

2017-2018 Annual Report

of the Certification Officer for Northern Ireland

(Covering Period 1 April 2017 to 31 March 2018).

NICO 

Northern Ireland Certification
Officer for Trade Unions and
Employers' Associations

First published 2019

**CERTIFICATION OFFICER FOR NORTHERN IRELAND
ANNUAL REPORT FOR THE YEAR ENDED 31 MARCH 2018**

Laid before the Northern Ireland Assembly under paragraph 69(7) of the Industrial Relations
(Northern Ireland) Order 1992 by the Department for the Economy

Mr Noel Lavery
Permanent Secretary
Department for the Economy
Netherleigh
Massey Avenue
BELFAST
BT4 2JP

Article 69(7) of the Industrial Relations (NI) Order 1992 requires the Certification Officer, as soon as reasonably practicable after the end of each financial year, to make a report of her activities during that year to the Department for the Economy. I have pleasure in submitting my report for the period 1 April 2017 to 31 March 2018.



Sarah Havlin LLB
Certification Officer for Northern Ireland

January 2019

Mrs Marie Mallon
Chair
Labour Relations Agency
2-16 Gordon Street
BELFAST
BT1 2LG

Article 69(7) of the Industrial Relations (NI) Order 1992 requires the Certification Officer, as soon as reasonably practicable after the end of each financial year, to make a report of her activities during that year to the Labour Relations Agency. I have pleasure in submitting my report for the period 1 April 2017 to 31 March 2018.



Sarah Havlin LLB
Certification Officer for Northern Ireland

January 2019

CONTENTS

INTRODUCTION	7
EQUALITY STATEMENT	13
CHAPTER	
1. LISTS OF TRADE UNIONS AND EMPLOYERS' ASSOCIATIONS	14
Entry in the lists and its significance	14
Removal from the lists	15
Additions to the lists	16
Special Register bodies	16
Changes of name.....	17
Unlisted organisations	18
Definitions of a trade union and an employers' association	18
2. TRADE UNION INDEPENDENCE	20
The statutory provisions	20
Criteria of independence	21
Procedure.....	22
Applications/Decisions.....	22
Great Britain Certification Officer decisions on trade unions with Northern Ireland members	22
3. ANNUAL RETURNS AND ACCESS TO ACCOUNTING RECORDS	23
The statutory provisions	23
Late submission of annual returns.....	26
Prosecutions.....	26
Authorised Northern Ireland resident	26
Public inspection of annual returns	26
Statement to members of a trade union	27
Financial affairs of trade unions and employers' associations - use of statutory powers	28
Access to accounting records.....	30
4. FINANCIAL AND MEMBERSHIP INFORMATION AND MEMBERSHIP REGISTER	32
Information from 2017 returns.....	32
Trade Unions - salaries and benefits.....	32
Trade unions - membership register	32
Trade Unions - membership and financial information.....	33
Employers' associations - membership and financial information.....	36
5. SUPERANNUATION SCHEMES	37
The statutory provisions	37
Schemes maintained - Northern Ireland	38

Schemes maintained – Great Britain	38
Actuarial reports	38
6. MERGERS	39
The statutory provisions	39
Information on procedures	41
Mergers proposed or completed	41
Mergers of Great Britain unions with Northern Ireland members.....	41
7. POLITICAL FUNDS	42
The statutory provisions for Northern Ireland organisations.....	42
General.....	42
Exemption	42
Great Britain and Republic of Ireland organisations.....	43
Political fund model rule for Great Britain organisations.....	44
Complaints	44
Advice on procedures	45
Northern Ireland organisations with political fund rules	45
Great Britain organisations with political fund rules approved by the Northern Ireland Certification Officer	45
Great Britain organisations with new political fund rules approved for the first time in this reporting period.....	46
Amendments to rules of Great Britain organisations.....	46
Requirements of the Trade Union Act 2016 in relation to political funds	46
Political fund review ballots held by Great Britain organisations	46
Political fund complaints by Northern Ireland members to the Great Britain Certification Officer.....	46
8. SECRET POSTAL BALLOTS FOR TRADE UNION ELECTIONS	47
The statutory provisions	47
Disclosure of applicant's identity, hearings, appeals etc.....	48
Applications and decisions.....	49
9. APPLICATIONS CONCERNING BREACHES OF TRADE UNION RULES	50
The statutory provisions	50
Applications and decisions.....	51
10. PUBLIC INTEREST DISCLOSURES.....	55
The statutory provisions	55
Information on procedures.....	56
Public interest disclosures	56

