22,084	1,204
National Association of Teachers in F & HE	2,000	62,102	-	98	17,570	6,242	6,048	3,827	4,821	994
National Federation of Sub-Postmasters	587	12,474	-	36	9,169	1,597	1,407	3,058	3,220	182
National Union of Insurance Workers	122	4,741	-	13	10,847	740	835	1,457	1,507	50
National Union of Journalists (at 30/9/99)	800	27,720	3,618	486	99,668	3,592	3,266	73	627	554
National Union of Knitwear, Footwear & Apparel Trades	201	26,807	-	-	18,211	2,866	3,324	9,432	9,746	314
National Union of Marine, A & ST Officers (NUMAST)	403	17,400	360	816	38,146	2,388	2,217	4,555	5,155	602
National Union of Rail, Maritime & Transport Workers	138	54,625	120	154	16,290	20,843	7,879	17,738	19,975	2,237
Nationwide Group Staff Union	169	10,085	-	-	8,469	624	573	415	506	91
Prison Officers Association	2,374	28,178	-	-	289,090	4,513	3,353	1,368	1,616	248
Professional Association of Teachers	445	32,251	-	35	9,462	1,760	1,668	610	1,148	538
Public and Commercial Services Union	1,682	252,135	32	4,429	138,546	25,730	20,962	28,448	29,644	1,196
Retained Firefighters Union	196	3,486	-	-	8,004	196	211	76	83	7
Royal College of Midwives (31/8/99)	1,219	32,953	37	565	150,802	4,289	4,290	316	317	1
Royal College of Nursing of the UK (at 31/3/00)	10,866	312,014	341	3,389	448,233	13,517	13,517	-	6,969	6,969
Secondary Heads Association	162	8,872	1	65	29,283	2,151	1,973	652	1,383	731
Society of Chiropractors and Podiatrists	259	7,198	130	215	44,395	1,605	1,519	1,337	1,588	251
Society of Radiographers (at 30/9/99)	410	13,955	-	318	61,050	2,344	2,313	178	329	151
Transport & General Workers Union	32,325	808,971	19,355	10,861	1,756,000	72,257	70,270	87,744	95,331	7,587
Transport Salaried Staff Association	423	29,270	1,395	-	43,399	3,956	3,458	19,447	20,013	566
UNIFI (18/5/99 - 31/12/99)	130 (e)	17,119	-	-	8,000 (e)	6,990	10,167	4,466	8,412	3,946
Union of Construction Allied Trades & Technicians	2,511	107,242	12,826	-	65,000	4,801	4,090	1,808	3,401	1,593
UNISON	28,400	1,243,950	-	-	2,290,638	107,464	111,003	85,163	94,319	9,156
Union of Shop, Distributive & Allied Workers	8,331	301,480	-	-	504,657	20,728	19,991	22,379	22,882	503
TOTAL	185,910	6,889,603	74,634	34,918	13,419,451	640,691	609,782	644,201	765,701	121,500

* Banking, Insurance and Finance Union merged with UNIFI to form UNIFI on 17/5/99.
(e) Estimated

