

Annual  
Report  
of the  
Certification  
Officer

1997

Certification Office for  
Trade Unions and Employers' Associations

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

**Annual Report  
of the Certification Officer  
1997**



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I am required by the Trade Union and Labour Relations (Consolidation) Act 1992 to submit to you both a report on my activities as Certification Officer during the previous calendar year. I have pleasure in submitting such a report for 1997.

E G WHYBREW  
*Certification Officer*  
19 February 1998

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# Introduction

This report deals with my activities during the calendar year 1997. It is the twenty second Annual Report to be published since the post of Certification Officer was established in 1975. My functions are contained in the Trade Union and Labour Relations (Consolidation) Act 1992 (as amended) (referred to in this report as "the 1992 Act" or "the Act"). They include responsibility:

*under Part I, Chapter I* - for maintaining a list of trade unions, and for determining the independence of trade unions;

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

*under Part I, Chapter IV* - for dealing with complaints by members that a trade union has failed to comply with one or more of the provisions of the Act requiring a trade union to hold secret postal ballots for electing members of its executive committee, president and general secretary;

*under Part I, Chapter VI* - for ensuring observance of the statutory procedures governing the setting up, operation and review of political funds; and for dealing with complaints about breaches of political fund rules or about the conduct of political fund ballots;

*under Part I, Chapter VII* - for seeing that the statutory procedures for amalgamations, transfers of engagements and changes of name are complied with, and for dealing with complaints by members about the conduct of merger ballots;

*under Part II* - for maintaining a list of employers' associations; for ensuring that the statutory requirements concerning accounting records, auditors, annual returns, financial affairs, political funds and the statutory procedures for amalgamations and transfers of engagements in respect of employers' associations are complied with.

These functions are discussed in the following chapters.

I noted in my last report the high volume of work arising on complaints by trade union members and, whilst the number of decisions I issued in 1997 fell to eight, there has been no lessening in activities arising from concerns put to me by members. Three of my decisions arose from a series of complaints from twelve members in respect of a proposed merger. An appeal to the Employment Appeal Tribunal arising from my decisions prevented the merger proceeding as planned. The number of cases concerning the financial affairs of certain trade unions rose during the year and whilst some can be quickly resolved many are complex and time consuming. For the first time I used my powers to appoint an inspector to investigate the financial affairs of one trade union.

Although the ballot refund scheme closed in March 1996 there remained a considerable number of outstanding claims at the end of 1996. During the year I approved payments, amounting to £577,108, in respect of 1276 ballots for which applications were outstanding at the beginning of the year. I was unable to make payments in respect of 8 ballots which failed to meet the requirements of the scheme. Also during 1997 a total of £1,604,671 was deducted from claims as a result of the statutory phasing-out reductions, and £95,546 was deducted where certain costs claimed were disallowed or adjusted. Payments to individual trade unions are listed at Appendix 9. By the end of the year all outstanding claims had been processed and reimbursement of ballot costs was due to be made in respect of 61 industrial action ballots where industrial action was continuing. The scheme does not permit the refund of any costs until any industrial action arising from a ballot has ended.

The Advisory, Conciliation and Arbitration Service 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 Service and of the Secretary of State. The Office continued to receive professional advice on superannuation matters from the Government Actuary's Department.

Mr G S Osborne and Mr J L J Craig, WS, continued to hold their appointments as Assistant Certification Officer and Assistant Certification Officer for Scotland respectively. In December 1997 there were 10 staff in post in the Certification Office. This reduction in staff follows the phasing out of the Ballot Refund Scheme. 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 was undertaken during the year. The Office has adopted fully the principles of the Code of Practice on Access to Government Information.

Accounts of the Office prepared under section 258 of the 1992 Act are published separately by order of the House of Commons. In broad terms it is estimated that about 50% of the Office's resources were allocated to work connected with annual returns from trade unions and employers' associations, and the maintenance of the lists of trade unions and employers' associations; 25% to work arising from the refund of costs of trade unions' secret postal ballots; and the remainder to other matters including trade union election complaints, trade union mergers, political funds and trade union finances.

During the year the Office was the subject of an audit of its procedures by the Department of Trade and Industry Internal Audit. This resulted in a satisfactory report with no formal recommendations being made.

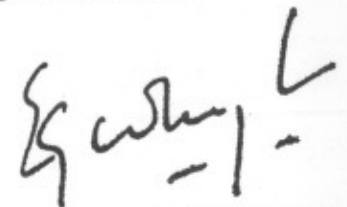
The statutory fees to be paid for certain items of work undertaken by the Office were increased by Regulations<sup>1</sup> made by the Secretary of State. The fees are reviewed annually and any increase normally becomes effective from 1 April.

The net cost of the Office for the year ended 31 March 1997 was £545,000. My salary as Certification Officer at 31 March 1997 was £36,122 for a three day week. This sum is pensionable at an additional cost to the public purse of £6,321 and it is taxed under PAYE.

Where it is necessary to hold a hearing to determine a complaint, the Certification Officer can make payment towards the expenses incurred by the complainant and a friend in attending the hearing. During 1997 such payments amounted to £322.40. Assistance with legal costs is not available.

#### Advice and contacts for information

The Office receives many enquiries and requests for guidance from trade unions, employers' associations and their members. Often we 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 me by an individual member. Where a complaint is made, I have to investigate it and decide it completely impartially on the facts of the case and in the light of the 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. That said the Office is happy to assist where it can and guidance booklets covering different aspects of the Certification Officer's responsibilities are available free of charge. They are listed in Appendix 11 and requests for further information on any aspect of the Certification Officer's duties should be made to the Certification Office, Brandon House, 180 Borough High Street, London, SE1 1LW, tel: 0171-210-3734.



E G WHYBREW

<sup>1</sup>The Certification Officer (Amendment of Fees) Regulations 1997 (S.I. 1997 No. 677).

## Lists of Trade Unions and Employers' Associations

*Any trade union or employers' association may apply to have its name included in the public lists maintained by the Certification Officer. This Chapter sets out the background to that process and gives the numbers on the lists at the end of 1997 and the changes that have occurred during the year. The lists are set out in full in Appendices 1 and 2.*

### Entry in the lists and its significance

- 1.1 The Certification Officer maintains a list of trade unions and a list of employers' associations in accordance with the provisions of sections 2-4 and sections 123-125 of the 1992 Act.
- 1.2 Listing is voluntary and any organisation of workers or of employers may apply to be listed. (See Appendix 10 for statutory fee). If the Certification Officer is satisfied that the organisation falls within the appropriate definition in the 1992 Act (reproduced in full at the end of this chapter) he must enter its name in the relevant list. Entry in the list is usually a simple process and means no more than that the body concerned satisfies the statutory definition. The Act 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 Employment Appeal Tribunal.
- 1.4 For trade unions, listing is an essential preliminary to any application for a certificate of independence under section 6 of the 1992 Act. It is also one of the requirements for obtaining tax relief in respect of expenditure on provident benefits. There are no corresponding advantages for employers' associations.
- 1.5 The current lists are available for inspection free of charge at the Certification Office, Brandon House, 180 Borough High Street, London SE1 1LW. The lists for organisations having their head office in Scotland are also available for inspection at the office of the Assistant Certification Officer for Scotland, 58 Frederick Street, Edinburgh EH2 1LN.

### Removal from the lists

- 1.6 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 Employment Appeal Tribunal 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.

- 1.7 The table below gives the names of the trade unions and employers' associations removed from the lists during 1997. \* 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.

### Trade Unions; England and Wales

- \*Amalgamated Power Loom Overlookers Association
- Association of Premier League and Football League Referees and Linesmen
- \*Association of University and College Lecturers

- \*College of Health Care Chaplains

Financial Services Staff Federation

Gatwick Handling Staff Association

- \*Government Communications Staff Federation

Huddersfield and Dewsbury Power Loom Overlookers Society

- \*Leeds Permanent Building Society Staff Association

- \*National and Provincial Building Society Staff Association

- \*National Association of Licensed House Managers

Royal London District Managers Association

- \*United Association of Power Loom Overlookers
- United Friendly Head Office Management Association

### Trade Unions; Scotland

National Union of General and Public Service Workers

### Employers' Associations; England and Wales

Federation of Civil Engineering Contractors

- \*North East Lancashire Textile Manufacturers Association

Test and County Cricket Board

### Employers' Associations; Scotland

Scottish Glass Association

### The lists at 31 December 1997

1.8 As required by sections 2 and 123 of the 1992 Act this Report includes the lists as at 31 December 1997. They are reproduced as Appendices 1 and 2. The lists at the end of 1997 comprised 233 trade unions and 107 employers' associations.

Changes during 1997 are summarised in the table below:

	On lists at 31 December 1996	Changes between 1 January 1997 and 31 December 1997		On lists 31 December 1997
		Additions	Removals	
Trade Unions	245	3	15	233
Employers' Associations	110	1	4	107

The four additions to the list of trade unions and employers' associations are shown in italics at Appendix 1 and 2.

### Special register bodies

1.9 Under the Industrial Relations Act 1971 a special register was established which allowed organisations which were either registered companies or incorporated by charter or letters patent and which took part in collective bargaining on behalf of their members to be registered. These were usually professional bodies.

1.10 The Trade Union and 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 position of those bodies which were already on the special register.

1.11 The statutory requirements affecting trade unions in the 1992 Act are adapted to take account of the corporate status of the 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 special register bodies remain on the list of trade unions.

Association of Clinical Biochemists Limited  
British Association of Occupational Therapists Limited  
British Dental Association  
British Dietetic Association  
British Medical Association  
Chartered Society of Physiotherapy  
Educational Institute of Scotland  
Headmasters and Headmistresses Conference  
Royal College of Midwives

Royal College of Nursing of the United Kingdom  
Society of Authors Limited  
Society of Chiropractors and Podiatrists  
Society of Radiographers

### Unlisted organisations

1.12 Because entry in the lists is voluntary it is difficult to say precisely how many trade unions and employers' associations are in existence at any given time. In addition to the numbers of listed organisations given in paragraph 1.8, at the end of the year there were 22 trade unions and 107 employers' associations which had not sought to be listed. There may be others meeting the statutory definition of which the Office is unaware. Being unlisted does not limit an organisation's statutory responsibilities, and returns from unlisted bodies are available for inspection along with those of listed organisations. Those organisations known to the Office but who have not applied to be included in the lists of trade unions or employers' associations are given at Appendices 1a and 2a respectively. During the year the office approached four organisations which it was thought might be trade unions but of which it was previously unaware. In one case, returns are now expected. The others were found not to be trade unions.

### Definition of a trade union

1.13 Section 1 of the Trade Union and Labour Relations (Consolidation) Act 1992 reads as follows:

*'In this Act, a "trade union" means an organisation (whether temporary or permanent) -*

*(a) which consists wholly or mainly of workers of one or more descriptions and whose principal purposes include the regulation of relations between workers of that description or those descriptions and employers or employers' associations; or*

*(b) which consists wholly or mainly of -*

*(i) constituent or affiliated organisations which fulfil the conditions in 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 whose principal purposes include the regulation of relations between workers and employers or between workers and employers' associations, or the regulation of relations between its constituent or affiliated organisations.'*



### Definition of an employers' association

1.14 Section 122 of the Trade Union and Labour Relations (Consolidation) Act 1992 reads as follows:

*'In this Act, an "employers' association" means an organisation (whether temporary or permanent) -*

*(a) which consists wholly or mainly of employers or individual owners of undertakings of one or more descriptions and whose principal purposes include the regulation of relations between employers of that description or those descriptions and workers or trade unions; or*

*(b) which consists wholly or mainly of -*

*(i) constituent or affiliated organisations which fulfil the conditions in 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 whose principal purposes include the regulation of relations between employers and workers or between employers and trade unions, or the regulation of relations between its constituent or affiliated organisations.*

*References in this Act to employers' associations include combinations of employers and employers' associations.'*

## 2

### Trade Union Independence

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

#### The statutory provisions

2.1 Section 5 of the 1992 Act 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".<sup>1</sup>*

2.2 The procedure for determining the independence of trade unions is laid down in section 6 of the 1992 Act. A union must be listed - see Chapter 1 - before it can apply for a certificate of independence. (See Appendix 10 for statutory fee). The Certification Officer must keep a public record of all applications for such certificates and of all decisions reached. He may not take a decision on any application until at least one month after it has been entered in the record; notification is published in the London Gazette or Scottish Gazette as appropriate. He 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 Employment Appeal Tribunal.