APPENDICES (SHOWING THE POSITION AT 31 DECEMBER 2017) 57

Appendix 1 (a) List of Northern Ireland Trade Unions, (b) Republic of Ireland trade unions with NI members, (c) Schedule of unlisted trade unions58

Appendix 2 Great Britain trade unions with 100 or more NI members59

Appendix 3 Great Britain trade unions with 100 or less NI members62

Appendix 4 List of NI employers' associations64

Appendix 5 Great Britain employers' associations with NI members65

Appendix 6 Salaries and benefits of the chief officers of trade unions with NI members67

Appendix 7 Great Britain trade unions with NI members who have "contracted in" to the political fund.....70

Appendix 8 Great Britain trade unions whose members do not contribute to the political fund.....71

Appendix 9 Statutory fees72

Appendix 10 Certification Office forms73

INTRODUCTION

This is the twenty sixth Annual Report to be published since the post of Certification Officer for Northern Ireland was established in 1992. It deals with my activities during the period 1 April 2017 to 31 March 2018.

The statutory functions of the Certification Officer are contained in the Industrial Relations (Northern Ireland) Order 1992 as amended, The Employment Rights (Northern Ireland) Order 1996 as amended, and the Trade Union and Labour Relations (Northern Ireland) Order 1995 as amended.

The Certification Officer's functions, which are explained more fully in the following chapters, include:

Under the 1992 Order -

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

Articles 11, 12 and 13 - ensuring that trade unions and employers' associations keep proper accounting records, have their accounts properly and independently audited and submit annual returns; investigating the financial affairs of trade unions and employers' associations; ensuring that statutory requirements concerning the appointment and duties of auditors and the actuarial examination of members' superannuation schemes are observed; and dealing with complaints that a trade union has failed in its duty to secure that positions in the union are not held by certain offenders;

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

Under Article 70ZA of the 1992 Order (inserted by the Employment Relations (Northern Ireland) Order 2004) the Certification Officer has power to strike out any application or complaint made to her on specified grounds, for example that it is scandalous, vexatious or has no reasonable prospect of success, or that there has been excessive delay in proceeding with it. She must give the party against whom a striking out order is to be made an opportunity to show why it should not be made.

Under the 1995 Order -

Article 5 - dealing with complaints by members that a trade union has failed to maintain an accurate register of members;

Article 22 - dealing with complaints by members that a trade union has failed to comply with one or more of the provisions of the 1995 Order requiring it to hold secret postal ballots for electing its president, general secretary and members of its executive committee;

Articles 45 to 72 - ensuring observance by Northern Ireland based trade unions of the statutory procedures governing the setting up, operation and review of political funds, approving the 'contracting-in' rule and amendments for Northern Ireland members of trade unions based elsewhere (including Great Britain and the Republic of Ireland), and dealing with complaints about breaches of political fund rules or the conduct of political fund ballots, or the application of general funds for political objects;

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

Article 90A - dealing with complaints by members that there has been a breach or threatened breach of the rules of a trade union relating to: the appointment or election of a person to, or removal of a person from, any office; disciplinary proceedings including expulsion; balloting of members (other than in respect of industrial action); and the constitution or proceedings of an executive committee or decision-making meeting.

Under the 1996 Order -

Article 67F - receiving information from employees/workers of trade unions or employers' associations about fraud or other irregularities relating to the financial affairs of these organisations.

Developments during this reporting period

During this reporting period, the total recorded Northern Ireland trade union membership was 240,054, an increase of 4,826 from the last reporting period. The membership of Northern Ireland trade unions increased by 259 members, Northern Ireland membership of Republic of Ireland unions decreased by 645 members, whilst that of Great Britain unions increased by 5,212 members.

There were no removals from or additions to the list of Northern Ireland unions during the year. There was one removal from and no additions to the list of Republic of Ireland unions with Northern Ireland members. No Great Britain union with Northern Ireland members was added to the Great Britain Certification Officer's list. One Great Britain union with Northern Ireland members was removed from the Great Britain Certification Officer's list. This is recorded in paragraph 1.10 of this report.