	NI	GB	ROI	Elsewhere (incl. Channel Islands)	NI Subscriptions 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
					£	£	£	£	£	£
AEGIS - The Aegon UK Staff Association (30/6/00)	10	2,814	-	-	150	38,000	24,000	50,000	51,000	1,000
Alliance and Leicester Group Union of Staff	80	2,740	-	-	4,704	231,000	245,000	260,000	276,000	16,000
Association for College Management	41	3,091	-	24	6,396	494,081	486,085	354,107	437,630	83,523
Association of Clinical Biochemists	44	1,681	52	330	1,416	49,000	-	-	-	-
Association of Educational Psychologists	74	2,274	3	27	10,005	577,089	371,793	820,480	942,076	121,596
Association of HM Inspector of Taxes	34	2,145	-	1	5,814	120,385	128,843	493,617	497,905	4,288
Association of Local Authority Chief Executives	22	314	-	19	478	26,874	33,646	22,915	30,133	7,218
Association of Principal Fire Officers (1/4/99 - 31/12/99)	4	173	-	-	259	20,347	23,331	21,027	34,355	12,728
Association of Professional Ambulance Personnel	13	2,743	-	-	1,404	245,239	248,801	21,867	54,484	32,617
Association of Professional Music Therapists	8	417	7	19	545	33,000	33,000	5,000	11,000	6,000
Axis, The Axis Sun Life Staff Association	9	3,042	-	-	243	106,000	97,000	200,000	227,000	27,000
Boots Pharmacists' Association (JBPA)	10	608	1	1	320	19,000	25,000	9,000	10,000	1,000
Britannic Field Staff Association	22	1,483	-	7	2,484	198,967	192,023	404,615	404,615	-
Britannic Supervisory Union * (1/1/99 - 29/11/99)	4	508	-	6	144	79,787	60,115	138,761	138,761	-
Britannia Staff Union	6	2,243	-	-	252	116,403	105,555	203,891	228,448	24,557
British Airline Pilots Association	66	2,243	-	-	26,532	3,253,547	3,150,107	5,963,203	6,217,945	254,742
British Association of Advisors & Lecturers in PE (31/3/00)	1	411	1	2	25	162,000	104,000	151,000	218,000	67,000
British Association of Dental Nurses	88	3,489	10	47	1,947	149,984	139,747	88,588	113,979	25,391
British Orthoptic Society	24	1,003	18	30	270	37,000	36,858	501	3,001	2,500
British Association of Journalists	11	695	-	15	945	72,000	68,000	25,000	27,000	2,000
British Union of Social Employees (31/5/00)	45	1,571	-	-	2,700	106,106	103,672	76,000	87,154	11,154
CGU Staff Association	64	4,588	-	7	3,548	252,000	253,000	341,000	356,000	15,000
Community and Youth Workers Union	49	3,460	5	10	1,879	286,619	253,977	66,838	95,682	28,844
Gallagher Sales Staff Association	12	176	-	-	576	10,408	5,585	86,766	86,766	-
Guild of Professional Teachers of Dancing	17	1,057	-	-	340	24,468	24,954	26,958	28,658	1,700
Hambro Staff Association	6	166	-	-	270	7,787	7,755	1,005	7,136	6,131
Headmasters and Headmistresses' Conference (31/3/00)	7	275	1	80	9,100	629,191	487,639	954,122	1,514,238	560,116
Hospital Consultants & Specialists Association (30/9/99)	38	2,218	-	-	4,329	249,489	262,543	100,458	210,105	109,647

	NI	GB	MEMBERS BASED IN	ELSEWHERE	NI SUBSCRIPTIONS	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
		ROI	ROI	(incl. Channel Islands)	CONTRIBUTIONS	£000's	£000's	£000's	£000's	£000's
Institute of Journalists	5	796	20	90	800	54,020	54,995	(424)	2,639	3,063
Leeds & Holbeck Building Society Staff Association	5	364	-	-	20	6,124	5,860	23,100	24,471	1,371
Lloyds Register (UK) Staff Association	1	940	2	113	24	25,000	16,000	24,000	27,000	3,000
Managerial and Professional Officers' Union	43	9,078	-	3	10,482	1,386,435	1,454,431	596,270	775,092	178,822
Musicians' Union	17	30,475	-	338	1,076	4,974,446	4,221,522	10,650,860	16,017,958	5,367,098
National Association of Co-operative Officials	12	2,955	-	17	1,109	436,258	437,457	908,272	1,044,555	136,283
National Assn of Educational Inspectors, Advisors and Consultants	77	2,376	-	9	11,408	437,790	375,672	324,731	368,024	43,293
National Association of Group Secretaries to NFU (31/10/99) ¹	69	507	-	-	8,460	103,000	112,000	90,000	114,000	24,000
National League of the Blind and Disabled	33	1,722	-	-	2,360	186,519	212,581	227,807	235,257	7,450
National Society for Education in Art & Design (30/9/99)	28	2,022	3	51	2,272	307,503	287,487	21,938	58,222	36,284
Offshore Industry Liaison Committee	8	1,309	3	96	960	149,000	136,000	39,000	43,000	4,000
Prison Service Union	53	3,157	-	-	292	186,173	193,099	(23,806)	34,276	58,082
Prison Governors Association	46	959	-	3	6,444	144,000	129,000	50,000	60,000	10,000
Retired Officers Association (30/6/00)	17	1,250	-	124	102	21,270	20,377	165,208	171,458	6,250
Royal Society for the Protection of Birds Staff Association (31/3/00)	13	433	-	-	86	3,474	2,124	20,916	20,916	-
Society of Authors Ltd	24	6,206	25	430	1,560	629,000	631,000	632,000	1,050,000	418,000
Society of Union Employees (UNISON)	13	250	-	-	684	14,633	13,135	1,498	1,498	-
Union For Bradford & Bingley Staff	13	2,571	-	-	620	216,420	203,527	136,228	147,304	11,076
Union of Finance Staff	88	4,227	-	39	5,411	461,000	475,000	48,000	215,000	167,000
Union of Royal and Sun Alliance Staff ** (1/1/99 - 26/4/99)	30	3,855	-	-	500 (e)	8,300	103,000	200,000	245,000	45,000
United Friendly Agents Association *** (1/1/99 - 15/11/99)	8	376	-	1	131	48,110	75,500	30,680	32,720	2,040
Woodwich Independent Staff Association	78	5,861	-	-	252	259,506	256,607	490,166	509,345	19,179
Writers Guild of Great Britain	9	2,177	13	46	740	316,271	284,254	59,116	261,977	202,861
TOTAL	1,499	136,193	164	1,985	142,668	18,044,723	16,701,657	25,602,879	33,768,783	8,165,904

