



BERMUDA

TRADE UNION REGULATIONS 1965

SR&O 8 / 1966

[made under section 49 of the Trade Union Act 1965 and brought into operation on 22 December 1965]

TABLE OF CONTENTS

1	Citation
2	Interpretation
3	Application for registration
4	Evidence of authorization of applicants
5	Partial alteration of constitution
6	Complete alteration of constitution
7	Certificate of registration; withdrawal or cancellation
8	Change of registered office
9	Change of name
10	Dissolution
11	Amalgamation
12	Annual statement
13	Signature or seal of Registrar
14	Registration of documents
15	Inspection of documents
16	Fees

FIRST SCHEDULE

Forms

Citation

- 1 These Regulations may be cited as the Trade Union Regulations 1965.

Interpretation

- 2 In these Regulations, unless the context otherwise requires—

TRADE UNION REGULATIONS 1965

- (a) “the Act” means the Trade Union and Labour Relations (Consolidation) Act 2021 [title 18 item 2];
- (aa) “constitution” means the constitution of a trade union;
- (b) “the Registrar” means the Registrar-General;
- (c) “Rule” means the rule or article of the constitution;
- (d) “seal” means the seal of the Registrar-General.

[Paragraph 2 definition "the Act" amended, definition "constitution" inserted, and definition "Rule" revoked and substituted by 2021 : 7 s.100 & Sch. 8 effective 1 June 2021]

Application for registration

3 (1) Application for registration of a trade union shall be made in Form A in the First Schedule and shall be accompanied by two printed or typewritten copies of the constitution, marked and signed, as mentioned in that form.

(2) The certificate of registration shall be in Form B in the First Schedule.

[Regulation 3 paragraph (1) amended by 2021 : 7 s.100 & Sch. 8 effective 1 June 2021]

Evidence of authorization of applicants

4 Upon an application for the registration of a trade union which is already in operation, the Registrar, if he has reason to believe that the applicants have not been duly authorized by the trade union to make the same, may for the purpose of ascertaining the fact, require from the applicants such evidence as may seem to him necessary.

Partial alteration of constitution

5 (1) An application for the registration of a partial alteration of constitution shall be made by an officer and seven members of the trade union and shall be made in Form C in the First Schedule, and shall be accompanied by a printed copy of the existing constitution, and by the following documents—

- (a) if the alteration consists of the addition or substitution of a new part of the constitution, two copies of such part, each copy being marked X and signed by each of the applicants;
- (b) if the alteration consists of the rescission of any part of the constitution without any substitution, two copies of the resolution for such rescission, each copy being marked X and signed by each of the applicants.

(2) The certificate of registration of a partial alteration of the constitution shall be in Form D in the First Schedule and shall be delivered to the applicants, attached to one of the copies of the new part of the constitution, or when the alteration consists of rescission merely, attached to the old part.

[Regulation 5 amended by 2021 : 7 s.100 & Sch. 8 effective 1 June 2021]

TRADE UNION REGULATIONS 1965

Complete alteration of constitution

6 (1) An application for the registration of a complete alteration of the constitution shall be made by seven members of the trade union, and shall be in Form E in the First Schedule and shall be accompanied by a printed copy of the existing constitution and by two printed or typewritten copies of the new constitution, each copy being marked Y and signed by each of the applicants.

(2) The certificate of registration of a complete alteration of the constitution shall be in Form F in the First Schedule and shall be delivered to the applicants attached to one of the copies of the new constitution.

[Regulation 6 amended by 2021 : 7 s.100 & Sch. 8 effective 1 June 2021]

Certificate of registration; withdrawal or cancellation

7 (1) Every request by a trade union for the withdrawal or cancellation of its certificate of registration shall be in Form G in the First Schedule.

(2) Notice before withdrawal or cancellation of a certificate of registration, where required by the Act, shall be in Form G in the First Schedule.

(3) The withdrawal or cancellation of a certificate of registration shall be in Form 1 in the First Schedule.

Change of registered office

8 (1) Notice of any change of the registered office of a trade union shall be given to the Registrar in Form J in the First Schedule.

(2) The Registrar shall deliver to the trade union the receipt attached to such Form duly authenticated.

