

**DECISIONS OF THE CERTIFICATION OFFICER ON AN APPLICATION
MADE UNDER SECTIONS 55(1) AND 108A(1) OF THE TRADE UNION
AND LABOUR RELATIONS (CONSOLIDATION) ACT 1992**

Mr James Forbes

v

Scottish Secondary Teachers' Association

Date of Decisions

9 August 2016

DECISIONS

Upon application dated 21 April 2015, Mr James Forbes alleged that the Scottish Secondary Teachers' Association breached its rules and section 47(1) of the Trade Union and Labour Relations (Consolidation) Act 1992. Mr Forbes agreed his complaints in the following terms:-

Complaint 1

On or around 26 November 2014, in breach of section 3(v) of the Scottish Secondary Teachers' Association ("the Association") Constitution, Mr Forbes' membership of the Association was suspended. Specifically, section 3(v) of the Association's Constitution was breached for the following reasons: (i) the Association did not conduct its disciplinary processes in a manner consistent with the principles of fairness and natural justice which are to be implied into this section; and (ii) this section does not give an Acting General Secretary the powers to suspend membership.

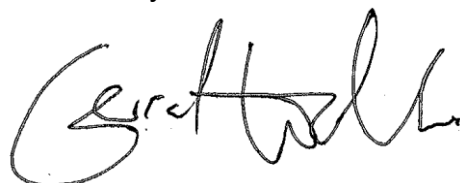
Complaint 2

On or around 20 November 2014, the Scottish Secondary Teachers' Association breached section 47(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 as it unreasonably excluded Mr Forbes from standing as a candidate in the elections for General Secretary and for President, the results of which were announced on 4 December 2014.

Mr Forbes died on 18 April 2016. Mr James Galt and Mr Istvan Lorinczi were appointed as executors of Mr Forbes' estate.

By letter dated 20 July 2016, Mr Galt, acting on behalf of himself and having been authorised to do so by Mr Lorinczi, withdrew Mr Forbes' complaints.

Mr Forbes' complaints are dismissed upon withdrawal by Mr Galt.



Gerard Walker
The Certification Officer