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

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

#### Criteria

2.5 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*

<sup>1</sup>In *Squibb UK Staff Association v Certification Officer* ([1979] 2 All ER 452, [1979] IRLR 75, CA) it was held that the word "liable" in this context should be interpreted as implying "vulnerability to interference" rather than "likelihood of interference".

*independence* under the following headings: History, Membership Base, Organisation and Structure, Finance, Employer-provided Facilities and Negotiating Record. Copies of the booklet are available on request from the Certification Office. The Certification Officer is required by statute to disregard certain criteria in respect of prison service unions. He reaches his decision on the basis of the criteria as a whole and in doing so he 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.

#### Applications

- 2.6 No applications for certificates of independence were received in 1997.

#### Decisions

- 2.7 During the year one outstanding application from 1996 was completed and a certificate of independence issued to the Sun Alliance Staff Union.
- 2.8 The appeal to the Employment Appeal Tribunal by the Government Communications Staff Federation, outstanding at the end of 1996, was listed for a two day hearing commencing 4 June 1997. Following a press release by the Foreign Secretary on 15 May 1997 and changes to GCHQ staff conditions of service, the hearing was adjourned, by agreement of both parties to allow the Certification Officer to consider the new facts.
- 2.9 However, before the Certification Officer could fully consider the new facts the Federation merged, on the 4 September 1997, with the Public Services Tax and Commerce Union. As a result of the merger the Federation ceased to exist. On application, the Employment Appeal Tribunal gave leave for the appeal, against the Certification Officer's decision to refuse the union a certificate of independence, to be withdrawn by consent. A consent order was signed on 16 October 1997 and the appeal was withdrawn and thereby dismissed on 3 November 1997.
- 2.10 Six certificates were cancelled because the unions concerned had ceased to exist. Mergers accounted for all six of these cancellations. Details are given in Appendix 3.

## Annual Returns and Accounts

*The requirements for trade unions and employers' associations to keep proper accounting records and to submit annual returns to the Certification Officer are set out in this Chapter. It also deals with the provisions relating to the investigation of the financial affairs of trade unions and employers' associations.*

#### The statutory provisions

- 3.1 Sections 28 and 131 of the 1992 Act provide respectively that every trade union and every employers' association (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. It must establish and maintain a satisfactory system of control of its accounting records, its cash holdings and all its receipts and remittances. The accounting records kept must be such as are necessary to give a true and fair view of the state of affairs of the organisation and to explain its transactions.
- 3.2 Under sections 32 and 131 of the Act such an organisation (unless it has been in existence for less than 12 months) is also required to submit an annual return to the Certification Officer in the form prescribed. The return is to include revenue and other accounts and a balance sheet, which must give a true and fair view of the matters to which they relate. Any changes in the organisation's officers or in the address of its head office, must be shown on the return and it must be accompanied by a copy of the rules in force at the end of the period covered by the return. All funds maintained for trade union and employers' association purposes must be included in the return made to the Certification Officer.
- 3.3 It is not for the Certification Officer to decide whether an organisation is viable but it is his responsibility to ensure that clear accounts covering all funds administered by the organisation are available for public inspection.
- 3.4 The Act requires trade unions and employers' associations to submit before 1 June each year a return of its financial affairs covering the year ending the preceding 31 December. However, the Certification Officer may direct that the return is to relate to a different annual period, and this is usually done if the normal timetable would cause serious inconvenience to the organisation concerned.
- 3.5 The annual return must include a copy of the auditor's report on the accounts. Under section 34 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 section 25 of the Companies Act 1989. Section 37 of the 1992 Act sets out the rights of auditors including access to information and the entitlement to attend and speak at general meetings of the organisation.
- 3.6 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 Act 1989

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 Act auditors.

- 3.7 The auditor must state whether, in his opinion, the accounts give a true and fair view of the matters to which they relate. He has a duty to carry out such investigations as will enable him to form an opinion on whether proper accounting records have been kept, whether a satisfactory system of control has been maintained and whether the accounts are in agreement with the accounting records. If in his opinion the statutory requirements have not been satisfied, or he fails to obtain all the necessary information and explanations, he must say so in his report, by way of qualification.
- 3.8 Of all the returns received by the office, 3.9% were qualified by the auditors. Of those returns which were qualified most were of a minor, technical nature and appropriate action has been taken to ensure such qualifications are not required in the future. The remaining qualifications related to returns not complying with the statement of standard accounting practice which requires pension costs to be accounted for on an accruals basis. However, as full details showing what effect compliance would have had on the accounts were given in the notes to those accounts and as in previous years these qualifications had been fully reviewed by the Office, the Certification Officer took no further action in the case of these qualified returns.
- 3.9 Provided the period covered is the same and there is no significant diminution in the degree of disclosure, a special register body (see Chapter 1 paras 1.9 to 1.11) or an employers' association incorporated under the Companies Acts may submit with its return, in lieu of the prescribed accounts, a copy of its accounts prepared under the Companies Acts and so avoid the duplication of broadly similar financial statements. In such circumstances, however, and notwithstanding anything in the Companies Acts, an auditor's report is still required to be made and this report must comply with the requirements of the 1992 Act.
- 3.10 With the exceptions already noted, the duties imposed by sections 28, 32 and 131 of the Act apply to all trade unions and employers' associations, whether listed under sections 2 or 123 or not. Refusal or wilful neglect to perform any of them is an offence for which the organisation concerned may be prosecuted and fined. The Certification Officer is responsible for enforcing these provisions, but does not generally undertake prosecutions for offences such as theft or fraud which would normally be dealt with by other prosecuting authorities. However, the Certification Officer is able to appoint inspectors to investigate allegations of financial irregularities in the affairs of a trade union or employers' association.

#### **Branch funds**

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

#### **Late submission of returns**

- 3.12 The 1992 Act requires an organisation to submit an annual return to the Certification Officer within five months of the year end (para 3.4). In 1997 approximately 16% of returns were submitted over two months late; however by the end of the year 97% had been received. The annual returns due by June 1997 for the following trade unions and employers' associations were still outstanding at the end of the year.

##### *Trade unions*

Leicestershire Overmen Deputies and Shotfirers Association  
National Union of Mineworkers (Northumberland Mechanics  
Group No 1 Area)  
Northern Colliery Officials and Staffs Association  
Union of Dexion Workers

##### *Employers' Associations*

Federation of Building Specialist Contractors  
National Federation of Painting and Decorating Contractors  
Scottish Pre-Cast Concrete Manufacturers Association  
Stone Federation Great Britain

This Office continues to seek full compliance with the statutory requirements, and will take steps to improve the performance of persistent offenders. The returns received from trade unions covered 99.9% of all trade union members.

#### **Prosecution**

- 3.13 During 1997, legal proceedings were initiated against one trade union for failing to submit annual returns of its financial affairs as required by section 32 of the 1992 Act. Neither the 1995 or 1996 return had been received. The case was heard on 22 December 1997 and adjourned until February 1998.

#### **Statement to members**

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

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

The statement must also give the name and address of the auditor, set out in full the auditor's report and should not contain anything which is inconsistent with the

contents of the annual return. Members must also be told how they can complain should they be concerned that some irregularity is occurring or has occurred in the financial affairs of the trade union.

- 3.15 The Act is specific about how this must be done; the exact wording of the statement to be issued is reproduced below:

"A member who is concerned that some irregularity may be occurring, or have 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 (who is an independent officer appointed by the Secretary of State) and the police.

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

- 3.16 Trade unions have in the main readily complied with the requirement to provide members with a statement which contained the required information and met the statutory timescale. The Office will continue to ensure that the high level of compliance is maintained.

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

- 3.17 The 1993 Act amended the Trade Union and Labour Relations (Consolidation) Act 1992 in such a way as to allow 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; in addition, he may appoint inspectors to investigate the organisation's financial affairs and to report on them. He may only appoint inspectors if one or more of the following circumstances are suggested: *that the financial affairs of the trade union or employers' association have been or are being conducted fraudulently or unlawfully; that those managing those affairs have been guilty of fraud, misfeasance or other misconduct in connection with that management; that the organisation concerned has failed to comply with a duty under the Act 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 Act in that respect.

- 3.18 In 1997 ten approaches were received from union members, or other sources, expressing concern about particular aspects of the conduct of the financial affairs of certain trade unions. These were taken up with the relevant trade union whilst one of the approaches received and taken up concerned a former trade union. The unions involved were the Amalgamated Engineering and Electrical Union, the British Actors Equity Association, the Musicians Union, the National Association of Colliery Overmen Deputies and Shotfirers (Durham), the NatWest Staff Association, the Transport and General Workers Union (two cases), the British Association of Occupational Therapists Ltd, the National Association of Colliery Overmen Deputies and Shotfirers (Northumberland Area) and UNISON - The Public Service Union. In addition work continued on five cases carried over from the previous year, four of which were cleared.

- 3.19 In the complex case of the Prison Officers Association (see para 3.20 of the 1996 report) the Certification Officer used his powers under section 37B(1) of the Trade Union and Labour Relations (Consolidation) Act 1992, on the 25 March 1997, to appoint an inspector to launch a formal investigation into certain aspects of the financial affairs of the union between 1992 and 1995 and to report to the Certification Officer on his findings. This was the first such occasion that the Certification Officer has used these powers. The Certification Officer received an interim report of the inspector's findings and will publish the inspector's final report in due course.

- 3.20 In two cases, those involving Equity and the Musicians Union the Certification Officer used his powers under Section 37A of the above Act to require documents to be produced. In both cases the unions readily complied with the Certification Officer's direction to produce documents and/or explanations of them and have fully cooperated with his enquiries. Under section 37A there are no requirements for the Certification Officer to publish reports on his enquiries but in appropriate cases he has written to the union concerned recording the facts and the conclusion of his enquiries and has placed a copy of that letter on the public record.

- 3.21 Not all references received are of merit or warranted any approach to the body concerned, where it did, generally these matters were resolved either through correspondence between the Office and the parties concerned or by means of informal meetings with the union or the individual or a combination of these methods. In all cases the union, and others, have been open and wholly cooperative with Certification Office staff. In all completed cases the Certification Officer has been satisfied with the explanations given or with the corrective action taken by the union.

- 3.22 At the end of 1997 four cases have enquiries or investigations continuing with the Certification Officer in contact with the unions, other parties and members concerned.

#### **Public inspection of annual returns**

- 3.23 Copies of the annual returns and the rules of trade unions and employers' associations from 1974 onwards are available for public inspection at the Certification Office and, where appropriate, the Office of the Assistant Certification Officer for Scotland. Also available for public inspection (with



notification of one week) are the annual returns, accounts, copies of rules and other documents submitted for the purposes of:

- (a) the Trade Union Act 1871 - 1964
- (b) the Industrial Relations Act 1971, and
- (c) the Trade Union and Labour Relations Act 1974

Where a complaint of financial irregularity has been resolved and concluded with a letter to the union concerned, the letter is associated with the annual return of that union.

## Financial and Membership Information

*This Chapter identifies changes in both trade union membership and expenditure and employers' association income and expenditure between 1995 and 1996.*

### Returns for 1996

- 4.1 Financial information derived from the annual returns of trade unions and employers' associations is given at Appendices 4, 4(a), 5 and 8. *That information and the following comments in this Chapter relate to the year 1996.* This is because the Office's information is derived from the annual returns (which include audited accounts) for 1996 which were submitted during 1997, the year covered by this report.
- 4.2 The total of 465 organisations which submitted returns for 1996 was made up as follows:
  - 241 Listed trade unions
  - 14 Unlisted trade unions
  - 109 Listed employers' associations
  - 101 Unlisted employers' associations

### Trade unions: numbers and membership

- 4.3 A summary of statistics concerning the membership and finances of trade unions for 1996 is given in Appendix 4. Details are shown for the 17 trade unions with over 100,000 members.
- 4.4 *Comparability with 1995 figures.* The statistics in Appendix 4 are based on returns from 255 unions in 1996 compared with returns from 259 unions in 1995. All unions of substantial size are included in both sets of figures, which are therefore broadly comparable.
- 4.5 The trade unions from which returns were received had a total membership of 7,938,213. The major unions with a membership of over 100,000 accounted for 6,481,482 members or 82% of the total. The returns show that in 1996 total trade union membership fell by approximately 1.2% from the previous year. The total membership of 7.9 million compares with 8.75 million in 1969 and a peak of 13.2 million in 1979.

4.6 For the first time this year the Certification Officer shows below a table of trade union membership by size of union at the end of 1996.