Change of name

9 (1) The application for approval, and notice of any change of name of a trade union shall be made by seven members of the trade union and shall be in Form K in the First Schedule, countersigned by the secretary of the trade union, and shall be sent in duplicate accompanied by a certificate of the Secretary made in Form L in the First Schedule.

(2) If the change of name is approved, the Registrar shall register the new name and deliver one copy of the notice to the applicants endorsed with the words "approved and registered" and duly authenticated.

Dissolution

10 (1) When a trade union is dissolved, notice of the dissolution shall be given to the Registrar in duplicate by the secretary and seven members of the trade union and shall be made in Form M in the First Schedule.

(2) The Registrar shall return one copy of the notice to the trade union endorsed with the word "registered" and duly authenticated.

TRADE UNION REGULATIONS 1965

Amalgamation

11 (1) Where two or more trade unions become amalgamated together, notice shall be given to the Registrar in duplicate by the secretary and seven members of each or every trade union which is a party to the amalgamation, and shall be given in duplicate in Form N in the First Schedule and shall be accompanied by certificates of each secretary made in Form O in the First Schedule, and by a printed or typewritten copy of the rules of the amalgamated trade union.

(2) The Registrar shall return to the amalgamated trade union one copy of the notice endorsed with the word "registered" and duly authenticated.

Annual statement

12 (1) The annual general audited statement required to be made under the Act shall be submitted to the Registrar in duplicate and shall be accompanied by the auditor's report, if any, together with a copy of the printed statement of accounts.

(2) If approved, the Registrar shall return one copy of the statement to the trade union endorsed with the word "approved" and duly authenticated.

Signature or seal of Registrar

13 Every document under the Act or these Regulations, bearing the signature or seal of the Registrar, shall be deemed to be duly authenticated for the purposes of the Act and these Regulations.

Registration of documents

14 The Registrar shall retain the original or one copy of every document submitted to him or delivered by him under these Regulations, and shall record and register all such as are in proper form and in conformity with the Act and these Regulations.

Inspection of documents

15 All documents or copies of documents kept by the Registrar under these Regulations may be inspected by any person on payment of the appropriate fee.

Fees

16 The fees set out in the Second Schedule shall be payable in advance to the Registrar.

TRADE UNION REGULATIONS 1965

FIRST SCHEDULE

FORMS

FORM A

Application for Registration of Trade Union

(1) This application is made by seven members of the trade union whose names are subscribed at the foot hereof.

(2) The name under which it is proposed that the Trade Union on behalf of which this application is made shall be registered is (*) [blank] as set forth in Rule No. [blank]

To the best of our belief there is no other existing Trade Union, whether registered or not registered, the name of which is identical with the proposed name or so nearly resembles the same as to be likely to deceive the members of the public.

(3) The place of meeting for the business of the (*) [blank] and the office to which all communications and notices may be addressed, is at [blank] as set forth in Rule No. [blank]

(4) The * [blank] was established on the [blank] day of [blank] 19[blank].

(5) The whole of the purposes for which the * [blank] is established and the purpose for which the funds thereof are applicable are set forth in Rule No. [blank].

(6) The subscriptions and contributions to be paid by members and the form of receipt therefor are set forth in Rule No. [blank].

(7) The conditions under which members may become entitled to benefits assured are set forth in Rule No. [blank].

(8) The fines and forfeitures to be imposed on members are set forth in Rule No. [blank].

(9) The manner of making altering amending and rescinding the constitution or any part thereof is set forth in Rule No. [blank].

(10) The provisions for the appointment and removal of a general committee of management, of trustees, treasurer, secretary and other officers, is set forth in Rule No. [blank].

(11) The provision for the inspection of the books and names of the members by every person having an interest in the funds is set forth in Rule No. [blank].

TRADE UNION REGULATIONS 1965

(12) The provision for the investment of funds and for the periodical audit of accounts is set forth in Rule No. [blank].

(13) The provision for the manner of dissolving the Trade Union is set forth in Rule No. [blank].

(14) The provisions for taking strike/lock-out action are set out in Rule No. [blank].

(15) Accompanying this application are sent—

(i) the printed/typewritten copies of the constitution, each marked A and signed by the persons making this application.