* Britannic Supervisory Union transferred engagements to Manufacturing, Science & Finance Union on 27/11/99).

** Union of Royal and Sun Alliance Staff transferred engagements to the Natwest Staff Association on 26/4/99 and then amalgamated with Banking, Insurance & Finance Union and UNIFI to form UNIFI on 17/5/99.

*** United Friendly Agents Association transferred engagements to Manufacturing, Science & Finance Union on 16/11/99.

1. National Association of Group Secretaries of the NFU - 1/1/99 to 31/10/99.

(e) Estimated

NORTHERN IRELAND EMPLOYERS' ASSOCIATIONS - 31 DECEMBER 1999 (UNLESS OTHERWISE INDICATED)

NI Employers' Associations	Members	Total Income	Total Expenditure	Total Assets	Total Liabilities
		£	£	£	£
1. Anglo-North Irish Fish Producers Organisation (at 31/7/99)	81	169,393	197,666	345,473	62,857
2. Association of Local Authorities of Northern Ireland (at 31/3/00)	26	215,387	247,029	133,584	-
3. Belfast County Vintners' Association (at 31/8/99)	119	1,586	3,136	22,252	8,406
4. Central Council of the Irish Linen Industry Ltd	Nil	Nil	Nil	Nil	Nil
5. Construction Employers Federation Ltd	467	494,000	483,000	639,000	264,000
6. Engineering Employers Federation NI Association	137	421,444	367,482	443,982	44,615
7. The Hospitality Association	-	26,838	427	2,635	6,163
8. The Lough Neagh Fishermen's Association	378	54	9	4,602	291
9. Northern Ireland Bakery Council (at 31/3/00)	-	-	-	-	-
10. Northern Ireland Fish Producers Organisation Ltd	144	881,989	597,124	1,115,371	90,377
11. Northern Ireland Grain Trade Association Ltd	32	23,003	21,761	11,574	10,642
12. Northern Ireland Timber Trade Association	24	12,075	11,489	7,011	189
13. Retail, Electrical and Television Retailers Association of NI	Nil	393	(453)	10,016	875
14. Ulster Chemists Association (at 30/9/99)	470	80,396	75,959	167,722	25,301
15. Ulster Farmers' Union	11,863	1,010,000	1,005,000	1,270,000	103,000
16. Ulster Launderers Association Ltd (at 31/10/99)	6	420	397	1,967	-
TOTALS	13,747	3,336,978	3,010,026	4,175,189	616,716

GB Employers' Associations with NI Members - 31 December 1999 (unless otherwise indicated)