**Trade unions: distribution by size**

Number of Members	Number of Unions (1)	Membership (000's) (2)	Number of Unions		Membership of all Unions	
			Per cent (3)	Cumulative Per cent (4)	Per cent (5)	Cumulative Per cent (6)
Under 100	32	1	12.5	12.5	0	0
100-499	71	23	27.8	40.4	0.3	0.3
500-999	21	14	8.2	48.6	0.2	0.5
1,000-2,499	43	72	16.9	65.5	0.9	1.4
2,500-4,999	20	74	7.8	73.3	0.9	2.3
5,000-9,999	14	98	5.5	78.8	1.2	3.5
10,000-14,999	7	92	2.7	81.6	1.2	4.7
15,000-24,999	6	104	2.4	83.9	1.3	6.0
25,000-49,999	19	665	7.5	91.4	8.4	14.4
50,000-99,999	5	314	2.1	93.3	4.0	18.4
100,000-249,999	8	1,210	3.1	96.5	15.2	33.6
250,000 and over	9	5,271	3.5	100	66.4	100
Total	255	7,938	100		100	

4.7 The following table shows changes of 10,000 or more in the total membership of individual unions between December 1995 and December 1996:

**Trade Union: Changes in Membership**

	Total Membership (000's)		
	1995	1996	Changes
<b>Increases</b>			
National Union of Teachers	248	271	+23
UNISON - The Public Service Union	1,355	1,375	+20
<b>Decreases</b>			
GMB	740	718	-22
Manufacturing Science and Finance Union	446	425	-21
National Union of Mineworkers*	69	10	-59

\* The National Union of Mineworkers have previously shown as members a significant number (for example retired miners and widows) who would not be considered members by many other unions.

4.8 The annual return submitted by unions to the Certification Officer requires the union to provide figures of both total membership and of members who pay contributions. There can be significant differences between these sets of figures usually as a result of total membership figures including retired and unemployed members, members on long term sick and maternity/child care leave and those on career breaks. The returns submitted by unions for 1996 provided figures indicating that the total number of contributing members was 6% less than the figure for total membership.

**Finance**

4.9 Trade union income derives mainly from membership subscriptions and income from investments. There may also be additional income and/or assets arising if, for example, a union accepts the transfer of engagements of another union. The figures given at Appendix 4 include both general funds and others where applicable, eg contingency, superannuation and political funds.<sup>1</sup>

4.10 In 1996 gross income of trade unions was £683.9 million an increase of 2.6% from 1995. Income from members rose by 2.2% to £560.7 million while investment and other income rose by 4.4%.

4.11 Gross expenditure fell by 0.53% to £650 million, while at the end of 1996 total funds (net assets) amounted to £737 million an increase of 4.5% over the previous year.

**Salaries and benefits**

4.12 Trade unions are required to include in their annual return to the Certification Officer information about the salaries and benefits paid from the organisation's fund to certain of its national officers and executive members. Information from the annual returns received from trade unions showed that 23% paid a salary to their general secretary of over £40,000; 20% paid between £20,000 and £40,000; 18% paid up to £20,000, while the general secretaries of the remaining 39% did not receive a salary.

4.13 In previous reports the Certification Officer has provided information on the amount paid in salary and benefits to the chief executives of the ten trade unions making the largest payment in the relevant year. In this report the Certification Officer has given details of all trade unions making such payments in excess of £500 (See Appendix 4a). The benefits paid consist mainly of superannuation contributions. Employers national insurance contributions are excluded from the table.

**Employers' associations**

4.14 A summary of statistics concerning the membership and finances of employers' associations for 1996 is given in Appendix 5. Details are given for each of the 29 associations (including unlisted associations) with total income of more than £1,500,000.

<sup>1</sup>Separate figures for political funds are given at Appendix 8.

4.15 The statistics in Appendix 5 are based on returns from 210 employers' associations compared with returns from 220 associations for 1995. The largest employers' associations, as measured by total income, are included in both sets of figures which are therefore broadly comparable.

4.16 In 1996 the gross income of employers' associations was £216.3 million compared with £208.2 million in 1995, an increase of 3.9%. Income from members fell from £96.8 million to £94.7 million. Income from investments fell from £12.3 million to £10.7 million. Other income rose by £11.8 million to £110.9 million. Gross expenditure increased from £199 million to £207 million (4%).

4.17 The figures given in the Appendix include both general funds and, where applicable, funds maintained for specific purposes. At the end of 1996 total funds (net assets) of employers' associations amounted to £184.2 million an increase of £9.3 million (5.3%) over the adjusted figure for the previous year.

## Superannuation Schemes

*It is a legal requirement that any superannuation scheme maintained by a trade union or an 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 Sections 38-42 and 131 of the 1992 Act require that any superannuation scheme maintained by a trade union or employers' association<sup>1</sup> covering members (as opposed to staff) 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.

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. The Office continues to ensure that these requirements are not overlooked.

### Schemes maintained

5.3 At the end of the year there were 20 members' superannuation schemes maintained by 12 trade unions. They are listed in Appendix 6 and are mostly small schemes with only four having assets of over £250,000. The Amalgamated Engineering and Electrical Union and the National Union of Rail Maritime and Transport Workers are the only unions with a scheme covering more than 25,000 pensioners.

5.4 The Certification Officer may grant exemption from actuarial examination on the grounds that the scheme is only applicable to a small number of members or for any other special reasons; seven schemes are currently exempt.

<sup>1</sup>In practice the requirements affect trade unions only; the Office is not aware of any schemes maintained by employers' associations.

### Reports: 1997

- 5.5 Three reports were received during 1997, from the GMB, Amalgamated Engineering and Electrical Union and also the Graphical Paper and Media Union (Printing Machine Branch). The report of the GMB scheme had been outstanding from 1996.
- 5.6 In the Graphical Paper and Media Union (Printing Machine Branch) report, the legislation was satisfied but the Government Actuaries Department commented on the high proportion of equities. The union were requested to discuss this with the actuary of the scheme.
- 5.7 Two reports, those of the National Union of Rail Maritime and Transport Workers and of the Manufacturing Science and Finance Union (Association of Pattern Makers) were outstanding at the end of the year. The RMT report has been outstanding for over a year and the Certification Officer has now required the union to provide a detailed timetable for the preparation and submission of the return.

## 6

### Mergers

*Mergers between trade unions and between unincorporated employers' associations must be carried out under the relevant statutory procedures; these procedures also allow for members to complain to the Certification Officer about particular aspects of the balloting process. This Chapter details the statutory background together with the number of merger applications and complaints received. It also shows changes of name registered in 1997. Appendix 7 lists the mergers registered during the year.*

#### The statutory provisions

- 6.1 The 1992 Act and the Trade Unions and Employers' Associations (Amalgamations, etc.) Regulations 1975, as amended, 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.
- 6.2 Under a *transfer of engagements* the transferring organisation loses its legal identity whilst the organisation to which it transfers continues in being with its legal identity unchanged. An *amalgamation* produces a new organisation replacing each of 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. (See Appendix 10 for statutory fee).
- 6.4 Ballots must be fully 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 instructions for the return of the ballot paper. Other requirements relate to the 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.
- 6.5 In a transfer of engagements only the members of the transferring 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 following the despatch of a copy of the scrutineer's report to every member of the union or their 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.

- 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. 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 Employment Appeal Tribunal on a question of law.

- 6.7 Formal documents kept by the Certification Officer relating to mergers under the 1992 Act are available for public inspection. (See Appendix 10 for statutory fee).

#### Guidance

- 6.8 The Office has produced two booklets, one on the statutory requirements for transfers of engagements and amalgamations between trade unions and the other for 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. The Office will offer guidance where needed on the statutory provisions and staff are always prepared to meet officials of organisations proposing to merge to discuss procedures and timetables.

#### Mergers: 1997

- 6.9 In 1997, seven transfers of engagements involving trade unions were completed and one transfer of engagements involving employers' associations. All used the procedures laid down by the Act. Details are given in Appendix 7.
- 6.10 The seven mergers of trade unions which took place during the year involved a total of 14,222 members. The largest merger registered in 1997, involving 6,127 members, was the transfer of engagements of the National Association of Licenced House Managers to the Transport and General Workers Union. The merger took effect on 28 October 1997. One amalgamation and four proposed transfers of engagements involving trade unions were in progress at the end of the year.
- 6.11 The amalgamation of the Public Services Tax and Commerce Union with the Civil and Public Services Association was due to be registered on 31 December 1997 following an affirmative ballot by the members of both unions in October 1997. Up to the end of the six week period prior to registration, letters of complaint were received from a total of 12 members, 11 from PTC and 1 from the CPSA. The issues constituted six separate complaints. On 18 November 1997 the Certification

Officer held a preliminary hearing to decide if he had jurisdiction to hear the complaint, made against both unions, which alleged they had breached their rules and which had been made by all complainants. He decided that he did not have jurisdiction to hear the complaints (Decision CO/1964/14 (Mergers)). He upheld one other complaint involving the CPSA about the notification of the name of the scrutineer but declined to make an order (Decision CO/1964/15 (Mergers)). The Certification Officer heard the remaining three complaints involving the PTC on 10/11 December 1997. He upheld one complaint, made by ten members about the notification of the name of the scrutineer but declined to make an order. He dismissed the other two complaints, made by one member, about the notification of the contents of the scrutineers' report and the independence of the scrutineer (Decision CO/1964/16 (Mergers)). All three decisions can be obtained free of charge from this Office. On 30 December the Certification Officer was notified that an appeal to the EAT against one of his decisions had been lodged. As a result the Certification Officer is unable to register the amalgamation until that appeal has been determined or withdrawn.

#### Changes of name

- 6.12 Section 107 of the 1992 Act 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 10 for statutory fee). During 1997 approval was given to the changes of name of four trade unions and one employers' association as shown below.

Trade Unions		Effective Date
From	Bradford and Bingley Building Society Staff Association	8.4.97
To	Union for Bradford and Bingley Staff	
From	Joint Boots Pharmacist Association	15.4.97
To	Boots Pharmacists Association (JBPA)	
From	Britannia Staff Association	15.5.97
To	Britannia Staff Union	
From	Lloyds Group Union	17.6.97
To	Lloyds TSB Group Union	
Employers' Associations		
From	Clydeside Federation of Community Based Housing Associations	17.4.97
To	Employers in Voluntary Housing	

## Political Funds

*The 1992 Act enables trade unions and unincorporated employers' associations to establish separate funds in furtherance of political objectives as part of their aims. Under the terms of the Act a resolution to adopt the 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 explains the statutory provisions and reports developments in 1997.*

### The statutory provisions

#### (a) General

- 7.1 A trade union or an unincorporated employers' association (whether listed or not) can include the furtherance of political objects among the objects 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 passed by the members in a postal ballot held under rules which again require approval by the Certification Officer. An independent scrutineer must be appointed to oversee the requirements of the ballot.

#### (b) Exemptions

- 7.2 It is a statutory requirement that members who notify their objection to contributing to the political fund must be exempted. These exempt members 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). Also, contribution to the political fund must not be made a condition for admission to the organisation.
- 7.3 Members wishing to claim exemption should use an approved application form as laid down in the Act or in a form to the same effect. Unless contributions to the political fund are collected by a separate levy, exempt members of the organisation must be relieved from the payment of the political fund element of the normal periodical contributions. The rules must provide for such relief to be given as far as possible to all exempt members on the occasion of the same periodical contribution. They must also provide for each member to know what portion, if any, of his contribution is a contribution to the political fund.

#### (c) Complaints

- 7.4 Any member of an organisation with a political fund who considers that the political fund rules have been breached may complain to the Certification Officer. If, after investigating the complaint the Certification Officer considers that a breach has occurred, he may under the Act make an order for remedying it. Any appeal against the decision of the Certification Officer may be made to the Employment Appeal Tribunal on a question of law.

- 7.5 A member can complain to the Certification Officer if a political fund ballot has been held, or is proposed to be held, in a way that does not comply with the rules for holding the ballot. Any complaint must be made within the period of one year beginning with the day on which the result of the ballot is announced by the union.

#### (d) Review ballots

- 7.6 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 ten years. The review ballot must be held in accordance with rules approved by the Certification Officer.

### Guidance on procedures

- 7.7 On request, the Office gives advice on the procedures for establishing political funds and for holding review ballots. Guidance booklets which include model rules are available from the Office free of charge. Any trade union or employers' association wishing to ballot its members on a political fund resolution should contact the Office at an early stage.