(ii) a list, marked B, of the titles and names of the officers.

(iii) a general statement**, marked C, showing the receipts, funds, effects and expenditures of the Trade Union, and giving the same form as set out in Form R in the Trade Union Regulations, 1946, and made out to the [blank] day of [blank] 19 [blank].

(16) We have been duly authorized by the Trade Union* to make this application on its behalf, such authorization consisting of [blank].

Signed

1

2

3

4 Members.

5

6

7

[blank] day of [blank] 19 [blank].

To the Registrar-General,

Hamilton, Bermuda.

*Name of Trade Union.

TRADE UNION REGULATIONS 1965

**This will only be necessary where the Trade Union has been in operation before the date of the application.

FORM B

Certificate of Registration of Trade Union

It is hereby certified that the [blank] (name of trade union) has been registered under the Trade Union and Labour Relations (Consolidation) Act 2021, this [blank] day of [blank] 19 [blank].

[blank]
(Seal and Signature of Registrar)

FORM C

Application for Registration of Partial Alteration of Constitution

* [blank]

1 This application for the registration of a partial alteration of the constitution of the * [blank]., is made by an officer and the seven persons whose names are subscribed at the foot hereof.

With this application are sent—

- (i) ** printed copy of the registered constitution marked to show where and in what way it is altered;
- (ii) ** two printed/typewritten copies of the alteration, each marked X, and signed by each of the applicants;
- (iii) ** two copies of the resolution for rescission each marked X, and signed by each of the applicants.

2 We have been duly authorized by the * [blank] to make this application on its behalf, such authorization consisting of a resolution passed at a general meeting on the [blank] day of [blank] 19 [blank]**.

3 We certify that, in making the alteration of the constitution now submitted for registration, the constitution of the* [blank] was duly complied with.

Signed

1

2

3

TRADE UNION REGULATIONS 1965

4 Members.

5

6

7

[blank] day of [blank] 19 [blank]

To the Registrar-General,

Hamilton, Bermuda.

*Name of Trade Union.

**Delete as applicable.

***Here insert the date, or if there was no such resolution, state in what other way the authorization was given.

FORM D

Certificate of Registration of Partial Alteration of Constitution.

It is hereby certified that the annexed partial alteration of the constitution of the [blank] (name of trade union) has been registered under the Trade Union and Labour Relations (Consolidation) Act 2021, this [blank] day of [blank] 19 [blank].

[blank]
(Seal and Signature of Registrar)

FORM E

Application for Registration of Complete Alteration of Constitution

* [blank]

(1) This application for the registration of a complete alteration of the registered constitution of the * [blank] is made by an officer and the seven persons whose names are subscribed at the foot hereof.

(2) The complete alteration submitted for registration is the substitution of the constitution, two printed/typewritten copies of which (each copy marked Y and signed by the applicants) accompany this application, for the constitution already registered a printed copy of which accompanies this application.

TRADE UNION REGULATIONS 1965

(3) The name of the Trade Union on behalf of which this application is made is * [blank] as set forth in Rule No. [blank].

To the best of our belief there is no other existing Trade Union, whether registered or not registered, the name of which is identical with the proposed or so nearly resembles the same as to be likely to deceive the members or the public.

(4) The place of meeting for the business of the * [blank] and the office to which all communications and notices may be addressed, is at [blank] as set forth in Rule No. [blank].

(5) The* [blank] was established on the [blank] day of [blank] 19 [blank].

(6) The whole of the purposes for which the* [blank] is established and the purposes for which the funds thereof are applicable are set forth in Rule No. [blank]

(7) The subscriptions and contributions to be paid by members and the form of receipt therefor are set forth in Rule No. [blank].

(8) The conditions under which members may become entitled to benefits assured are set forth in Rule No. [blank].

(9) The fines and forfeitures to be imposed on members are set forth in Rule No. [blank].

(10) The manner of making, altering, amending and rescinding the constitution is set forth in Rule No. [blank].

(11) The provision for the appointment and removal of a general committee of management, of trustees, treasurer, secretary and other officers, is set forth in Rule No. [blank] .

(12) The provision for the investment of funds and for the periodical audit of accounts is set forth in Rule No. [blank].