GB Employers' Associations with NI Members	NI Members	NI Contributions	Total Members (inc. Channel Islands and ROI)	Total Income	Total Expenditure	Total Assets	Total Liabilities
		£		£	£	£	£
1. Association of Newspapers and Magazine Wholesalers (31/3/00)	2	8,256	29	500,000	499,000	208,000	161,000
2. British Amusement Catering Trades Association (30/9/99)	1	690	560	1,036,921	1,024,567	1,128,164	264,768
3. British Clothing Industry Association Ltd	9	19,782	142	641,583	803,867	7,525,174	433,182
4. British Jewellery and Giftware Federation	6	1,737	2,030	1,444,000	2,030,000	11,168,000	1,958,000
5. British Metals Federation	5	4,915	193	310,000	208,000	394,000	31,000
6. British Pre-Cast Concrete Federation Ltd	2	8,710	73	352,000	336,000	155,000	71,000
7. British Soft Drinks Association	1	10,756	106	1,104,222	1,093,590	565,458	244,588
8. Chemical Industries Association (30/6/00)	2	-	173	5,739,000	5,578,000	1,540,000	1,187,000
9. Chem Exhibitors' Association	6	1,000	181	379,699	352,473	381,194	47,293
10. Construction Plant Hire Association (30/6/00)	3	1,280	1,151	605,561	480,471	524,701	162,911
11. Electrical Contractors' Association	28	50,000	1,970	7,058	9,758	55,467	16,835
12. Engineering Employers' Federation	13	67,295	16	3,570,000	5,544,000	27,052,000	1,261,000
13. Federation of Master Builders	389	87,699	14,280	3,552,000	3,485,000	4,195,000	1,707,000
14. Freight Transport Association	258	50,756	11,045	15,100,000	14,599,000	8,464,000	4,010,000
15. Glass and Glazing Federation	28	23,368	532	1,275,798	1,176,698	1,702,770	487,351
16. Heating & Ventilating Contractors' Association (29/2/00)	56	57,108	1,331	7,894,000	8,065,000	7,513,000	3,597,000
17. Knitting Industries Federation	1	350 (c)	217	229,670	222,069	222,069	54,633
18. Mastic Asphalt Council (31/1/00)	2	1,800	77	282,728	242,902	198,645	40,851
19. National Association of Self Employed	283	19,047	837	54,000	53,000	67,000	4,000
20. National Bed Federation	2	520	115	205,000	217,000	260,000	155,000
21. National Federation of Master Window and General Cleaners	8	327	2,093	180,209	131,137	304,826	38,698
22. National Federation of Retail Newsagents	800	160,878	22,718	4,806,849	4,705,982	5,792,692	1,944,644
23. National Federation of Roofing Contractors Limited (31/1/00)	16	5,872	718	590,000	550,000	291,000	161,000
24. National Hairdressers Federation	19	1,767	5,200	706,580	778,760	1,015,861	354,721
25. National Master Tile Fixers' Association	1	355	123	52,820	51,606	24,845	2,727
26. National Pharmaceutical Association	323	77,100	3,518	3,816,000	3,518,000	4,845,000	1,822,000
27. National Sawmilling Association	3	-	49	1,500	3,500	34,500	500
28. Producers Alliance for Cinema and Television Ltd (30/9/99)	22	40,000	1,043	2,166,000	1,623,000	1,781,000	348,000
29. Publishers Association	3	1,013	185	1,689,000	1,678,000	929,000	605,000
30. Radio, Electrical and Television Retailers' Association (31/10/99)	2	270	1,548	591,486	679,555	1,025,619	100,844
31. Retail Motor Industry Federation Ltd	325	99,072	10,239	16,200,000	15,992,000	9,343,000	5,509,000
32. Scottish Association of Master Bakers	2	250	538	443,080	424,043	1,544,105	244,973
33. Scottish & NI Plumbing Employers' Federation	121	27,849	940	470,550	469,844	662,673	353,968
34. Screen Printing Association (UK) Ltd (31/10/99)	5	1,953	228	102,208	116,566	39,464	21,086
35. Society of Master Shoe Repairers (30/9/99)	2	120	278	35,319	38,161	25,770	1,764
36. The Incorporated Guild of Hairdressers, Wigmakers and Perfumers	1	100	346	22,473	24,558	61,802	22,459
37. The Newspaper Society	4	55,006	164	3,545,000	3,494,000	4,461,000	2,492,000
38. The Made Up Textiles Association	4	982	284	160,403	141,846	183,285	58,181
39. Theatrical Management Association	7	5,944	381	540,000	523,000	243,000	149,000
40. Thermal Insulation Contractors Association	7	3,805	224	850,196	822,640	840,354	362,740
41. UK Jute Goods Association	1	135	22	3,403	3,783	9,051	7,527
42. Vehicle Builders & Repairers Association Ltd	22	7,256	1,440	809,000	759,000	1,579,000	375,000
TOTALS	2,781	905,123	89,117	67,472,749	82,529,177	108,156,489	30,870,244

(c) = Estimated.