### Organisations with political fund rules approved for the first time during 1997

- 7.8 One trade union had political fund rules approved for the first time during 1997 following a membership ballot. The union concerned was the National Union of Mineworkers North Western, Cheshire and Cumbria Miner's Association. The Certification Officer's 1996 report (paragraph 7.10) referred to his decision upholding a complaint against the Prison Officers Association's method of balloting. The Association's response was to carry out a fresh political fund ballot under rules approved by the Certification Officer. The ballot resulted in the adoption of a political resolution and the Certification Officer subsequently approved the union's political fund rules.

### Amalgamations of unions already holding a political fund

- 7.9 Where two or more trade unions, each qualified to operate a political fund, amalgamate, the amalgamated union will be treated under the provisions of section 97 of the 1992 Act as having passed a political fund resolution, provided that the rules of the union in force immediately after the amalgamation include political fund rules. The review ballot cycle (see paragraph 7.6) of such a newly constituted union will count from the earliest of the political fund review dates of the amalgamating unions involved. During 1997 there were no such amalgamations registered.

### Political fund resolutions in force

- 7.10 The number of political fund resolutions in force at 31 December 1997 was 40. The trade unions concerned are indicated in Appendix 1 and 1a. During the year one union, the Educational Institute of Scotland, held a review ballot as required by section 73(3) and (4) of the Act. 77% of its members who voted favoured retaining its political fund. The Civil and Public Services Association political fund resolution lapsed on 12 February 1997. A ballot was held on a resolution to establish a new political fund. The Certification Officer was notified on 27

November 1997 that the members of the Civil and Public Service Association had voted against the resolution.

#### **Political funds of trade unions at 31 December 1996**

7.11 Detailed statistical information about the political funds of trade unions is derived from the unions' annual returns. The latest available information is given in Appendix 8 which is derived from returns made by trade unions maintaining political funds at the end of 1996.

7.12 Annual returns showed the total income of political funds as £16.2 million in 1996 compared with £15.7 million in 1995, and expenditure £15.8 million as compared with £16.2 million. Total funds at the end of 1996 were £15.2 million compared with £14.7 million at the end of 1995.

#### **Political fund membership**

7.13 Appendix 8 also gives membership information provided by the unions which maintained political funds at 31 December 1996 and shows comparable information for unions with political funds at 31 December 1995. Annual returns showed that in 1996 the number of union members contributing to a political fund was 4,893,762 compared with 4,937,627 in 1995.

#### **Exemption notices**

7.14 Exemption notices (see paragraph 7.3) are obtainable from the organisation concerned or from the Certification Office. The Office supplied 14 such notices during 1997.

#### **Amendments to rules**

7.15 Amendments to political fund rules require the Certification Officer's approval. Such approval is given provided that the amendments have been adopted in accordance with, and satisfy the requirements of, the 1992 Act. Nine trade unions had amendments approved in this way during 1997.

7.16 Unions have been told that the Certification Officer is unwilling to give approval to any amendments to political fund rules unless they already contain the current political objects, as given in section 72(1) of the 1992 Act, or the proposed amendments include an amendment to the political objects. Unions must also amend any references to the 1913 Act in the political fund rules. These changes are designed to ensure that members have ready access to the rules currently governing the use of political funds. There are now just four unions who refer to the 1913 Act.

#### **Political fund complaints**

7.17 During 1997 three complaints were made to the Certification Officer under section 82(2) of the 1992 Act. Two complaints were made against the Transport and General Workers Union and one against UNISON - The Public Service Union. The Certification Officer dismissed one of the complaints against the Transport and General Workers Union (Decision CO/1913/15 (Political Fund)) whilst the other complaint was withdrawn. The complaint against UNISON - The Public Service

Union was upheld and a declaration issued (Decision CO/1913/16 (Political Fund)). The union took steps to remedy the breach which concerned a donation to the Socialist Worker Appeal from branch funds.

7.18 Copies of decisions are available from the Certification Office free of charge.



## Secret Postal Ballots for Trade Union Elections

*The 1992 Act 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. Unions must also maintain a register of members and keep it up to date.*

### The statutory provisions

- 8.1 Trade unions must ensure that no-one takes up a position as a member of the union's 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. Elections are required to be by secret postal ballot of the members of the union, conducted in accordance with the relevant conditions in the 1992 Act. In addition, every trade union must maintain a register of its members' names and addresses and, as far as reasonably practicable, keep the entries accurate and up-to-date.
- 8.2 Individual trade union members have the statutory right to apply to the Certification Officer, or to the High Court, for a declaration that their trade union has failed to comply with one or more of the relevant provisions of the Act. Where such an application is made to him, the Certification Officer will make such enquiries as he thinks fit and, where he considers it appropriate before he makes a decision on the complaint, give the applicant and the trade union an opportunity to be heard. In certain circumstances, expenses incurred by persons attending complaint hearings can be reimbursed by the Office.
- 8.3 If the Certification Officer decides that there has been a breach of the statutory provisions he may take into account steps which the union has taken or proposes to take to remedy the breach. Additionally the Certification Officer must give reasons for his decision in writing and such reasons may be accompanied by written observations on any matter arising from, or connected with, the proceedings.
- 8.4 Making a complaint to the Certification Officer does not prevent the applicant, or any other person, from making an application to the Court in respect of the same matter. Where a subsequent application is made, the Court is required to have due regard to any declaration, reasons or observations of the Certification Officer which are brought to the notice of the Court.

### Applications, investigations and decisions

- 8.5 The Certification Officer issued three decisions during 1997 and a series of five complaints against one union remained outstanding at the end of the year.

8.6 Of the three decisions issued in 1997 the following are noteworthy:-

- (i) In a complaint involving the Manufacturing Science and Finance Union the Certification Officer heard, as a preliminary issue, argument whether the Professional Sales Association Section of the union was a trade union in its own right. The complainant had complained that the ballot arrangements for the 1996 election of the Section executive committee had not complied with the requirements of the 1992 Act. The Certification Officer decided that it had not been established that the Section was a trade union and therefore that he did not have jurisdiction to determine any complaint about the Section election procedures. (Decision D/1/97)
- (ii) In respect of complaints from two different members of the Union of Shop Distributive and Allied Workers the Certification Officer declined to make a declaration that action taken by Tesco Stores Limited, which was alleged to be preferential treatment for one candidate in the union election for a new General Secretary, involved the union in a breach of the statutory requirements (i) to give equal facilities to all candidates in the preparation and circulation of election addresses and (ii) to allow all members to vote without interference or constraint. In his decision the Certification Officer observed that it is not his function to investigate allegations that a union had breached its own rules in respect of elections. Such complaints fall outside the Certification Officer's jurisdiction unless they also allege a breach of the statute. (Decision D/2/97)

8.7 Copies of all decisions are available free of charge from the Certification Office.

8.8 In his report for 1996 the Certification Officer reported on a series of complaints that he upheld against the Prison Officers Association (Chapter 9 para 9.6(i)). As a result of his decisions the union wished to run new ballots on a number of matters, some of which were not the direct subject of the Certification Officer's declarations. The union therefore took proceedings before the Chancery Court to determine whether or not they were in a position to call elections and for interpretation of the union rules in relation to who could stand.

8.9 In a judgment dated 18 December 1996, Mr Justice Lloyd ruled that as the ballots did not comply with the statute it was open to the union to take the decision to set them aside and to hold fresh ones. A political fund ballot was held in 1997 and the Certification Officer understands that fresh elections were also held.



## Appendix 1

(see paragraph 1.8)

### List of Trade Unions at 31 December 1997

#### Notes:

Trade unions first entered in the list during 1997 are shown in italics.

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

#Denotes a trade union which has been refused a certificate of independence.

(P)Denotes a trade union with a political fund resolution in force at 31 December 1997.

#### England and Wales

- \*Alliance and Leicester Group Union of Staff
- \*Amalgamated Association of Beamers Twisters and Drawers (Hand and Machine)
- \*Amalgamated Engineering and Electrical Union (P)
- \*ANSA
- \*Associated Metalworkers Union
- \*Associated Society of Locomotive Engineers and Firemen (P)
- \*Association for College Management
- \*Association of Cambridge University Assistants
- \*Association of Clinical Biochemists Limited
- \*Association of Educational Psychologists
- \*Association of First Division Civil Servants
- \*Association of Her Majesty's Inspectors of Taxes (P)
- \*Association of Licensed Aircraft Engineers (1981)
- \*Association of Local Authority Chief Executives
- \*Association of Magisterial Officers
- Association of Management and Professional Staffs
- Association of Plastic Operatives and Engineers
- \*Association of Principal Fire Officers
- \*Association of Professional Ambulance Personnel
- \*Association of Professional Music Therapists in Great Britain
- \*Association of Public Service Finance Officers
- Association of Somerset Inseminators
- \*Association of Teachers and Lecturers
- Association of Theatre Personnel Nationwide
- \*Association of University Teachers (P)
- \*Audit Commission Staff Association
- 
- \*Bakers Food and Allied Workers Union (P)
- Balfour Beatty Group Staff Association
- \*Banking Insurance and Finance Union

*Benefits Agency Sessional Doctors Association*  
 Birmingham Union of Club Stewards  
 Boots Pharmacists Association (JBPA)  
 \*Britannia Staff Union  
 \*Britannic Field Staff Association  
*Britannic Supervisory Union*  
 \*British Actors Equity Association incorporating the Variety Artistes Federation  
 \*British Aerospace Senior Staff Association  
 \*British Air Line Pilots Association  
 British Association of Advisers and Lecturers in Physical Education  
 \*British Association of Colliery Management  
 \*British Association of Dental Nurses  
 \*British Association of Journalists  
 \*British Association of Occupational Therapists Limited  
 \*British Dental Association  
 \*British Dietetic Association  
 \*British Medical Association  
 \*British Orthoptic Society  
 \*British Union of Social Work Employees  
 \*Broadcasting Entertainment Cinematograph and Theatre Union (P)  
  
 \*Cabin Crew 89  
 \*Card Setting Machine Tenters Society  
 \*Ceramic and Allied Trades Union (P)  
 \*Chartered Society of Physiotherapy  
 \*Cheshire Building Society Staff Association  
 Church and Oswaldtwistle Power-Loom Overlookers Society  
 \*Civil and Public Services Association  
 \*Clerical Medical Staff Association  
 \*Commercial Union Group Staff Association  
 \*Communication Managers Association (P)  
 \*Communication Workers Union (P)  
 \*Community and District Nursing Association  
 \*Community and Youth Workers Union  
 \*Corporation of London Staff Association  
 Council of Civil Service Unions  
  
 \*Derbyshire Building Society Staff Association  
 #Dexion Staff Association  
 \*Diplomatic Service Association  
 \*Directors Guild of Great Britain  
  
 \*Eagle Star Staff Union (1988)  
 \*Ellington Branch of the North East Area of the National Union of Mineworkers  
 \*Engineering and Fasteners Trade Union  
 \*Engineering Craft Association  
 \*Engineering Officers Technical Association  
 \*Engineers and Managers Association  
  
 \*Federated Union of Managerial and Professional Officers

Federation of Professional Organisations (PT "A" Whitley Council)  
 \*Federation of Professional Railway Staff  
 \*Fire Brigades Union (P)  
 \*Fire Officers Association  
  
 \*Gallaher Sales Staff Association  
 \*Gas Managers Association  
 \*General Dental Practitioners Association  
 General Federation of Trade Unions  
 \*General Union of Loom Overlookers (P)  
 Girobank Senior Managers Staff Association  
 \*GMB (P)  
 \*Graphical Paper and Media Union (P)  
 \*Guild of Professional Teachers of Dancing  
 \*Guild of Textile Supervisors  
 \*Guinness Brewing Staff Association (UK)  
  
 Hambro Staff Association  
 Harrods Staff Union  
 Headmasters and Headmistresses Conference  
 Hongkong Bank Group UK Staff Association  
 \*Hospital Consultants and Specialists Association  
 \*Hyde and District Textile (Technicians and Operatives) Association  
  
 \*Immigration Service Union  
 \*Independent Union of Halifax Staff  
 Institute of Football Management and Administration  
 \*Institute of Journalists (Trade Union)  
 Institute of Professional Driving Examiners  
 \*Institution of Professionals Managers and Specialists (P)  
 \*Irish Bank Officials Association  
 \*Iron and Steel Trades Confederation (P)  
  
 #Jones and Shipman Administrative Staff Association  
  
 \*Lawson Mardon Star Ltd Managerial Staff Association  
 Lecturers Employment Advice and Action Fellowship  
 Leek United Building Society Staff Association  
 Leicestershire Overmen Deputies and Shotfirers Association  
 Lloyds Register (UK) Staff Association  
 \*Lloyds TSB Group Union  
 \*Lufthansa Staff Association United Kingdom  
  