(13) The provision for the inspection of the books and names of the members by every person having an interest in the funds is set forth in Rule No. [blank].

(14) The provision for the manner of dissolving the Trade Union is set forth in Rule No. [blank].

(15) The provision for taking strike/lock-out action are set forth in Rule No. [blank].

TRADE UNION REGULATIONS 1965

(16) We have been duly authorized by the * [blank] to make this application on its behalf, such authorization consisting of a resolution passed at a general meeting on the [blank] day of [blank] 19 [blank] **.

(17) We certify that in making the alteration to the constitution now submitted for registration , the constitution of the* [blank] was duly complied with.

Signed

- 1
- 2
- 3
- 4 Members.
- 5
- 6
- 7

[blank] day of [blank] 19 [blank]

To the Registrar-General,

Hamilton, Bermuda.

*Name of Trade Union.

**Here insert the date, or if there was no such resolution, state in what other way the authorization was given.

FORM F

Certificate of Registration of Complete Alteration of Constitution

[blank] (name of trade union).

It is hereby certified that the constitution, a copy of which is annexed hereto, has been registered under the Trade Union and Labour Relations (Consolidation) Act 2021, in substitution for the constitution already registered for the [blank]

[blank] (name of trade union) this [blank] day of [blank] 19 [blank].

[blank]

TRADE UNION REGULATIONS 1965

(Seal and Signature of Registrar)

FORM G

Request to Withdraw or Cancel Certificate of Registration

[blank] (name of trade union).

(1) The above-mentioned Trade Union desires that its certificate of registration under the Trade Union and Labour Relations (Consolidation) Act 2021 may be withdrawn (or cancelled) on the following grounds, viz., [blank] and at a general meeting * duly held on the [blank] day of [blank] 19 [blank], it was resolved as follows:

“That the trustees be authorized to request the Registrar to with draw (or cancel) the certificate of registration of this Trade Union.”

(2) This request is made by the trustees accordingly.

.....

..... Trustees

.....

Registered office [blank]

[blank] day of [blank] 19 [blank]

To the Registrar-General,

Hamilton, Bermuda.

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

FORM H

Notice before Withdrawal or Cancellation of Certificate of Registration

[blank] (name of trade union).

Notice is hereby given to the above-mentioned Trade Union that it is the intention of the Registrar to proceed on the [blank] day of [blank] 19 [blank], to cancel (or to withdraw) the registration of the Trade Union, unless cause be shown to the contrary in the meantime.

The ground of such proposed cancellation (or withdrawal) is that *

[blank]

TRADE UNION REGULATIONS 1965

(Signature of Registrar)

[blank] day of [blank] 19 [blank]

*The fact should be briefly specified.

FORM I

Withdrawal or Cancellation of Registration

[blank] (name of trade union).

The certificate of registration of the above-mentioned Trade Union is hereby withdrawn (or cancelled) * [blank]

[blank]

(Signature of Registrar)

[blank] day of [blank] 19 [blank]

*Here state whether at the request of the trade union. The Registrar may, if he thinks fit, add a statement of the ground of the cancellation or withdrawal.

FORM J

Notice of Change of Registered Office

* [blank]

Notice is hereby given that the registered office of the above-mentioned Union is removed from [blank] in the parish of [blank] and is now situated at [blank] the parish of [blank]

[blank] day of [blank] 19 [blank]

.....

..... Trustees.

.....

the Registrar-General,

Hamilton, Bermuda.

** Received this [blank] day of [blank] 19 [blank] notice of removal of the registered office of the* [blank] to [blank] in the parish of [blank].

TRADE UNION REGULATIONS 1965

[blank]
(Seal and Signature of Registrar)

*Name of Trade Union.

**This part to be detached by the Registrar when the notice is registered, returned to the trade union.

FORM K

Application for Approval and Notice of Change of Name

Name already registered [blank]

(1) Application for approval of a change of name of the above-mentioned Trade Union is made by the seven persons whose names are subscribed at the foot hereof, and by the secretary of such union whose name is additionally subscribed below.

(2) The following is a copy of a resolution passed by the consent of two-thirds of the total number of members of the trade union—

And notice of such change of name is hereby given to the Registrar for registration thereby.

