

BECHUANALAND PROTECTORATE.

HIGH COMMISSIONER'S NOTICE
No. 53 OF 1949.

It is hereby notified for general information that, under and by virtue of the powers in him vested by section *fifteen* of the Bechuanaland Protectorate Trade Unions and Trade Disputes Proclamation (No. 16 of 1942) His Excellency the High Commissioner has been pleased to make the following rules.

By Command of His Excellency
the High Commissioner.

W. A. W. CLARK,
Chief Secretary.

High Commissioner's Office,
Cape Town, 28th February, 1949.

RULES.

SHORT TITLE.

1. These Rules may be cited as the Trade Union Registration Rules, 1949.

NO REGISTRATION UNDER NAME LIKELY TO DECEIVE.

2. The Registrar shall not register a trade union name identical with that of any other registered trade union, or so nearly resembling such name as to be likely to deceive the members or the public.

APPLICATION TO REGISTER.

3. Every application by a trade union for registration shall be made in Form A in the Appendix to these Rules, and shall be accompanied by two typed or printed copies of the rules, marked and signed as mentioned in the said form.

CERTIFICATE OF REGISTRATION.

4. The certificate of registration of a trade union shall be in Form B in the Appendix.

ALTERATION OF RULES EITHER PARTIAL OR COMPLETE.

5. An alteration of the rules of a trade union may be either—

(a) a partial alteration, consisting of the addition of a new rule or part of a rule or rules to the existing rules, or of the substitution of a new rule or part of a rule or rules for any of the existing rules, or of a rescission of any of the existing rules or any part thereof without any substitution or of more than one or all of those modes; or

(b) a complete alteration consisting of the substitution of an entire set of rules for the existing set of rules.

APPLICATION TO REGISTER PARTIAL ALTERATION OF THE RULES.

6. An application for the registration of a partial alteration of rules shall be made by five members of the trade union in Form C in the Appendix and shall be accompanied by a statutory declaration in Form D in the Appendix and by a typed or printed copy of the existing rules, and by the following documents:—

(a) If the partial alteration consists of the addition or substitution of a new rule or part of a rule or rules, two copies of such rule or part of a rule or rules, each copy being marked "O" and signed by each of the applicants.

(b) If the partial alteration consists of the rescission of any of the rules without any substitution, two copies of the resolution for such rescission, each copy being marked "O" and signed by each of the applicants.

The Registrar, before registering a partial alteration of rules, shall ascertain that the rules of the trade union, if altered in accordance with the proposed partial alteration will provide for all the matters required by the Bechuanaland Protectorate Trade Unions and Trade Disputes Proclamation, 1942, to be provided for by the rules of a registered trade union.

CERTIFICATE OF PARTIAL ALTERATION.

7. The certificate of registration of a partial alteration shall be in Form E in the Appendix, and shall be delivered to the applicants, attached to one of the copies of the new rule or rules, or, when the alteration consists of rescission merely, attached to the old set of rules.

APPLICATION TO REGISTER COMPLETE ALTERATION.

8. An application for the registration of a complete alteration of rules shall be made by five members of the trade union, and shall be in Form F in the Appendix, and shall be accompanied by a statutory declaration in Form D in the Appendix, and by a printed copy of the existing rules and by the two printed copies of the new rules, each copy being marked "P" and signed by each of the applicants; and the Registrar, before registering the new set of rules, shall ascertain that it provides for all matters which, by the Bechuanaland Protectorate Trade Unions and Trade Disputes Proclamation, 1942, are to be provided for by the rules of a registered trade union.

CERTIFICATE OF COMPLETE ALTERATION.

9. The certificate of registration of a complete alteration of rules shall be in the Form G in the Appendix, and shall be delivered to the applicants attached to one of the copies of the new set of rules.

NOTICE BEFORE CANCELLATION.

10. Notice before cancellation of certificate, where required, shall be in Form H in the Appendix.

CERTIFICATE OF CANCELLATION.

11. The cancellation of certificate shall be in Form I in the Appendix.

NOTICE OF CHANGE IN REGISTERED OFFICE OF TRADE UNION.