SALARY AND BENEFITS OF THE CHIEF OFFICERS OF GB HEADQUARTERED TRADE UNIONS WITH NI MEMBERS - AT 31 DECEMBER 1999 (unless otherwise indicated)

Trade Union	Office Held	Salary	Benefits (excl. NI Contributions)
		£	£
Abbey National Staff Association	General Secretary	2,331	2,714
AEGIS - The Aegon UK Staff Association (30/6/00)	General Secretary	Nil	Nil
Alliance & Leicester Group Union of Staff	None held	Nil	Nil
Amalgamated Engineering & Electrical Union ¹	General Secretary	66,199	30,967
Association for College Management	General Secretary	61,246	3,066
Association of Clinical Biochemists	General Secretary	Nil	Nil
Association of Educational Psychologists	General Secretary	38,296	4,712
Association of First Division Civil Servants	General Secretary	55,371	11,185
Association of HM Inspector of Taxes	General Secretary	Nil	Nil
Association of Local Authority Chief Executives [†]	Honorary Secretary	2,500	Nil
Association of Principal Fire Officers	General Manager	Nil	Nil
Association of Professional Ambulance Personnel	General Secretary	Nil	Nil
Association of Professional Music Therapists [†]	Chairperson	1,440	Nil
Association of Teachers & Lecturers	General Secretary	86,197	23,735
Association of University Teachers (31/8/99)	General Secretary	62,854	11,314
AXIS - The Axu Sun Life Staff Association	General Secretary	Nil	Nil
Bakers, Food & Allied Workers Union	General Secretary	30,475	7,756
Banking, Insurance & Finance Union	General Secretary	17,028	3,902
Boots Pharmacists' Association (JBPA)	General Secretary	5,000	Nil
Britannia Staff Union ²	General Secretary	Nil	Nil
Britannic Field Staff Association ³	National Secretary	26,495	6,717
Britannic Supervisory Union ¹	National President	500	500
British Actors Equity Association	General Secretary	49,701	6,439
British Airline Pilots Association	General Secretary	76,422	22,927
British Association of Advisors & Lecturers in PE (31/3/00)	General Secretary	12,088	Nil
British Association of Dental Nurses	Exec Secretary	16,987	1,431
British Association of Journalists	General Secretary	9,248	543
British Association of Occupational Therapists (30/9/99)	Chairman	26,968	Nil
British Dental Association(30/9/99)	Chief Exec & Sec.	83,322	675
British Dietetic Association(28/2/00)	General Secretary	Nil	Nil
British Medical Association	General Secretary	120,170	19,332
British Orthoptic Society	General Secretary	Nil	Nil
British Union of Social Work Employees (31/5/00)	General Secretary	5,724	802
Broadcasting, Entertainment, Cinematograph & Theatre Union	General Secretary	42,301	8,503
Ceramic & Allied Trades Union	General Secretary	31,506	16,789
The Chartered Society of Physiotherapy	Chief Executive	68,658	11,313
CGU Staff Association	General Secretary	56,793	7,344
Communication Workers Union	General Secretary	66,105	24,337
Community & District Nursing Association(31/3/00) ⁴	Vice President	1,167	Nil
Community and Youth Workers Union	General Secretary	31,643	2,307
Connect; The Union for Professionals in Communication ⁵	General Secretary	62,558	10,011
Engineers & Managers Association	General Secretary	68,947	17,566
Fire Brigades Union	General Secretary	48,317	19,487
Gallagher Sales Staff Association	General Secretary	Nil	Nil
General Dental Practitioners Association [†]	General Secretary	25,235	Nil
GMB	General Secretary	64,000	21,000
Graphical Paper & Media Union (30/9/99)	General Secretary	64,313	12,291
Guinness Staff Association	None	Nil	Nil
Guild of Professional Teachers of Dancing [†]	General Secretary	6,500	Nil
Hambro Staff Association	General Secretary	Nil	Nil
Headmasters & Headmistresses' Conference (31/3/00)	General Secretary	58,288	17,841
Hospital Consultants & Specialists Association (30/9/99) ⁶	Chief Executive	(a) 14,259	32,227
	Admin Director	(b) 25,336	6,496
Independent Union of Halifax Staff	General Secretary	69,713	11,019
Institute of Journalists	General Secretary	22,460	Nil
Institution of Professionals Managers & Specialists ⁷	General Secretary	(a) 18,303	165,038
	General Secretary	(b) 54,910	12,810
Leeds & Holbeck Building Society Staff Association	General Secretary	Nil	Nil
Lloyd's Register (UK) Staff Association	General Secretary	Nil	Nil
Managerial and Professional Officer's Union	Chief Executive	41,200	3,633
Manufacturing Science & Finance Union	General Secretary	72,343	11,394
Musicians' Union	General Secretary	56,704	17,787
National Association of Co-operative Officials	General Secretary	52,570	14,071
National Association of Educational Inspectors, Advisors and Consultants	General Secretary	28,001	Nil
National Association of Group Secretaries to the NFU ⁸	General Secretary	Nil	4,155
National Association of Head Teachers	General Secretary	81,416	13,642