 \*Manufacturing Science and Finance Union (P)  
 \*Midland Area Association of Colliery Officials (P)  
 \*Military and Orchestral Musical Instrument Makers Trade Society  
 \*Musicians Union (P)  
  
 \*National Association of Colliery Overmen Deputies and Shotfirers (P)  
 National Association of Colliery Overmen Deputies and Shotfirers  
 (Northumberland Area)

- \*National Association of Colliery Overmen Deputies and Shotfirers (South Wales Area)
- \*National Association of Colliery Overmen Deputies and Shotfirers (Yorkshire Area)
- \*National Association of Co-operative Officials
- \*National Association of Educational Inspectors Advisers and Consultants
- \*National Association of Head Teachers
- \*National Association of NFU Group Secretaries
- \*National Association of Probation Officers
- \*National Association of Schoolmasters and Union of Women Teachers (P)
- \*National Association of Teachers in Further and Higher Education (P)
- \*National Federation of Sub-Postmasters
- National House Building Council Staff Association
- \*National League of the Blind and Disabled (P)
- \*National Society for Education in Art and Design
- \*National Union of Club Stewards
- \*National Union of Domestic Appliances and General Operatives (P)
- \*National Union of Flint Glass Workers
- \*National Union of Insurance Workers (P)
- \*National Union of Journalists
- \*National Union of Knitwear Footwear and Apparel Trades (P)
- \*National Union of Lock and Metal Workers
- \*National Union of Marine Aviation and Shipping Transport Officers
- \*National Union of Mineworkers (P)
- National Union of Mineworkers (Cokemens Area)
- \*National Union of Mineworkers (Colliery Officials and Staffs Area)
- National Union of Mineworkers (Colliery Officials and Staffs Area) (Region No. 2)
- \*National Union of Mineworkers (Colliery Officials and Staffs Area) (Region No. 4)
- National Union of Mineworkers (Derbyshire Area)
- National Union of Mineworkers (Durham Area)
- \*National Union of Mineworkers (Leicester Area)
- National Union of Mineworkers (Midland Area)
- National Union of Mineworkers (North Stafford Federation Midland Area)
- National Union of Mineworkers (Northumberland Area)
- \*National Union of Mineworkers (Northumberland Mechanics Group No. 1 Area)
- National Union of Mineworkers (North Wales Area)
- \*National Union of Mineworkers (Power Group Area)
- National Union of Mineworkers (South Wales Area)
- \*National Union of Mineworkers (Warwickshire District Midlands Area)
- \*National Union of Rail Maritime and Transport Workers (P)
- \*National Union of Teachers
- \*Nationwide Group Staff Union
- \*NatWest Staff Association
- NCH Promotional Services Staff Association
- Nielsen Staff Association
- \*Northern Carpet Trades Union
- \*Northern Colliery Officials and Staffs Association

Organisation of CPL Technicians

- \*Pattern Weavers Society
- \*Portman Staff Association
- \*Power Loom Carpet Weavers and Textile Workers Union (P)
- \*Prison Governors Association
- \*Prison Officers Association (P)
- \*Prison Service Union
- \*Professional Association of Teachers
- Professional Cricketers Association*
- #Professional Flight Instructors Association
- Professional Footballers Association
- \*Public Services Tax and Commerce Union (P)
- Public Transport (Staff) Consortium
- \*Retail Book Stationery and Allied Trades Employees Association
- \*Retained Firefighters Union
- \*Retired Officers Association
- \*Royal College of Midwives
- \*Royal College of Nursing of the United Kingdom
- #Royal Lancaster Hotel Staff Association
- Royal Society of Chemistry Staff Association
- RSPB Staff Association
- Scarborough Building Society Staff Association (SOCASS)
- \*Secondary Heads Association
- Self-Employed and Employed Electricians Association
- Sheffield Wool Shear Workers Trade Union
- \*Skipton and District Power-Loom Overlookers Association
- \*Skipton Staff Association
- \*Society of Authors Limited
- \*Society of Chief Officers of Probation
- \*Society of Chiropractors and Podiatrists
- \*Society of Radiographers
- \*Society of Telecom Executives (P)
- \*Society of Union Employees (UNISON)
- \*Stable Lads Association
- \*Staff Association of Bank of Baroda (UK Region)
- \*Staffordshire Building Society Staff Association
- \*Sun Alliance Staff Union
- \*Sun Life Staff Association
- \*Teston Independent Society of Cricket Ball Makers
- \*Transport and General Workers Union (P)
- \*Transport Salaried Staffs Association (P)
- \*Under Cenedlaethol Athrawon Cymru (National Association of Teachers of Wales)
- \*UNIFI
- \*Union for Bradford and Bingley Staff
- \*Union of Construction Allied Trades and Technicians (P)



- \*Union of Democratic Mineworkers (P)
- Union of Dexion Workers
- \*Union of Shop Distributive and Allied Workers (P)
- \*Union of Textile Workers (P)
- \*UNISON - The Public Service Union (P)
- \*United Friendly Agents Association
- \*United Road Transport Union

- \*West Bromwich Building Society Staff Association
- Whatman Reeve Angel Staff Association
- \*Woolwich Independent Staff Association
- \*Writers Guild of Great Britain

- \*Yorkshire Independent Staff Association

#### Scotland

- \*Association of Head Teachers in Scotland

- \*Dunfermline Building Society Staff Association

- \*Educational Institute of Scotland (P)

Independent Federation of Nursing in Scotland

- \*National Association of Colliery Overmen Deputies and Shotfirers (Scottish Area)

- \*National Union of Mineworkers (Colliery Officials and Staffs Area) Scottish Region No. 8

- \*Offshore Industry Liaison Committee

- \*Scottish Carpet Workers Union

- Scottish Equitable Staff Association

- \*Scottish Further and Higher Education Association

- \*Scottish Prison Officers Association

- \*Scottish Secondary Teachers Association

- \*Scottish Union of Power Loom Technicians

## Appendix 1a

(see paragraph 1.13)

### Unlisted Trade Unions at 31 December 1997

#### Note:

(P) Denotes a trade union with a political fund in force at December 1997

#### England and Wales

Association of Chiropodists and Podiatrists  
Association of Flight Attendants (Council 07)†

Basketball Players Association  
British Seafarers Joint Council  
British Telecommunications Union Committee

Commercial Union Group Managers Association  
Confederation of Insurance Trade Unions  
Confederation of Shipbuilding and Engineering Unions

Eagle Star Managers Association

Federation of Entertainment Unions  
Friends Provident Line Managers Association

International Transport Workers Federation

Joint Committee of Light Metal Trades Union (1992)

Leeds and Holbeck Building Society Staff Association

National Union of Mineworkers (North East Area)  
National Union of Mineworkers North Western Cheshire and Cumbria Miners Association (P)  
NFU Staff Association

Post Office Union Committee

Society of Local Council Clerks  
Society of Registration Officers (Births, Deaths and Marriages)

Trades Union Congress

#### Scotland

National Union of Mineworkers - Scottish Area

† a branch of an independent American trade union

## Appendix 2

(see paragraph 1.8)

### List of Employers' Associations at 31 December 1997

#### Note:

Employers' associations first entered in the list during 1997 are shown in *italics*.

#### England and Wales

Advertising Film and Videotape Producers Association  
Anglian Marine Industries Association  
Association of British Orchestras  
Association of Circus Proprietors of Great Britain  
Association of Indian Banks in the United Kingdom  
Association of Midland Advertising Agencies  
Association of Newspaper and Magazine Wholesalers  
Association of Northern Advertising Agencies  
Association of Scottish Advertising Agencies

Birmingham Wholesale Fresh Produce Association  
Blackburn District Textile Manufacturers Association  
Bolton and District Textile Employers Association  
British Amusement Catering Trades Association  
British Box and Packaging Association  
British Clothing Industry Association Limited  
British Decorators Association  
British Exhibition Contractors Association  
British Lace Federation  
British Leavers Lace Manufacturers Association  
British Lock Manufacturers Association  
British Metals Federation  
British Precast Concrete Federation Limited  
British Printing Industries Federation  
British Ready Mixed Concrete Association  
British Textile Fibres Association  
Builders Merchants Federation  
Building Employers Confederation

China Clay Association  
Cinema Exhibitors Association  
Construction Plant-Hire Association  
Co-operative Employers Association

Dairy Industry Federation Limited

East Midlands Local Authorities Employers Organisation

Eastern and Essex and Hertfordshire Regional Employers Organisation  
(Local Authorities)

EEF Lancashire  
EEF Northern Association  
EEF South  
EEF West Midlands Association  
Electrical Contractors Association  
Employers Federation of Textile Finishers  
Engineering and Shipbuilding Employers Association - Yorkshire and Humberside  
Engineering Construction Industry Association  
Engineering Employers Association of South Lancashire Cheshire and North Wales  
Engineering Employers East Anglian Association  
Engineering Employers East Midlands Association  
Engineering Employers Federation  
Engineering Employers Sheffield Association (South Yorkshire and North Midlands)  
Engineering Employers Western Association  
*England and Wales Cricket Board Limited*

Federation of Dredging Contractors  
Federation of Master Builders  
Footwear Distributors Federation

Glass and Glazing Federation

Heating and Ventilating Contractors Association  
Hinckley and District Knitting Industry Association

Lancaster Morecambe and South Lakeland Master Plumbers Association  
Leather Producers Association  
London Association of Shore Gang Contractors

Mastic Asphalt Council and Employers Federation Limited  
Mid-Anglian Engineering Employers Association  
Multiwall Sack Manufacturers Employers Association

National Association of Farriers Blacksmiths and Agricultural Engineers  
National Association of Glove Manufacturers  
National Association of Master Bakers  
National Association of Plumbing Heating and Mechanical Services Contractors  
National Association of Self Employed of Great Britain and Northern Ireland  
National Farmers Union  
National Federation of Master Window and General Cleaners  
National Federation of Retail Newsagents  
National Fillings Trade Association  
National Hairdressers Federation  
National Master Tile Fixers Association  
National Pharmaceutical Association Limited  
National Sawmilling Association  
National Trainers Federation  
Natural Slate Quarries Association

Newspaper Society

Paper Federation of Great Britain Ltd  
Producers Alliance for Cinema and Television  
Publishers Association

Representative National Organisation of Employers of Local Authority Staff  
Representative National Organisation of Employers of New Towns Staff  
Representative Northern and North Eastern Provincial Organisation of  
Employers of Local Authorities Staff  
Retail Motor Industry Federation Ltd

Showmens Guild of Great Britain  
Smithfield Market Tenants Association London  
South East Employers  
South Western Provincial Employers Organisation  
Stourbridge Crystal Glass Manufacturers Association

Thermal Insulation Contractors Association

Vehicle Builders and Repairers Association Limited

Welsh Engineers and Founders Association  
Wire and Wire Rope Employers Association

Yorkshire and Humberside Local Authorities Employers Forum  
Yorkshire Glass Manufacturers Association

#### Scotland

Electrical Contractors Association of Scotland  
Employers in Voluntary Housing

Glasgow and District Retail Fleshers Association

Hawick Knitwear Manufacturers Association

Malt Distillers Association of Scotland

Scottish and Northern Ireland Plumbing Employers Federation  
Scottish Decorators Federation  
Scottish Engineering  
Scottish Grocery Trade Employers Association  
Scottish Newspaper Publishers Association  
Scottish Pharmaceutical Federation  
Scottish Print Employers Federation

## Appendix 2a

(see paragraph 1.13)

### Unlisted Employers' Associations at 31 December 1997

#### England and Wales

Association of Colleges  
Association of Master Lightermen and Barge Owners  
Association of Post Production Companies  
Association of Street Lighting Electrical Contractors

B F M Limited  
British Ball Clay Producers Federation Ltd  
British Ceramic Confederation  
British Cutlery and Silverware Association  
British Fibreboard Packaging Association  
British Footwear Association  
British Jewellery and Giftware Federation Ltd  
British Leather Goods Manufacturers Association  
British Narrow Fabrics Association  
British Secondary Metals Association  
British Soft Drinks Association Ltd

Chemical Industries Association Ltd  
Coach Operators Federation  
Confederation of British Wool Textiles Limited  
Covent Garden Tenants Association Limited