12. Notice of change in the situation of the registered office of a trade union shall be given to the Registrar in Form J in the Appendix.

APPLICATION FOR APPROVAL OF CHANGE OF NAME.

13. An application for approval, and notice of change of name of a trade union, shall be made and given in duplicate in Form K in the Appendix, accompanied by a statutory declaration in Form L in the Appendix. The Registrar, before approving the change of name, shall ascertain that the new name is not identical with that of any other registered trade union, or so nearly resembling the same as to be calculated to deceive; and if the change of name be approved, the word "approved" shall be endorsed at the foot or end of each copy of the application and notice and the same shall be signed by the Registrar. One copy shall be filed in the registry and the other copy returned to the trade union.

NOTICE OF DISSOLUTION.

14. When a registered trade union is dissolved, notice of dissolution shall be given in duplicate in Form M in the Appendix and the Registrar shall return one copy to the trade union, endorsed with the word "registered" and duly authenticated.

NOTICE OF AMALGAMATION.

15. When two or more registered trade unions become amalgamated together, notice shall be given in Form N in the Appendix, accompanied by statutory declarations from each such trade union in Form O in the Appendix and the Registrar shall return to the amalgamated trade union one copy of the notice, endorsed with the word "registered" and duly authenticated.

NOMINATION.

16. Every registered trade union shall keep a record or register of all nominations made by the members, and of all revocations and variations of the same, and for the recording or registering of every such nomination, revocation, or variation the rules of the trade union may require the member nominating to pay a sum not exceeding threepence.

AUTHENTICATION OF DOCUMENTS.

17. Every document under the Bechuanaland Protectorate Trade Unions and Trade Disputes Proclamation, 1942, bearing the seal of the Registrar's office or signed by the Registrar, as the case may be, shall be deemed to be duly authenticated for the purposes of the said Proclamation and these Rules.

FEES.

18. The following fees shall be payable:—

	£	s.	d.
For the certificate of registration of a trade union	1	0	0
For the certificate of registration of an alteration of rules	0	10	0
For the certificate of registration of a change of name	0	10	0
For registration of notice of a dissolution	0	2	6
For registration of amalgamation	0	10	0
For every document required to be authenticated by the Registrar, not chargeable with any other fee	0	2	6
For every inspection on the same day of documents (whether one or more) in the custody of the Registrar, relating to one and the same trade union	0	1	0
For every copy or extract of any document in the custody of the Registrar, not exceeding 216 words	0	1	0
If exceeding 216 words, per folio of 72 words or part thereof	0	0	4

The above fees are in addition to the fee for authentication.

No fee is payable for the registration or recording of:—

- The cancellation of certificate of registration.
 - Any notice of change of registered office.
 - Any document or copy of document supplied to the Government.
 - Any document in respect of which a fee is already chargeable under or by virtue of the Proclamation or any other Proclamation.
- The Registrar may also dispense with the fee for inspection of documents in cases where he may consider it for the public interest to do so.

APPENDIX.

THE BECHUANALAND PROTECTORATE
TRADE UNIONS AND TRADE DISPUTES
PROCLAMATION, 1942.

FORM A.

APPLICATION FOR REGISTRATION OF TRADE
UNION.

(RULE 3.)

1. This application is made by the ^{RULE 3} ~~five~~ *seven* persons whose names are subscribed at the foot hereof. *HCK 2.12/49*
2. The name under which it is proposed that the trade union on behalf of which this application is made shall be registered is as set forth in Rule No.
To the best of our belief there is no registered trade union the name of which is identical with the proposed name or so nearly resembles the same as to cause confusion.
3. The area within which the trade union will function is *.....
4. The officer of the †..... to which all communications and notices may be addressed, is at as set forth in Rule No.
5. The †..... was formed on the day of
6. The whole of the objects for which the is formed and the purposes for which the funds thereof are applicable are set forth in Rule No.
7. The conditions under which members may become entitled to benefits assured are set forth in Rule No.
8. The subscriptions and dues to be paid by members are set forth in Rule No.
9. The fines and forfeitures to be imposed on members are set forth in Rule No.
10. The manner of making, altering, amending, and rescinding rules is set forth in rule No.....
11. The provision for the appointment and removal of a general committee of management, of treasurer and other officers is set forth in Rule No.