During the year, two breaches of rule complaints, made by two trade union members, were determined. Details of these cases are in Chapter 9. One complaint was being processed by the Office at 31 March 2018.

As was reported in last year's Annual Report the Trade Union Act 2016 in Great Britain received royal assent on 4 May 2016. On 1 March 2017 three sections of the Act that relate to the work of the GB Certification Officer, applying mainly to trade unions, were implemented:

- Section 7: Information to Certification Officer about industrial action etc.;
- Section 11: Opting in by union members to contribute to political funds; and
- Section 12: Union's annual return to include details of political expenditure.

The GB Certification Officer has now approved the rule changes required by section 11 of the Act for all trade unions wishing to retain a political fund. This has means that trade union members in Great Britain joining after 1 March 2018 have to opt-in rather than opt out of contributing to a trade union political fund.

The duties to report on political fund expenditure and to provide information about industrial action apply to the reporting periods, which begin after 1 March 2017. For the majority of trade unions this will mean that they will provide this information, for the first time, in their annual

returns to the GB Certification Officer for the period ending 31 December 2018, which should be provided to her before 1 June 2019.

Those provisions of the Act, which give the GB Certification Officer the power to investigate and determine breaches of statutory provisions without receiving a complaint from a trade union member and enable her to impose financial penalties, have not been implemented yet. Nor have those, which require trade unions and employers' associations to pay a levy as a contribution to the costs of her office

The continued suspension of devolved government because of the collapse of the Northern Ireland Executive in January 2017 has meant there have been no further discussions regarding the introduction of equivalent legislation in Northern Ireland.

The office commenced a comprehensive review of the confidential data it held as a public authority in anticipation of the introduction of the General Data Protection Regulation (EU) 2016/679 (GDPR) on 25 May 2018. A personal information charter was also in preparation, for inclusion on the new Northern Ireland Certification Office website www.nicertoffice.org.uk in accordance with the GDPR compliance requirements. At the end of the reporting period, this work was almost complete in advance of the GDPR deadline.

No requests were received under the Freedom of Information Act 2000 during the period covered by this report.

During the 2017-18 reporting period, the work programme of the Office included:

- processing annual returns from trade unions and employers' associations,
- ensuring compliance of all trade unions and employers' associations with the requirements of the legislation,
- processing complaints,
- aspects of trade union finances, trade union political fund issues, independence, mergers and other statutory obligations, and
- general office administration, governance and financial management.

Work continued on the organisational IT strategy. At the end of the reporting period, the development work on the new Northern Ireland Certification Office website and online presence was completed, with the official launch scheduled for the start of the next reporting period. Development work on a dedicated internal electronic case management system was ongoing at the end of the 2017-18 reporting period. This will be implemented by the end of the next reporting period.

Finance and Support Services

The Labour Relations Agency (LRA) is responsible under Article 69 of the 1992 Order for providing me with finance and support services. I am however an independent statutory office holder, independent of both the LRA and its sponsor, the Department for the Economy, in the performance of my duties.

Accounts relating to the activities of the Office, prepared under Paragraph 15(2) of Schedule 4 to the 1992 Order, are published separately by the LRA. I would refer to the Annual Report of the Labour Relations Agency for the year ended 31 March 2018 and to the Accounts of the Labour Relations Agency and the Certification Officer for Northern Ireland, which are contained therein. These are the audited accounts for this Office.¹

At 31 March 2017, the Office had a complement of four staff. Mr Neill Wallace continued to hold his appointment as Assistant Certification Officer for Northern Ireland during the period covered by this report.

Advice and Contacts for Information

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

¹ Available from https://www.lra.org.uk/images/publications/Annual_Report_2017-2018.pdf

It would also be clearly inappropriate for the Office to comment on the merits of a possible complaint. Where a complaint is made, I have to investigate it and decide impartially in the light of the facts of the case and the representations made by the parties concerned. My staff and I do not give advice, which might seem in any way to prejudice that impartiality.

However, the Office will assist where it can and guidance booklets covering different aspects of the Certification Officer's responsibilities are available on the website (www.nicertoffice.org.uk) and free of charge on request from the Office. Requests for the booklets and for further information on any aspect of the Certification Officer's duties should be made to the Certification Office, 10-16 Gordon Street, Belfast BT1 2LG, telephone: 028 9023 7773, e-mail: info@nicertoffice.org.uk.