Federation of Building Specialist Contractors  
Federation of Engineering Design Companies Ltd  
Felt Roofing Contractors Employers Association  
Fencing Contractors Association  
Food Manufacturers Industrial Group  
Freight Transport Association

Heywood and District Cotton Employers Association Limited

Incorporated Guild of Hairdressers Wigmakers and Perfumers  
Incorporated National Association of British and Irish Millers Limited  
Industrial Leathers Federation

Kidderminster District Carpet Manufacturers and Spinners Association  
Knitting Industries Federation Limited

Leicester and County Footwear Manufacturers Association  
Lighter Trades Industrial Section  
Local Government Management Board - Welsh Region



London Association of Funeral Directors  
London Fish Merchants Association (Billingsgate) Limited

Made-up Textiles Association Ltd  
Master Carvers Association  
Master Tanners Association  
Metal Packaging Manufacturers Association

National Bedding Federation Limited  
National Federation of Painting and Decorating Contractors  
National Federation of Roofing Contractors Ltd  
North West Timber Trades Association  
North Western Local Authorities Employers Organisation  
Northamptonshire Footwear Manufacturers Association  
Northern Brick Federation  
Norwich Footwear Manufacturers Association

Oldham and Rochdale Textile Employers Association Ltd

Radio Electrical and Television Retailers Association (RETRA) Ltd  
Reclamation Association  
Refractory Users Federation  
Road Haulage Association Limited

Screen Printing Association (UK) Ltd  
Sheffield Spoon and Fork Blank Manufacturers Association  
Society of Master Shoe Repairers Ltd  
Society of London Theatre "SOLT"  
South Western Roadstone Employers Federation  
Spitalfields Market Tenants Association Ltd  
Stone Federation Great Britain

Textile Services Association Ltd  
Theatrical Management Association Ltd  
Tobacco Industry Employers Association

United Kingdom Jute Goods Association Ltd  
Universities and Colleges Employers Association

Wall Covering Manufacturers Association of Great Britain Ltd  
West of England Wool Textile Employers Association  
West Midlands Local Authorities Employers Organisation

#### Scotland

Aberdeen Fish Curers and Merchants Association Limited  
Angus and Kincardine Master Plumbers Association  
Argyll Building Trades Employers Association  
Ayrshire Master Builders and Joiners Association

Banff & Moray Master Plumbers Association  
Brewers Association of Scotland

Central Counties Plumbing and Mechanical Association  
Civil Engineering Contractors Association (Scotland)  
Clydesdale Wrights and Builders Employers Association

Dumbarton and District Master Wrights and Builders Association  
Dundee and District Master Plumbers Association

Edinburgh and District Master Builders Association  
Edinburgh and District Plumbing Employers Association

Fife and Kinross Master Plumbers Association  
Forth Valley Building Trades Employers Association

Glasgow and West of Scotland Plumbing Employers Association  
Grampian Building Employers Association

Highland Building Employers Association

Inverness and Northern District Master Plumbers Association

Lanarkshire Master Plumbers Association

Moray Banff and Nairn Building Trades Employers Association

National Farmers Union of Scotland  
National Metal Trades Federation

Orkney Building Employers Association

Perth and District Building Trades Employers Association  
Perth and District Master Plumbers Association

Renfrewshire Master Builders

Scottish Association of Master Bakers  
Scottish Association of Meat Wholesalers  
Scottish Building Employers Federation  
Scottish Employers Council for the Clay Industries  
Scottish Knitwear Association  
Scottish Master Slaters and Roof Tilers Association  
Scottish Master Wrights and Builders Association  
Scottish Pre-cast Concrete Manufacturers Association  
South West Building Trades (Employers) Association

Tayside Association of Construction Employers

Western Isles Building Employers Association  
Wholesale Grocers Association of Scotland

## Appendix 3

(see paragraph 2.7)

### Decisions on Trade Union Independence during 1997

#### Certificates of independence issued

Sun Alliance Staff Union

#### Certificates of independence refused

None

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

Amalgamated Power Loom Overlookers Association  
Association of University and College Lecturers  
Leeds Permanent Building Society Staff Association  
National and Provincial Building Society Staff Association  
National Association of Licensed House Managers  
United Association of Power Loom Overlookers

#### Certificates cancelled because the union was dissolved

None

## Appendix 4

### Summary of Statistics - Trade Unions, 1996

The annual returns completed by trade unions for the Certification Office require the accounts to be shown in a particular way. The figures used in this Appendix are taken from these annual returns and provide a simple analysis. Copies of individual annual returns are available from the Office. Individual unions publish their own accounts with considerable variations in format. It may be difficult therefore to correlate the figures in the Appendix with those in any published accounts of individual trade unions. *The information in the table relates to the year 1996 and therefore to unions which were in existence at that time.*

#### Notes

- (a) The total membership reported by some trade unions includes a number of special categories (eg. honorary, retired, unemployed) who are members under the union's rules but who either pay no contribution to union funds or make a nominal payment only.
- (b) Investment income is shown net of certain items such as outgoings on property held as an investment, but not, for most unions, net of tax paid on that income.
- (c) Total income and total expenditure include receipts, outgoings and all other items which increased or decreased a union's total funds during the year. It is not confined to normal revenue income and expenditure. Tax recoveries and provisions no longer required are therefore included in total income, and tax paid is included in total expenditure.
- (d) The distinction between benefits to members and administration and other expenditure is not always clear cut. Certain types of expenditure - for example, the provision of legal and other advisory services - can fall under either heading.
- (e) Investment assets are shown at cost.
- (f) This figure has been changed from last year's report due to later information.



# Summary of Statistics - Trade Unions, 1996

(see paragraph 4.3)

## Appendix 4

	Number of Members (a)	GROSS INCOME				GROSS EXPENDITURE			TOTAL FUNDS		GROSS ASSETS				Total Liabilities
		From Members	From Investments	Other Income	Total Income	Benefits to Members	Administration and other expenditure	Total expenditure	Beginning of the Year	End of the Year	Fixed Assets	Investments	Other Assets	Total Assets	
		£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)
UNISON: The Public Service Union	1,374,583	99,275	1,720	1,661	102,656	8,829	95,140	103,969	81,474	80,161	22,805	11,733	53,401	87,939	7,778
Transport and General Workers Union	884,669	60,351	2,499	367	63,217	7,088	51,706	58,794	61,765	66,188	41,226	26,577	6,733	74,536	8,348
Amalgamated Engineering and Electrical Union	725,097	38,234	4,236	3,345	45,815	4,245	35,165	39,410	44,387(f)	50,792	15,941	27,559	13,476	56,976	6,184
GMB	718,139	40,200	1,746	2,436	44,382	4,359	41,585	45,944	58,529	56,967	25,517	21,930	12,140	59,587	2,620
Manufacturing Science and Finance Union	425,103	22,833	143	272	23,248	3,827	17,812	21,639	8,017(f)	9,626	14,619	894	7,039	22,552	12,926
Royal College of Nursing of the United Kingdom	307,094	12,733	-	-	12,733	-817	11,916	12,733	-	-	-	-	4,278	4,278	4,278
Union of Shop Distributive and Allied Workers	290,170	15,284	1,601	1,313	18,198	1,157	15,949	17,106	17,927	19,019	2,850	15,477	1,058	19,385	366
Communication Workers Union	274,820	24,817	735	760	26,312	4,210	21,811	26,021	23,292	23,583	7,442	7,078	10,569	25,089	1,506
National Union of Teachers	271,299	14,057	1,236	1,008	16,301	10,730	5,466	16,196	8,941	9,046	3,822	3,152	5,047	12,021	2,975
National Association of Schoolmasters and Union of Women Teachers	238,472	9,450	589	1,355	11,394	1,406	8,570	9,976	14,754	16,172	6,340	8,935	1,761	17,036	864
Graphical Paper and Media Union	209,900	19,733	3,539	5,776	29,048	5,148	22,340	27,488	38,422(f)	39,982	3,502	13,517	25,160	42,179	2,197
Association of Teachers and Lecturers	166,793	8,271	386	130	8,787	2,335	5,465	7,800	4,627	5,614	3,546	514	7,756	11,816	6,202
Public Services Tax and Commerce Union	149,262	13,462	210	329	14,001	1,062	12,634	13,696	9,758	10,063	6,912	1,606	2,497	11,015	952
Civil and Public Services Association	116,681	9,151	511	373	10,035	602	9,792	10,394	13,888	13,529	6,632	598	9,618	16,848	3,319
Banking Insurance and Finance Union	116,165	6,737	209	464	7,410	368	7,090	7,458	3,674	3,626	2,556	722	1,004	4,282	656
Union of Construction Allied Trades and Technicians	111,901	4,179	17	274	4,470	157	3,716	3,873	(186)(f)	411	1,614	17	87	1,718	1,307
British Medical Association	101,334	17,924	1,961	35,126	55,011	-	49,552	49,552	37,647	43,106	4,810	34,504	23,316	62,630	19,524
Total for above unions with 100,000 members or more	6,481,482	416,691	21,338	54,989	493,018	56,340	415,709	472,049	426,916	447,885	170,134	174,813	184,940	529,887	82,002
Total for 224 other listed unions with less than 100,000 members	1,452,307	118,903	13,967	27,466	160,336	22,424	127,021	149,445	223,509	234,400	72,847	110,917	93,163	276,927	42,527
Total for listed unions	7,933,789	535,594	35,305	82,455	653,354	78,764	542,730	621,494	650,425	682,285	242,981	285,730	278,103	806,814	124,529
Trades Union Congress	-	10,184	1,053	1,482	12,719	-	12,287	12,287	5,132	5,564	3,204	1,618	3,123	7,945	2,381
Total for 13 other unlisted unions which have submitted returns	4,424	14,898	2,321	630	17,843	160	16,072	16,232	47,531	49,148	4,806	34,410	28,462	67,678	18,530
Total for all unions 1996	7,938,213	560,676	38,679	84,567	683,923	78,924	571,089	650,013	703,088	736,997	250,991	321,758	309,688	882,437	145,440
Total for all unions 1995	8,031,326	548,502	38,158	79,873	666,533	78,004	575,473	653,477	692,364	705,420	250,924	287,805	325,229	863,958	158,538

Notes - see previous page

## Appendix 4(a)

(see paragraph 4.13)

### Salary and Benefits of Trade Union Chief Executives (in excess of £500)

#### England and Wales

Title (General Secretary unless stated)	£ Salary	£ Benefits
Amalgamated Association of Beamers Twisters and Drawers (Hand and Machine)	18,203	3,426
Amalgamated Engineering and Electrical Union	45,350	10,451
Amalgamated Power Loom Overlookers Association	13,837	936
Amalgamated Textile Warehousemen (Padiham Branch)	1,020	-
ANSA	11,787	1,800
Associated Metalworkers Union	34,530	2,220
Associated Society of Locomotive Engineers and Firemen	51,437	10,423
Association for College Management	44,037	2,333
Association of Chiropodists and Podiatrists	6,612	-
Association of Educational Psychologists	34,602	4,152
Association of First Division Civil Servants	48,880	9,874
Association of Local Authority Chief Executives	-	2,000(a)
Association of Magisterial Officers	35,739	808
Association of Professional Music Therapists in Great Britain	-	1,027
Association of Teachers and Lecturers	77,122	14,853
Association of University Teachers	48,804	8,785
Bakers Food and Allied Workers Union	25,988	5,892
Banking Insurance and Finance Union	45,387(b)	8,400
Birmingham Union of Club Stewards	-	1,300
Boots Pharmacists' Association (JBPA)	2,975	-
British Actors Equity Association incorporating the Variety Artists Federation	44,483	5,099
British Air Line Pilots Association	59,160	12,141
British Association of Advisers and Lecturers in Physical Education	11,420	-
British Association of Colliery Management	39,722	4,639
British Association of Dental Nurses	14,472	1,431