SALARY AND BENEFITS OF THE CHIEF OFFICERS OF GB HEADQUARTERED TRADE UNIONS WITH NI MEMBERS - AT 31 DECEMBER 1999 (unless otherwise indicated)

Trade Union	Office Held	Benefits	
		Salary	(excl. NI Contributions)
		£	£
National Association of Probation Officers	General Secretary	41,475	8,692
NASUWT	General Secretary	66,376	19,557
National Association of Teachers in F & HE.	General Secretary	43,214	7,865
National Federation of Sub-Postmasters	General Secretary	56,394	17,420
National League of the Blind & Disabled	General Secretary	26,940	4,595
National Society for Education in Art & Design (30/9/99)	General Secretary	38,953	Nil
National Union of Insurance Workers	General Secretary	41,486	15,245
National Union of Journalists (30/9/99)	General Secretary	43,284	2,670
National Union of Knitwear, Footwear and Apparel Trades	General President	37,750	15,461
NUMAST	General Secretary	55,992	9,499
National Union of Rail Maritime & Transport Workers	General Secretary	55,193	16,581
Nationwide Group Staff Union	General Secretary	58,520	8,415
Offshore Industry Liaison Committee	General Secretary	24,515	Nil
Prison Service Union	General Secretary	Nil	Nil
Prison Governors Association	General Secretary	Nil	Nil
Prison Officers Association	General Secretary	46,656	20,292
Professional Association of Teachers	General Secretary	50,276	3,795
Public and Commercial Services Union ¹⁰	Joint General Secretaries	(a) 55,214 (b) 58,440	200 5,844
Retained Firefighters Union	Nat Gen Secretary	28,774	2,398
Retired Officers Association (30/6/00) ^{† 11}	General Secretary	(a) 1,600 (b) 500	498
Royal College of Midwives (31/8/99) ¹²	General Secretary	51,171	10,337
Royal College of Nursing of UK (31/3/00) ¹³	General Secretary	35,402	8,655
Royal Society for the Protection of Birds (31/3/00)	General Secretary	Nil	Nil
Secondary Heads Association	General Secretary	57,604	4,301
Society of Authors Ltd	General Secretary	67,950	17,950
Society of Chiropodists and Podiatrists ¹⁴	Acting Gen Sec	(a) 5,660	424
	Chief Executive	(b) 41,983	3,337
Society of Radiographers (30/9/99)	General Secretary	26,497	3,865
Society of Union Employees (UNISON)	General Secretary	Nil	Nil
Transport & General Workers Union	General Secretary	63,565	9,616
Transport Salaried Staffs Association	General Secretary	46,045	Nil
Union for Bradford and Bingley Staff	General Secretary	35,091	6,731
UCATT	General Secretary	36,665	7,694
UNIFI	Joint General Secretaries	(a) 27,480 (b) 37,850	5,720 9,870
Union of Finance Staff	General Secretary	62,937	12,149
UNISON	General Secretary	71,837	22,277
Union of Royal and Sun Alliance Staff	General Secretary	15,369	2,074
USDAW	General Secretary	62,611	14,765
United Friendly Agents Association	General Secretary	15,352	Nil
Woolwich Independent Staff Association	General Secretary	31,044	7,357
Writers Guild of Great Britain	General Secretary	52,737	3,078