The Certification Officer may make payment towards the expenses incurred by complainants and their witnesses in attending hearings to determine complaints. The scheme governing such payments can be downloaded from the 'Documents' section of the Office website: www.nicertoffice.org.uk.² During the period of this report no expenses were paid. Assistance with legal costs for complainants is not available.

All of our forms listed in Appendix 10 can be accessed in the 'Documents' section of the website, as can the annual returns of Northern Ireland trade unions and employers' associations and of Republic of Ireland trade unions with Northern Ireland members. Comments on the website are welcome.

Sarah Havlin LLB
Certification Officer for Northern

² Available from <https://www.nicertoffice.org.uk/documents/terms-scheme-enabling-certification-officer-make-certain-payments-persons-attending>

EQUALITY STATEMENT

The Office of the Certification Officer for Northern Ireland is defined as a “Public Authority” for the purposes of Section 75 of the Northern Ireland Act 1998. The Office is exempt from Section 75 as approved by the Equality Commission for Northern Ireland.

CHAPTER 1

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. The lists of Northern Ireland organisations are set out in full in Appendices 1 and 4.

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 Article 5 of the 1992 Order. As required by Article 5(9) the current lists are included in this report (Appendices 1 and 4). They are available for inspection, free of charge, at the Office.
- 1.2 Listing is voluntary and any organisation of workers or of employers may apply to be listed. If the Certification Officer is satisfied that the organisation falls within the appropriate definition in the 1992 Order (given in full at paragraphs 1.20 and 1.21 below), she must enter its name in the relevant list. The 1992 Order does not impose any test of size, effectiveness, or viability.
- 1.3 Any organisation aggrieved by the refusal of the Certification Officer to enter its name in the relevant list, or by a decision of hers to remove its name from that list, may appeal to the High Court on a point of law only (Article 5(8) of the 1992 Order, as amended by the Employment Relations (Northern Ireland) Order 2004).
- 1.4 For trade unions, listing is an essential preliminary to any application for a certificate of independence under Article 6 of the 1992 Order. A certificate of independence, in turn, is essential for any union that wishes to apply for statutory recognition to conduct collective bargaining with an employer on behalf of its members (see paragraph 2.6 below).
- 1.5 Listed trade unions and listed unincorporated employers' associations enjoy certain procedural advantages in connection with the devolution of property following a change of trustees under Article 7 of the 1992 Order. There are other benefits of listing enjoyed by trade unions and by both incorporated and unincorporated employers' associations. Being on the list is one of the

requirements for obtaining tax relief in respect of expenditure on provident benefits (Section 467 of the Income and Corporation Taxes Act 1988). It is also (non-conclusive) evidence that an organisation is a trade union or employers' association. Finally, the name of a trade union or employers' association is protected by the provision that no organisation shall be entered in the relevant list if its name so nearly resembles the name of an organisation already on that list as to be likely to deceive the public.

- 1.6 Application for listing must be made on the appropriate form, CO(NI)1, and be accompanied by the statutory fee (Appendix 9). The form can be obtained on request from the Certification Office, or downloaded from the Office website www.nicertoffice.org.uk.
- 1.7 On the amalgamation of two or more listed organisations, the amalgamated organisation is automatically listed from the date when the instrument of amalgamation takes effect. Within six weeks of that date (or such longer period as the Certification Officer may specify), the rules of the organisation, a list of its officers and the address of its head or main office must be sent to the Certification Officer. If any of these requirements is not met, the organisation must be removed from the list.

Removal from the lists

- 1.8 If at any time it appears to the Certification Officer that an organisation whose name is entered on the relevant list is not a trade union or an employers' association, she may, after giving the organisation concerned the opportunity to make representations, remove its name from that list. There is a right of appeal on a point of law to the High Court against removal of a name from a list (see paragraph 1.3). The Certification Officer must also remove the name of an organisation from the list if she is satisfied that it no longer exists or if the organisation requests that she should do so.
- 1.9 There were no removals from the list of Northern Ireland trade unions in 2017-18. One Republic of Ireland Union with Northern Ireland members was removed from the list in 2017-2018. This was:
 - Impact, which was removed from the list as it ceased to have any Northern Ireland members from May 2016. It was subsequently deregistered as a trade union by the regulator in the Republic of Ireland; The Registry of Friendly Societies following its transfer

of engagements to Fórsa, a Republic of Ireland-based union with no Northern Ireland members on 1 January 2018.