British Association of Journalists	Chief	9,900	-
British Dental Association	Executive	70,132	8,209
British Medical Association		91,629	16,960
British Union of Social Work Employees		5,208	802
Brittanic Field Staff Association	Agency Secretary	20,800	5,207
Broadcasting Entertainment Cinematograph and Theatre Union		38,162	9,597
Cabin Crew 89		9,408	-
Ceramic and Allied Trades Union		29,713	18,138
Chartered Society of Physiotherapy	Chief Executive	94,741(c)	3,613
Civil and Public Services Association		47,969	-
Clerical Medical Staff Association		-	3,694
College of Health Care Chaplains	Registrar	8,461	-
Commercial Union Group Staff Association		47,272	5,863
Communication Managers Association		43,821	15,637
Communication Workers Union	Joint General Secretaries	58,260 58,367 27,456	24,527(d) 8,405 1,601
Community and Youth Workers Union		44,082	13,665
Confederation of Shipbuilding and Engineering Unions		32,292	-
Corporation of London Staff Association	Chief Executive	45,495	8,680
Eagle Star Staff Union (1988)		5,133	-
Ellington Branch of the North East Area of the National Union of Mineworkers		61,501	13,550
Engineers and Managers Association		45,457	9,776
Federated Union of Managerial and Professional Officers		41,989	15,964
Fire Brigades Union		18,630	2,054
Fire Officers Association		33,950	4,468
Gas Managers Association		22,465	-
General Dental Practitioners Association		38,461	14,429
General Federation of Trade Unions		57,000	14,000
GMB		9,420	-
Government Communications Staff Federation		55,167	14,373
Graphical Paper and Media Union		5,000	-
Guild of Professional Teachers of Dancing		7,560	1,034
Hambro Staff Association		46,015	4,602
Headmasters and Headmistresses Conference		40,110	11,661
Hospital Consultants and Specialists Association	Chief Executive		

Immigration Service Union	-	625
Independent Union of Halifax Staff	46,314	9,254
Institute of Football Management and Administration	19,100	-
Institute of Journalists (Trade Union)	22,460	-
Institution of Professionals Managers and Specialists	59,515	3,141
International Transport Workers Federation	42,350	10,433
Irish Bank Officials Association	69,941(IRE)	61,552(d)(IRE)
Iron and Steel Trades Confederation	46,922	15,325
Leeds Permanent Building Society Staff Association	36,000	3,003
Lloyds TSB Group Union	52,800	20,740
Manufacturing Science and Finance Union	62,465	10,997
Midland Area Association of Colliery Officials	17,327	8,498
Musicians Union	49,000	13,425
National and Provincial Building Society Staff Association	33,678	3,755
National Association of Colliery Overmen Deputies and Shotfirers	30,074	-
National Association of Colliery Overmen Deputies and Shotfirers (Northumberland Area)	-	1,731
National Association of Colliery Overmen Deputies and Shotfirers (South Wales Area)	10,514	-
National Association of Colliery Overmen Deputies and Shotfirers (Yorkshire Area)	26,251	-
National Association of Co-operative Officials	47,425	11,814
National Association of Educational Inspectors Advisers and Consultants	21,387	-
National Association of Head Teachers	72,994(e)	10,437
National Association of Licensed House Managers	28,780	8,902
National Association of NFU Group Secretaries	-	5,540
National Association of Probation Officers	35,834	7,219
National Association of Schoolmasters and Union of Women Teachers	61,385	15,152
National Association of Teachers in Further and Higher Education	48,964	8,781
National Federation of Sub-Postmasters	51,689	15,332
National League of the Blind and Disabled	18,006	3,492
National Society for Education in Art and Design	36,681	-
National Union of Club Stewards	19,544	-
National Union of Domestic Appliances and General Operatives	21,128	5,671
National Union of Flint Glass Workers	1,750	-
National Union of Insurance Workers	34,471	12,409
National Union of Journalists	37,070	3,688

National Union of Knitwear Footwear and Apparel Trades	32,771	12,622
National Union of Lock and Metal Workers	22,879	6,978
National Union of Marine Aviation and Shipping Transport Officers	49,024	6,199
National Union of Mineworkers President	55,032	9,814(f)
National Union of Mineworkers (Cokemens Area)	37,759	1,533
National Union of Mineworkers (Colliery Officials and Staffs Area) (Region No. 2)	23,789	-
National Union of Mineworkers (Colliery Officials and Staffs Area) (Region No. 4)	15,560	2,656
National Union of Mineworkers (Derbyshire Area)	27,779	5,102
National Union of Mineworkers (Durham Area)	6,413	-
National Union of Mineworkers (Leicester Area)	25,050	1,600
National Union of Mineworkers (Midland Area)	33,585	15,061
National Union of Mineworkers (Northumberland Area)	5,133	-
National Union of Mineworkers (North Wales Area)	15,556	4,258
National Union of Mineworkers (Power Group Area)	13,508	6,000
National Union of Mineworkers (South Wales Area)	37,829	253(f)
National Union of Mineworkers (Warwickshire District Midlands Area)	18,789	4,735
National Union of Rail Maritime and Transport Workers	49,997	14,985
National Union of Teachers	70,003	6,106
Nationwide Group Staff Union	42,840	5,859
NatWest Staff Association	50,291	12,198
Nelson and District Clothlookers and Warehouse Association	3,479	-
Northern Carpet Trades Union	18,619	8,227
Power Loom Carpet Weavers and Textile Workers Union	27,888(b)	3,592
Prison Officers Association	37,111	20,696
Professional Association of Teachers	49,064	37,944(d)
Professional Cricketers Association	30,000	7,996
Professional Footballers Association Chief	305,204	113,847
Public Services Tax and Commerce Union Executive	55,758	6,802
Joint General Secretaries	47,257	-
Retail Book Stationery and Allied Trades Employees Association	27,012	3,155
Retained Firefighters Union	22,000	8,439
Retired Officers Association	1,000	1,167



Rossendale Union of Boot Shoe and Slipper Operatives	18,670	2,710
Royal College of Midwives	37,223	168,673(g)
Royal College of Nursing of the United Kingdom	78,650(h)	17,262
Royal London District Managers Association	1,200	140
Secondary Heads Association	55,264	8,118
Skipton and District Power-Loom Overlookers Association	600	-
Society of Authors Limited	54,400	18,614
Society of Chiropodists and Podiatrists	48,482	4,346
Society of Local Council Clerks	2,347	-
Society of Radiographers	22,500	-
Society of Telecom Executives	56,575	9,742
Sun Alliance Staff Union	6,900(i)	1,002
Trades Union Congress	56,096	8,875
Transport and General Workers Union	56,812	14,216
Transport Salaried Staffs Association	39,504	8,098
Undeb Cenedlaethol Athrawon Cymru (National Association of Teachers of Wales)	28,929	5,712
UNIFI	79,269	19,637
Union for Bradford and Bingley Staff	31,474	4,866
Union of Construction Allied Trades and Technicians	29,038	5,155
Union of Democratic Mineworkers	11,858	200
Union of Shop Distributive and Allied Workers	56,328	11,288
Union of Textile Workers	20,929	4,060
UNISON - The Public Service Union	49,456	11,461
United Association of Power Loom Overlookers	17,370	781
United Friendly Agents Association	21,784	3,462
United Road Transport Union	34,717	13,525
Woolwich Independent Staff Association	29,880	7,882
Writers Guild of Great Britain	39,960	3,000
<b>Scotland</b>		
Association of Head Teachers in Scotland	10,000	-
Educational Institute of Scotland	50,176	7,809
National Union of Mineworker(Scotland Area)	3,405	182
Offshore Industry Liaison Committee	23,107	-
Scottish Carpet Workers Union	20,435	2,021
Scottish Further and Higher Education Association	24,860	1,440

Scottish Prison Officers Association	31,818	8,931
Scottish Secondary Teachers Association	47,843	5,632

## Notes:

- (a) Honorarium.
- (b) Total paid in respect of two people who held this post during 1996 and is not the sum paid to any one individual.
- (c) Includes a termination payment of £69,000.
- (d) Includes substantial exceptional payments into a pension fund.
- (e) The General Secretary also acts as the union's solicitor.
- (f) Pension benefits are provided in accordance with the rules of the NUM Officials and Permanent Employees Superannuation Fund.
- (g) Includes £78,915 compensation for early retirement and £83,170 additional pension contribution. (Some of which the college is seeking to retrieve.)
- (h) These figures include payments made in respect of the General Secretary's role in the associated charitable trust.
- (i) Payments are in respect of the period 1/11/96 to 31/12/96.

## Appendix 5

### Summary of Statistics - Employers' Associations, 1996

Appendix 5 provides a simple analysis of the annual returns made by employers' associations to the Certification Office. Copies of individual annual returns are available from the Office. It may be difficult to correlate these figures with those in an association's published accounts. Where an association has functions outside the field of industrial relations the return may relate to its activities as a whole and not merely to its industrial relations functions.

#### Notes

- (a) Income from investments includes interest on short term deposits.
- (b) Total income and gross expenditure include receipts, outgoings and all other items which increased or decreased an employers' association's funds during the year. It is not confined to normal revenue income and expenditure. Tax recoveries and provisions no longer required are therefore included in total income, and tax paid is included in total expenditure.
- (c) Investment assets are shown at cost.
- (d) This figure has been changed from last year's report due to later information.
- (e) Below £500.

# Summary of Statistics - Employers' Associations, 1996

(see paragraph 4.14)

## Appendix 5

	GROSS INCOME				GROSS EXPENDITURE	TOTAL FUNDS		GROSS ASSETS				Total Liabilities	Number of Members
	From Members	From Investments	Other Income	Total Income		Beginning of the Year	End of the Year	Fixed Assets	Investment Assets	Other Assets	Total Assets		
	(a)	(b)	(c)	(d)		(e)	(f)	(g)	(h)	(i)	(j)		
	£000s	£000s	£000s	£000s		£000s	£000s	£000s	£000s	£000s	£000s	£000s	(13)
Employers' Associations with over £1,500,000 total income:	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
EEF West Midlands	1,368	195	4,408	5,971	5,505	3,059	3,525	3,734	1,351	2,394	7,479	3,954	1,193
Engineering Employers Federation	2,002	2,397	872	5,271	4,577	20,946	21,640	2,892	18,591	1,829	23,312	1,672	17
Engineering Construction Industry Association	1,590	139	326	2,055	1,902	1,523	1,676	70	408	2,083	2,561	885	272
EEF South	1,052	104	665	1,821	1,777	2,283	2,327	1,279	1,080	469	2,828	501	576
Engineering Employers Western Association	786	37	948	1,771	1,772	380	379	246	336	388	970	591	361
EEF Lancashire	238	16	1,387	1,641	1,625	919	935	540	225	367	1,132	197	262
8 Other Engineering Employers Associations in Great Britain	3,015	212	1,832	5,059	5,070	2,723	2,712	1,082	1,194	2,594	4,870	2,158	2,203
Test and County Cricket Board	-	-	38,244	38,244	38,244	-	-	-	-	2,030	2,030	2,030	20
National Farmers Union	20,494	1,145	2,663	24,302	23,974	41,622(d)	41,950	26,199	14,849	10,029	51,077	9,127	121,454
* Freight Transport Association Limited	2,520	101	10,339	12,960	12,799	4,023	4,184	3,937	-	4,142	8,079	3,895	11,639
Retail Motor Industry Federation Limited	3,444	201	8,848	12,493	12,357	1,876(d)	2,012	2,213	(e)	5,639	7,852	5,840	12,270
Electrical Contractors Association	2,094	2,337	6,452	10,883	6,889	29,239(d)	33,233	320	39,960	5,597	45,877	12,644	1,904
Heating and Ventilating Contractors Association	1,569	752	4,762	7,083	6,810	5,356	5,629	716	1,767	5,246	7,729	2,100	1,228
British Printing Industries Federation	3,614	91	2,301	6,006	6,023	1,253	1,236	669	882	2,504	4,055	2,819	3,078
* Road Haulage Association Limited	1,836	75	3,197	5,108	4,931	3,732	3,909	3,127	14	2,147	5,288	1,379	9,469
* Chemical Industries Association Limited	4,072	129	806	5,007	5,004	194	197	112	850	1,064	2,026	1,829	179
National Federation of Retail Newsagents	4,520	204	18	4,742	4,434	2,633	2,941	1,887	1,198	1,391	4,476	1,535	25,285
Building Employers Confederation	990	108	3,072	4,170	4,164	5,763	5,769	5,352	406	2,093	7,851	2,082	5
Newspaper Society	3,459	149	338	3,946	3,944	1,115	1,117	163	270	2,789	3,222	2,105	235
* British Jewellery and Giftware Federation Limited	577	365	2,320	3,262	2,418	6,347	7,191	1,208	7,357	876	9,441	2,250	1,932
Federation of Master Builders	2,427	52	670	3,149	3,225	2,333	2,257	3,148	900	242	4,290	2,033	15,238
National Pharmaceutical Association Limited	2,241	110	588	2,939	2,653	1,940	2,226	1,118	708	1,655	3,481	1,255	5,970
* Society of London Theatre 'SOLT'	2,191	70	87	2,348	2,284	120	184	1,757	-	1,835	3,592	3,408	90
Paper Federation of Great Britain Limited	1,242	10	1,082	2,334	2,352	1,236	1,218	1,369	(e)	496	1,865	647	57
* BFM Limited	277	7	1,780	2,064	2,196	1,183(d)	1,051	1,206	88	902	2,196	1,145	185
South West Provincial Employers Organisation	289	72	1,552	1,913	1,635	935	1,213	216	1,180	212	1,608	395	129
National Farmers Union of Scotland	1,376	95	262	1,733	1,775	1,006	964	189	856	230	1,275	311	12,910
Producers Alliance for Cinema and Television	1,643	45	10	1,698	1,653	540	585	51	527	771	1,349	764	987
Publishers Association	1,103	33	453	1,589	1,473	43	159	38	-	575	613	454	174
Dairy Industry Federation Limited	1,194	-	393	1,587	1,548	863	902	64	-	1,409	1,473	571	77
Total for above Employers' Associations	73,223	9,251	100,675	183,149	175,013	145,185	153,321	64,902	94,997	63,998	223,897	70,576	229,399
Total for 78 other listed Employers' Associations	12,244	932	6,051	19,227	18,897	20,803	21,133	11,445	5,303	10,947	27,695	6,562	28,756
Total for 95 other unlisted Employers' Associations	9,263	537	4,172	13,972	13,146	8,913	9,739	3,301	2,707	8,499	14,507	4,768	10,139
<b>Total for all Employers' Associations 1996</b>	<b>94,730</b>	<b>10,720</b>	<b>110,898</b>	<b>216,348</b>	<b>207,056</b>	<b>174,901</b>	<b>184,193</b>	<b>79,648</b>	<b>103,007</b>	<b>83,444</b>	<b>266,099</b>	<b>81,906</b>	<b>268,294</b>
Total for all Employers' Associations 1995	96,800	12,331	99,108	208,239	199,180	158,065	167,124	63,058	97,741	84,615	245,414	78,290	270,971