Signed

- 1
- 2
- 3
- 4 Members.
- 5
- 6
- 7
- Secretary.

Registered office [blank]

[blank] day of [blank] 19 [blank]

TRADE UNION REGULATIONS 1965

To the Registrar-General,

Hamilton, Bermuda.

FORM L

Certificate to Accompany Application for Approval of Change of Name

[blank] (name of trade union).

I, [blank] of [blank] in the parish of [blank] do solemnly and sincerely certify that I am the secretary of the above-mentioned Trade Union and that in making the change of name, notice of which is appended to this certificate, the provisions of the Trade Union and Labour Relations (Consolidation) Act 2021, in respect of change of name have been complied with.

Registered office [blank]

[blank] day of [blank] 19 [blank]

FORM M

Notice of Dissolution

[blank] (name of trade union).

Notice is hereby given that the above-mentioned Trade Union was dissolved in pursuance of the constitution thereof on the [blank] day of [blank] 19 [blank]

Signed

1

2

3

4 Members.

5

6

7

..... Secretary.

TRADE UNION REGULATIONS 1965

Name and address to which registered copy is to be returned.

[blank]

[blank] day of [blank] 19 [blank]

To the Registrar-General,

Hamilton, Bermuda,

FORM N

Notice of Amalgamation of Trade Unions

[blank]

(Names of trade unions amalgamating).

[blank]

Notice is hereby given, that by the consent of the statutory proportion of the members of each or every of the above-mentioned Trade Unions they have resolved to become amalgamated together as one Trade Union. And the following are the terms of such amalgamation—

And that it is intended that the amalgamated Trade Union shall henceforth be called the [blank].

Accompanying this notice is a printed/typewritten copy of the rules intended to be henceforth adopted by the amalgamated Trade Union.

..... Secretary Secretary.

1..... 1

2..... 2

3..... 3

4..... Members 4 Members.

5..... 5

6..... 6

7..... 7

TRADE UNION REGULATIONS 1965

.....
(name of trade union) (name of trade union)

.....
[blank] day of [blank] 19 [blank]

To the Registrar-General,
Hamilton, Bermuda.

FORM O

Certificate to Accompany Notice of Amalgamation

[blank] (name of trade union).

I, [blank] of [blank] in the parish of [blank], do solemnly and sincerely certify that I am the secretary of the above-mentioned Trade Union, and that in the amalgamation such Trade Union with the [blank] notice of which is appended to this certificate, the provisions of the Trade Union and Labour Relations (Consolidation) Act 2021 in respect of amalgamation have been complied with.

[blank]
Secretary.

Registered office [blank]

[blank] day of [blank] 19 [blank]

SECOND SCHEDULE

Fees

§ c

For the registration of a Trade Union	\$50.00
For the registration of a partial or complete alteration of the constitution	\$25.00
For the registration of a change of name	\$25.00
For the registration of a notice of dissolution	\$10.00
For registration of amalgamation, by each Trade Union amalgamating	\$25.00
For every document (except as otherwise provided) required to be signed by the Registrar, or to bear a seal	\$25.00

TRADE UNION REGULATIONS 1965

For every inspection on the same day of documents (whether one or more) in the custody of the Registrar, relating to one and the same Trade Union \$10.00

For a copy of extract of any document in custody of the Registrar, not exceeding 218 words 18¢ and if exceeding that number 6¢ per folio of 72 words, in addition to the fee, if any, for the signature of the Registrar or seal.

For any document certified as a true copy of a document in the custody of the Registrar, when the copy so certified is not made by the Registrar 9¢ for the examination of such copy, and if the copy exceeds 216 words, for every additional folio of 72 words 3¢ in addition to the fee, if any, for the signature of the Registrar or seal.

No fee is payable for—

The cancelling or withdrawal of a certificate of registration;

Any notice of change of registered office;

Any document or copy of a document supplied to a public department.

The Registrar may also dispense with the fee for the inspection of documents in cases where he may consider it in the public interest to do so.

[First Schedule and Second Schedule amended by 2021 : 7 s.100 & Sch. 8 effective 1 June 2021]

[Amended by:

2021 : 7]