1.10 During the period of this report, the Great Britain Certification Officer removed one trade union with Northern Ireland members from her list. This was:

- Association of Teachers and Lecturers, which ceased to exist on 1 September 2017, following its amalgamation with the National Union of Teachers to form the National Education Union.

The Great Britain Certification Officer maintains a schedule of trade unions known to her but which have not applied to be entered on her list. In 2017-18, there were no trade unions with Northern Ireland members removed from this schedule.

The Great Britain Certification Officer removed one employers' association with Northern Ireland members from her list during the period covered by this report. This was:

- The Fencing Contractors Association, which was removed from the list on 25 April 2017 following it being dissolved on 31 December 2016.

Additions to the lists

1.11 There were no additions to the Northern Ireland lists during the period of this report.

1.12 One trade union with Northern Ireland members was added to the Great Britain Certification Officer's list. This was:

- The National Education Union, which was added on 1 September 2017 when the Association of Teachers and Lecturers amalgamated with the National Union of Teachers to form the new union.

The Great Britain Certification Officer added no unions with Northern Ireland members to her schedule of unlisted unions during the period.

1.13 No employers' association with Northern Ireland members was added to the Great Britain Certification Officer's list or schedule.

Special Register bodies

1.14 Under Great Britain law (the Industrial Relations Act 1971) a special register was established for organisations which were either companies or incorporated by charter or letters patent and which took part in collective bargaining on behalf of their members. These were usually professional bodies.

1.15 Subsequent legislation (the Trade Union & Labour Relations Act 1974) provided that trade unions were no longer allowed to have corporate status, but an exception was made for bodies already on the special register. Bodies that are removed from the special register for any reason are not subsequently allowed to re-enter it.

1.16 The statutory requirements affecting trade unions in the Trade Union and Labour Relations Act 1992 take account of the corporate status of special register bodies and their other activities. These bodies are also exempt from the requirement to conduct elections for the posts of president and general secretary; but the voting members of the executive must be elected in accordance with the statutory provisions. Great Britain headquartered special register bodies with Northern Ireland members are as follows:

- Association for Clinical Biochemistry & Laboratory Medicine,
- British Association of Occupational Therapists Ltd,
- British Dental Association,
- British Dietetic Association,
- British Medical Association,
- Chartered Society of Physiotherapy,
- Headmasters and Headmistresses' Conference,
- Royal College of Midwives,
- Royal College of Nursing of the United Kingdom,
- Society of Authors,
- Society of Chiropodists and Podiatrists; and
- Society of Radiographers.

There are no Northern Ireland headquartered special register bodies.

Changes of name

1.17 Article 88 of the 1995 Order stipulates that the Certification Officer must approve a change of name of a listed trade union or employers' association before it can take effect (see Appendix 9 for the statutory fee).

1.18 During the reporting period approval was given to the change of name of one employers' association with Northern Ireland members

Effective Date

From: Leeds Building Society Staff Association

7 February 2018

To: Leeds Building Society Colleague Association

No trade union with Northern Ireland members applied to the Great Britain Certification Officer to change its name during the reporting period.

Unlisted organisations

1.19 As entry in the lists is voluntary, it is not possible to say precisely how many trade unions and employers' associations are in existence at any given time. There may be some which meet the statutory definition but have not sought listing, and others of which this Office is unaware. Being unlisted does not relieve an organisation of its statutory responsibilities, including the requirement to make an annual return. Returns from unlisted bodies must be made available for public inspection in the same way as those from listed organisations. An unlisted trade union may not apply for a certificate of independence or for statutory recognition as a body entitled to conduct collective bargaining (see paragraph 2.6 below). ICTU is the only unlisted trade union in Northern Ireland of which the Office is aware. It operates through its Northern Office: Irish Congress of Trade Unions (the Northern Ireland Committee).