* Insert town, district, etc., as the case may be.

† Insert name of trade union.

12. The duties of the members of the managing committee and other officers are set forth in Rule No.

13. The provision for the investment of funds and for the periodical audit of accounts is set forth in Rule No.

14. The provision for the inspection of the books and names of the members by every person having an interest in the funds is set forth in Rule No.

15. The provision for the manner of dissolving the trade union is set forth in Rule No.

16. Accompanying this application are sent:—

- (i) Two printed copies, each marked A, of the rules.
- (ii) A list, marked B, of the titles and names of the officers.

Signed:

- 1.....
- 2.....
- 3.....
- 4.....
- 5.....

401 212/49 6
dated this day of
.....19.....

TO THE REGISTRAR OF TRADE UNIONS.

THE BECHUANALAND PROTECTORATE
TRADE UNIONS AND TRADE DISPUTES
PROCLAMATION, 1942.

FORM B.

CERTIFICATE OF REGISTRATION OF A
TRADE UNION.

(RULE 4.)

RULE 4.

It is hereby certified that the has been registered under the Bechuanaland Protectorate Trade Unions and Trade Disputes Proclamation, 1942, this day of 19.....

Seal and/or Signature of Registrar.

THE BECHUANALAND PROTECTORATE
TRADE UNIONS AND TRADE DISPUTES
PROCLAMATION, 1942.

FORM C.

APPLICATION FOR REGISTRATION OF
PARTIAL ALTERATION OF RULES.

(RULE 6.)

RULE 6.

..... Trade Union. Register No.

This application for the registration of a partial alteration of the rules of the Trade Union is made by the five persons whose names are subscribed at the foot hereof.

With this application are sent:—

(a) A printed (or typed) copy of the registered rules marked to show where and in what way they are altered;

(b) Two printed (or typed) copies of the alteration, each marked "O", signed by each of the applicants;

(c) A statutory declaration of an officer of this trade union, that in making the alteration of the rules now submitted for registration the rules of the Trade Union were duly complied with.

2. We have been duly authorised by the Trade Union to make this application on its behalf, such authorisation consisting of a resolution passed at a general meeting on the *..... day of 19.....

Signed:

- 1.....
- 2.....
- 3.....
- 4.....
- 5.....

Dated this day of19.....

TO THE REGISTRAR OF TRADE UNIONS.

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

THE BECHUANALAND PROTECTORATE
TRADE UNIONS AND TRADE DISPUTES
PROCLAMATION, 1942.

FORM D.

DECLARATION ACCOMPANYING ALTERA-
TION OF RULES.

(RULE 6.)

RULE 6.

..... Trade Union. Register No.

I of, an officer of the above-named union, do solemnly and sincerely declare that in making the alteration of the rules of the trade union, the application for the registration of which is appended to this declaration, the rules of the said trade union have been duly complied with.

And I make this solemn declaration, conscientiously believing the same to be true.

Taken and received before me, etc.

THE BECHUANALAND PROTECTORATE
TRADE UNIONS AND TRADE DISPUTES
PROCLAMATION, 1942.

FORM E.

CERTIFICATE OF REGISTRATION OF
PARTIAL ALTERATION OF RULES.

(RULE 7.)

RULE 7.

..... Trade Union. Register No.

It is hereby certified that the foregoing partial alteration has been registered under the Bechuana-land Protectorate Trade Unions and Trade Disputes Proclamation 1942 this day of 19.....

Seal and/or Signature of Registrar.

THE BECHUANALAND PROTECTORATE
TRADE UNIONS AND TRADE DISPUTES
PROCLAMATION, 1942.

FORM F.

APPLICATION FOR REGISTRATION OF COMPLETE ALTERATION OF RULES.

(RULE 8.)

RULE 8.

..... Trade Union. Register No.