\* Unlisted Employers' Associations

Notes - see previous page



## Appendix 6

(see paragraph 5.3)

### Trade Unions Maintaining Members' Superannuation Schemes at 31 December 1997

**Note:** \* Denotes unions maintaining schemes exempted from the need for actuarial examination.

Amalgamated Engineering and Electrical Union  
\*Associated Society of Locomotive Engineers and Firemen

GMB  
Graphical Paper and Media Union (6 schemes)

\*Iron and Steel Trades Confederation

Manufacturing Science and Finance Union (2 schemes)

National Union of Flint Glass Workers  
National Union of Knitwear Footwear and Apparel Trades

\*National Union of Mineworkers (2 schemes, both exempt)

\*National Union of Mineworkers (North Stafford Federation Midland Area)

\*National Union of Rail Maritime and Transport Workers (2 schemes, 1 exempt)

\*Transport and General Workers Union

## Appendix 7

(see paragraph 6.9)

### Mergers completed in 1997

#### Trade Union Transfers of Engagement

<i>Engagements transferred from</i>	<i>To</i>	<i>Transfer registered on</i>
United Association of Power Loom Overlookers	General Union of Loom Overlookers	26.3.97
Amalgamated Power Loom Overlookers Association	General Union of Loom Overlookers	26.3.97
College of Health Care Chaplains	Manufacturing Science and Finance Union	22.4.97
National and Provincial Building Society Staff Association	Banking Insurance and Finance Union	1.7.97
Association of University and College Lecturers	Association of University Teachers	1.9.97
Government Communications Staff Federation	Public Services Tax and Commerce Union	4.9.97
National Association of Licensed House Managers	Transport and General Workers Union	28.10.97

#### Employers' Associations Transfer of Engagements

<i>Engagements transferred from</i>	<i>To</i>	<i>Transfer registered on</i>
North East Lancashire Textile Manufacturers Association	Blackburn District Textile Manufacturers Association	20.11.97

# Appendix 8

## Political Funds of Trade Unions, 1996

(see paragraph 7.11)

	Number of Members contributing to the Political Fund (b) (1)	Number of Members exempt from contributing to the Political Fund (b) (2)	POLITICAL FUND (a)			
			Income	Expenditure	Fund at Beginning of Year	Fund at End of Year
			£ (3)	£ (4)	£ (5)	£ (6)
Amalgamated Engineering and Electrical Union	469,205	88,178	1,590,000	1,382,000	1,059,000	1,267,000
Associated Society of Locomotive Engineers and Firemen	14,905	495	58,275	56,463	75,856	77,668
Association of Her Majesty's Inspectors of Taxes	2,176	92	6,786	-	44,807	51,593
Association of University Teachers	29,049	440	24,617	11,283	57,471	70,805
Bakers Food and Allied Workers Union	26,195	12	57,885	55,230	(1,169)	1,486
Broadcasting Entertainment Cinematograph and Theatre Union	29,007	9,999	50,575	40,242	28,156	38,489
Ceramic and Allied Trades Union	21,037	209	93,783	80,047	180,442	194,178
Civil and Public Services Association	-	-	-	-	(4,368)	(4,368)
Communication Managers Association	13,267	730	16,303	15,232	19,378	20,449
Communication Workers Union	232,932	30,650	1,037,046	1,014,047	457,362	480,361
Educational Institute of Scotland	47,081	1,970	79,329	5,835	396,727	470,221
Fire Brigades Union	40,985	9,823	144,002	178,250	222,024	187,776
General Union of Loom Overlookers	247	183	-	563	1,128	565
GMB	667,943	50,196	2,690,000	3,091,000	473,000	72,000
Graphical Paper and Media Union	78,437	131,462	439,154	351,326	651,599	739,427
Institution of Professionals Managers and Specialists	66,596	1,680	39,958	28,382	81,937	93,513
Iron and Steel Trades Confederation	26,589	6,211	147,675	171,714	78,420	54,381
Manufacturing Science and Finance Union	172,999	252,104	595,000	414,000	215,000	396,000
Midland Area Association of Colliery Officials	339	3	1,498	4,070	6,026	3,454
Musicians Union	26,573	1,205	41,975	24,888	4,949	22,036
National Association of Colliery Overmen Deputies and Shotfirers	730	2	4,018	5,170	35,198(c)	34,046
National Association of Schoolmasters and Union of Women Teachers	143,679	94,793	73,811	29,733	123,841	167,919
National Association of Teachers in Further and Higher Education	58,713	2,655	72,909	118,974	81,392	35,327
National League of the Blind and Disabled	867	1,208	2,740	2,494	8,508	8,754
National Union of Domestic Appliances and General Operatives	2,247	3	954	897	1,355	1,412



**Political Funds of Trade Unions, 1996 cont.**  
(see paragraph 7.11)

**Appendix 8**

	Number of Members contributing to the Political Fund (b) (1)	Number of Members exempt from contributing to the Political Fund (b) (2)	POLITICAL FUND (a)			
			Income	Expenditure	Fund at Beginning of Year	Fund at End of Year
			£ (3)	£ (4)	£ (5)	£ (6)
National Union of Insurance Workers	7,410	2,972	11,973	11,664	84,235	84,544
National Union of Knitwear Footwear and Apparel Trades	39,758	521	119,172	120,184	61,043	60,031
National Union of Mineworkers	6,551	458	78,504	84,139	255,707(c)	250,072
National Union of Rail Maritime and Transport Workers	59,359	783	229,000	188,000	93,000	134,000
Power Loom Carpet Weavers and Textile Workers Union	1,480	-	1,725	311	7,792	9,206
Public Services Tax and Commerce Union	138,728	6,430	256,100	175,467	633,004	713,637
Retained Firefighters Union	-	-	-	5	5	-
Rossendale Union of Boot Shoe and Slipper Operatives	-	10	44	1,381(d)	1,337	-
Scottish Carpet Workers Union	723	-	343	-	2,915	3,258
Society of Telecom Executives	9,898	7,532	39,257	151,600	174,505	62,162
Transport and General Workers Union	830,717	9,819	2,414,000	2,440,000	3,921,000	3,895,000
Transport Salaried Staffs Association	29,889	3,747	94,625	110,923	106,447	90,149
Union of Construction Allied Trades and Technicians	83,649	28,252	213,000	214,000	8,000	7,000
Union of Democratic Mineworkers	2,644	-	2,937	1,125	9,662	11,474
Union of Shop Distributive and Allied Workers	267,681	22,489	956,689	957,003	1,002,216	1,001,902
Union of Textile Workers	1,593	8	2,898	-	349	3,247
Unison-The Public Service Union	1,241,884	107,987	4,521,000	4,237,000	4,123,000	4,407,000
<b>Total for the 42 unions with political funds for 1996</b>	<b>4,893,762</b>	<b>875,311</b>	<b>16,209,560</b>	<b>15,774,642</b>	<b>14,782,256</b>	<b>15,217,174</b>
<b>Total for the 43 unions with political funds for 1995</b>	<b>4,937,627</b>	<b>867,111</b>	<b>15,742,217</b>	<b>16,241,900</b>	<b>15,236,585</b>	<b>14,736,902</b>

**Notes:**

- (a) The information in the table relates to the position at the end of 1996 and therefore to unions which were in existence at that time, but see note (d).
- (b) It should be noted that columns (1) and (2) do not necessarily add up to a union's total membership. This is because, in the case of some trade unions, total membership includes various classes of special category members (eg. honorary, retired, unemployed) who are members under the union's rules but who are neither required to pay the political levy nor to seek formal exemption.
- (c) This figure has been changed from last year's report due to later information.
- (d) This union has transferred its engagements to the National Union of Knitwear Footwear and Apparel Trades and the £1,381 shown in this column was transferred to that union and is included in that union's stated income.

## Appendix 9

(see Introduction)

### Refund of Ballot Costs 1997

Trade Union	Amount paid £
Amalgamated Engineering and Electrical Union	106,432
Association of Educational Psychologists	211
Association of Teachers and Lecturers	49,190
Association of University Teachers	4,799
British Air Line Pilots Association	369
British Dental Association	125
British Medical Association	9,784
Broadcasting Entertainment Cinematograph and Theatre Union	4,126
Ceramic and Allied Trades Union	1,410
Civil and Public Services Association	13,043
Communication Managers Association	1,277
Communication Workers Union	66,839
GMB	48,846
Graphical Paper and Media Union	2,793
Immigration Service Union	823
Independent Union of Halifax Staff	4,450
Iron and Steel Trades Confederation	509
Manufacturing Science and Finance Union	33,120
Musicians Union	413
National Association of Colliery Overmen Deputies and Shotfirers	152
National Association of Head Teachers	4,289
National Association of Probation Officers	82
National Association of Schoolmasters and Union of Women Teachers	11,604
National Association of Teachers in Further and Higher Education	16,543
National Union of Journalists	636
National Union of Knitwear Footwear and Apparel Trades	5,956
National Union of Rail Maritime and Transport Workers	6,910
National Union of Teachers	43,739
Offshore Industry Liaison Committee	146
Power Loom Carpet Weavers and Textile Workers Union	72
Professional Association of Teachers	3,233

Public Services Tax and Commerce Union	27,721
Royal College of Midwives	2,957
Royal College of Nursing of the United Kingdom	11,065
Scottish Health Visitors Association	198
Society of Telecom Executives	2,343
Transport and General Workers Union	79,178
Union of Construction Allied Trades and Technicians	6,214
Union of Shop Distributive and Allied Workers	743
Unison - The Public Service Union	4,663
Woolwich Independent Staff Association	105
<b>Total</b>	<b>£577,108</b>

## Appendix 10

### Current statutory fees applicable from 1 April 1997

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

	Current Fee
Application for entry in the list of trade unions	£139
Application for entry in the list of employers' associations	£139
Application for approval of a change of name	£ 87
Application for a certificate of independence	£3,891
Application for formal approval of an instrument of transfer of engagements of an instrument of amalgamation	£1,950
Inspection of merger documents	£ 46

## Appendix 11

### Certification Office Publications

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

1. *Mergers: a guide to the statutory requirements for transfers of engagements and amalgamations of trade unions (1994)*
2. *Mergers: a guide to the statutory requirements for transfers of engagements and amalgamation of employers' associations (1994)*
3. *Guidance for trade unions wishing to apply for a certificate of independence (1992)*
4. *Guidance for trade unions and employers' associations wishing to establish a political fund (1994)*
5. *A guide to political fund review ballots (1993)*
6. *Financial Irregularities in trade unions and employers' associations. The approach of the Certification Officer in exercising his powers of investigation (1995)*
7. *Annual Reports of the Certification Officer*