† Indicates the payment of an honorarium

Notes

- The General Secretary's benefits include a bridging loan of £13,719.
- The General Secretary's salary is met by Britannia Building Society.
- Treasurer received a salary of £26,495 and benefits of £8,044 excluding NIC.
- National Professional Officer, Ms Ballard, received a salary of £31,950. Vice President, Ms B McDade - salary is for one month (April) 1999.
- The General Secretary benefits from a Life Assurance and Disability Scheme. In 1999 the annual premium paid by the society was: Life Assurance: £5,882; and Disability: £12,504.
- (a) The Chief Executive's salary is for the period 1/10/98 - 29/1/99 and his benefits include a redundancy payment of £28,408.
(b) The Administrative Director's salary is for the period 1/2/99 - 30/9/99.
- (a) Mr W H Brett's salary is for the period 1/1/99 - 31/3/99 and his benefits include a compensation lump sum of £30,000 and £130,570 paid into the Superannuation Fund.
(b) Mr P Noon, new General Secretary, 1/4/99 - 31/12/99.
- The Administrative Officer received a salary of £12,500.
- MSF contributes 20% of these costs.
- (a) Mr B Reamsbottom (b) Mr John Shekdon.
- (a) Major (Retd) A H Lyall Grant - General Secretary from 1/7/99 - 16/4/00
(b) Col (Retd) D B Green - General Secretary from 17/4/00 - 30/6/00
- The Royal College of Midwives is a special register body and as such 74% of the General Secretary's salary of £69,150 and benefits of £13,969 are in respect of trade union activities.
- The Royal College of Nursing of the United Kingdom is a special register body and as such 40% of the General Secretary's salary of £88,505 is in respect of trade union activities. The General Secretary also received a total of £17,258 in benefits, of which £8,655 is in respect of trade union activities. This sum is made up of £5,735 superannuation (at 40%) and £2,920 other benefits (at 100%).
- (a) Mr G A C Vaughan - Acting General Secretary from 1/1/99 - 31/1/99.
(b) Ms H De Lyon - Chief Executive from 1/2/99 - 31/12/99.

Appendix 7 (see para 7.36 - 7.37)

LIST OF GB BASED UNIONS WITH NORTHERN IRELAND MEMBERS WHO HAVE 'CONTRACTED IN' TO POLITICAL FUNDS - 31 DECEMBER 1999 (unless otherwise indicated)

	NI Members	NI Contributions
		£
Amalgamated Engineering and Electrical Union	5,609	19,490
Association of Her Majesty's Inspector of Taxes	32	624
Association of University Teachers (31/8/99)	501	462
Communication Workers' Union	3,298	16,438
Connect; The Union for Professionals in Communication	79	227
Fire Brigades Union	637	2,466
GMB	46	239
Graphical Paper and Media Union (30/9/99)	303	1,527
Institution of Professionals, Managers and Specialists	48	24
MSF	992	1,016
National Association of School Masters and Union of Women Teachers	3,108	1,783
National Association of Teachers in Further and Higher Education	388	466
National Union of Insurance Workers	50	53
National Union of Rail Maritime and Transport Workers	38	119
Prison Officers' Association	2,374	4,273
Transport and General Workers' Union	15,074	84,000
Transport Salaried Staffs' Association	32	108
Union of Shop Distributive and Allied Workers	2,558	9,311
TOTALS	35,119	142,602

LIST OF GB BASED UNIONS WITH NORTHERN IRELAND MEMBERS WHO DO NOT CONTRIBUTE TO POLITICAL FUNDS - 31 December 1999 (unless otherwise indicated)

Bakers, Food and Allied Workers Union
 Broadcasting, Entertainment, Cinematograph & Theatre Union
 Ceramic & Allied Trades Union
 Musicians' Union
 National League of the Blind & Disabled
 National Union of Knitwear, Footwear and Apparel Trades
 Union of Construction, Allied Trades and Technicians
 UNISON

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

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

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 and employers' associations wishing to establish a political fund.*
4. *A guide to political fund review ballots.*
5. *Financial Irregularities in Trade Unions and Employers' Associations*
6. *Annual Reports of the Certification Officer*
7. *Formal Hearings – Notes on Procedures before the Certification Officer*
8. *Decisions of the Certification Officer*

2000