1. This application for the registration of a complete alteration of the registered rules of the Trade Union is made by the five persons whose names are subscribed at the foot hereof.

2. The complete alteration submitted for registration is the substitution of the set of rules, two printed copies of which (each copy marked " P " and signed by the applicants) accompany this application, for the set of rules already registered.

3. The office to which all communications and notices may be addressed is at as set forth in rule No.

4. The *..... was registered on the day of 19.....

5. The whole of the objects for which the *..... is established, and the purposes for which the funds thereof are applicable, are set forth in rule No.....

6. The conditions under which members may become entitled to benefits assured are set forth in rule No.....

7. The fines and forfeitures to be imposed on members are set forth in rule No.....

8. The manner of making, altering, amending and rescinding rules is set forth in rule No.....

9. The provision for the appointment and removal of a general Committee of Management, of treasurer and other officers, is set forth in rule No.....

10. The provision for the investment of funds and for the periodical audit of accounts is set forth in rule No.....

11. The provision for the inspection of books and names of the members by every person having an interest in the funds is set forth in rule No.....

12. The provision for the manner of dissolving the trade union is set forth in rule No.....

* Name of trade union.

13. This application is accompanied by a statutory declaration of, an officer of the said trade union, to the effect that in making the alteration of rules now submitted for registration the rules of the trade union were duly complied with.

14. We have been duly authorised by the *..... to make this application on its behalf, such authorisation consisting of a resolution passed at a general meeting held on the †day of, 19.....

Signed:

- 1.....
- 2.....
- 3.....
- 4.....
- 5.....

Dated this day of19.....

TO THE REGISTRAR OF TRADE UNIONS.

* Name of trade union.

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

THE BECHUANALAND PROTECTORATE
TRADE UNIONS AND TRADE DISPUTES
PROCLAMATION, 1942.

FORM G.

CERTIFICATE OF REGISTRATION OF COMPLETE ALTERATION OF RULES.

(RULE 9.)

RULE 9.

..... Trade Union. Register No.

It is hereby certified that the set of rules, copy whereof is appended hereto, has been registered under the Bechuanaland Protectorate Trade Unions and Trade Disputes Proclamation, 1942, in substitution of the set of rules already registered for the Trade Union this day of 19.....

Seal and/or Signature of Registrar.

THE BECHUANALAND PROTECTORATE
TRADE UNIONS AND TRADE DISPUTES
PROCLAMATION, 1942.

FORM H.

NOTICE BEFORE CANCELLATION OF CERTI-
FICATES OF REGISTRATION.

(RULE 10.)

RULE 10.

..... Trade Union. Register No.

Notice is hereby given to the above-mentioned trade union that it is the intention of the Registrar to proceed on the day of, 19..... to cancel the registration of the trade union, unless cause be shown to the contrary in the meantime.

The ground for such proposed cancellation is that the certificate of registration has been obtained by fraud (or mistake), or that the registration of the trade union has become void under section *nine* of the Bechuanaland Protectorate Trade Unions and Trade Disputes Proclamation, 1942, or that the trade union has wilfully and after notice from me violated the provisions of the Bechuanaland Protectorate Trade Unions and Trade Disputes Proclamation, 1942, or has ceased to exist or that the trade union is being conducted in a manner contrary to peace, order or good government.

(The facts should be briefly specified where practicable and grounds which are not applicable should be struck out.)

Dated this day of 19.....

Signature of Registrar.

THE BECHUANALAND PROTECTORATE
TRADE UNIONS AND TRADE DISPUTES
PROCLAMATION, 1942.

FORM I.

CANCELLATION OF CERTIFICATE OF REGIS-
TRATION.

(RULE 11.)

RULE 11.

..... Trade Union. Register No.

The certificate of registration of the above-mentioned trade union is hereby cancelled. (The Registrar may, if he thinks fit, add a statement as in Form H of the ground of the cancellation).

Dated this day of19.....

Signature of Registrar.

THE BECHUANALAND PROTECTORATE
TRADE UNIONS AND TRADE DISPUTES
PROCLAMATION, 1942.

FORM J.

NOTICE OF CHANGE OF REGISTERED
OFFICE.

(RULE 12.)

RULE 12.

..... Trade Union. Register No.

TO THE REGISTRAR OF TRADE UNIONS.

Notice is hereby given that the registered office of the above-mentioned trade union has been removed from in to in

Dated this day of, 19.....

.....
..... } Committee of Management.
.....

*Received this day of notice of removal of the registered office of the Registered No. to in

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

THE BECHUANALAND PROTECTORATE
TRADE UNIONS AND TRADE DISPUTES
PROCLAMATION, 1942.

FORM K.

APPLICATION FOR APPROVAL AND NOTICE
OF CHANGE OF NAME.

(RULE 13.)

RULE 13.

Name already registered

Registered No.

TO THE REGISTRAR OF TRADE UNIONS.

Application for approval of a change of name of the
above-mentioned trade union is hereby made by the
..... persons whose names are subscribed at the
foot hereof.

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

(The resolution to be copied at length.)

And notice of the said change is hereby given for
registration in your office.

.....
Secretary.

Dated this day of, 19.....

1. }
2. } Members.
3. }
4. }
5. }

THE BECHUANALAND PROTECTORATE
TRADE UNIONS AND TRADE DISPUTES
PROCLAMATION, 1942.

FORM L.

DECLARATION TO ACCOMPANY APPLICATION
FOR APPROVAL OF CHANGE OF NAME.

(RULE 13.)

RULE 13.

Name of trade union

Register No.

I of The Secretary of the above-named trade union, do solemnly and sincerely declare that in making the change of name, notice of which is appended to this declaration, the provisions of the Bechuanaland Protectorate Trade Unions and Trade Disputes Proclamation, 1942, in respect of change of name have been complied with.

And I make this solemn declaration, conscientiously believing same to be true.

Taken and received before me, etc.

THE BECHUANALAND PROTECTORATE
TRADE UNIONS AND TRADE DISPUTES
PROCLAMATION, 1942.

FORM M.

NOTICE OF DISSOLUTION.

(RULE 14.)

RULE 14.

..... Trade Union. Register No.

To THE REGISTRAR OF TRADE UNIONS.

Notice is hereby given that the above-mentioned trade union dissolved in pursuance of the rules thereof on the day of

.....
Secretary.

1.
2.
3.
4.
5.
} Members.

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

Date, 19.....

THE BECHUANALAND PROTECTORATE
TRADE UNIONS AND TRADE DISPUTES
PROCLAMATION, 1942.

FORM N.

NOTICE OF AMALGAMATION OF TRADE
UNIONS.

(RULE 15.)

RULE 15.

- A. Trade Union. Register No.
B. Trade Union. Register No.
(and so on if more than two.)

TO THE REGISTRAR OF TRADE UNIONS.

Notice is hereby given, that by the consent of two-thirds of the whole number of members of each or every of the above-mentioned trade unions, they have resolved to become amalgamated together as one trade union.

And that the following are the terms of the said amalgamation:—

(State the terms.)

And that it is intended that the trade union shall henceforth be called the

Accompanying this notice is a copy of the rules intended to be henceforth adopted by the amalgamated trade union (which are the rules of the Trade Union).

(To be signed by five members and the Secretary of each trade union.)

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

Dated this day of, 19.....

THE BECHUANALAND PROTECTORATE
TRADE UNIONS AND TRADE DISPUTES
PROCLAMATION, 1942.

FORM O.

DECLARATION TO ACCOMPANY NOTICE OF
AMALGAMATION.

(RULE 15.)

RULE 15.

..... Trade Union. Register No.

I, of, Secretary of the
above-mentioned trade union, do solemnly and sin-
cerely declare that in the amalgamation of the said
trade union with the, notice of which
is appended to the declaration, the provisions of the
Bechuanaland Protectorate Trade Unions and Trade
Disputes Proclamation, 1942, in respect of amalgama-
tions, have been duly complied with.

And I make this solemn declaration, conscientiously
believing the same to be true.

Taken and received before me, etc.