Definitions of a trade union and an employers' association

1.20 The definition of a trade union given in Article 3 of the 1992 Order is as follows:

3.—(1) *In this Order "trade union" means an organisation (whether permanent or temporary) which either -*

(a) consists wholly or mainly of workers of one or more descriptions and is an organisation whose principal purposes include the regulation of relations between

workers of that description or those descriptions and employers or employers' associations; or

(b) consists wholly or mainly of -

(i) constituent or affiliated organisations which fulfil the conditions specified in sub-paragraph (a) (or themselves consist wholly or mainly of constituent or affiliated organisations which fulfil those conditions); or

(ii) representatives of such constituent or affiliated organisations;

and in either case is an organisation whose principal purposes include the regulation of relations between workers and employers or between workers and employers' associations, or include the regulation of relations between its constituent or affiliated organisations.

1.21 The definition of an employers' association given in Article 4 of the 1992 Order is as follows:

4.—(1) *Subject to paragraph (2), in this Order "employers' association" means an organisation (whether permanent or temporary) which either -*

(a) consists wholly or mainly of employers or individual proprietors of one or more descriptions and is an organisation whose principal purposes include the regulation of relations between employers of that description or those descriptions and workers or trade unions; or

(b) consists wholly or mainly of—

(i) constituent or affiliated organisations which fulfil the conditions specified in sub-paragraph (a) (or themselves consist wholly or mainly of constituent or affiliated organisations which fulfil those conditions); or

(ii) representatives of such constituent or affiliated organisations;

and in either case is an organisation whose principal purposes include the regulation of relations between employers and workers or between employers and trade unions, or include the regulation of relations between its constituent or affiliated organisations.

(2) *References in this Order to an employers' association include references to a combination of employers and employers' associations.*

CHAPTER 2

TRADE UNION INDEPENDENCE

A trade union, which is on the Certification Officer's list of trade unions may apply for a certificate of independence. Independence is defined as meaning independence from an employer or group of employers. This chapter discusses independence and explains how such applications are dealt with and their outcome.

The statutory provisions

2.1 Article 2(1) of the 1992 Order defines an independent trade union as:

'a trade union which -

- (a) is not under the domination or control of an employer or a group of employers or of one or more employers' associations; and*
- (b) is not liable to interference by an employer or any such group or association (arising out of the provision of financial or material support or by any other means whatsoever) tending towards such control'.*

2.2 The procedure for determining trade union independence is laid down in Article 6 of the 1992 Order. A union must be listed (see Chapter 1) before it can apply for a certificate of independence. The Certification Officer keeps a public record of all such applications and of all decisions reached. A notice that an application has been received is published in the Belfast Gazette at the time. The Certification Officer may not take a decision on any application until at least one month after it has been entered in the record and she must take into account relevant information submitted by any person. She is required to give her reasons if she refuses a certificate of independence. A union whose application is refused has a right of appeal to the High Court on a point of law.

2.3 Once the Certification Officer has determined that, a trade union is independent and issued a certificate, that certificate remains valid until it is withdrawn by the Certification Officer or is cancelled.

2.4 The Certification Officer may withdraw a certificate at any time if, in her opinion, the trade union concerned is no longer independent. A trade union aggrieved by a decision to withdraw its certificate has a right of appeal to the High Court on a point of law.

- 2.5 When a new union is formed by the amalgamation of two or more listed unions, it is automatically entered on the lists. If each of the amalgamating unions held a current certificate of independence; the new union is automatically issued with a certificate of independence. Both the listing and the certificate are effective from the date on which the instrument of amalgamation takes effect. The new union must send a copy of its rules, a list of its officers and the address of its head or main office, together with the prescribed fee (see Appendix 9) within six weeks of the date on which the amalgamation takes effect, or such longer period as the Certification Officer may specify. If it fails to meet any of these requirements, its name will be removed from the list and its certificate of independence withdrawn.
- 2.6 Where a question as to the independence of a particular union arises in proceedings before the courts, the industrial tribunals, the Industrial Court or certain other bodies, and no certificate has been issued or refused, the 1992 Order provides that the proceedings may not continue until the Certification Officer decides that question. The granting of a certificate by the Certification Officer, or its refusal, is conclusive evidence for all purposes that the union is, or is not, independent. Only a union that has a certificate of independence may seek statutory recognition to be entitled to conduct collective bargaining on behalf of a group of workers (paragraph 6 of Schedule 1 to the Employment Relations (Northern Ireland) Order 1999).

Criteria of independence

- 2.7 The principal criteria used by the Certification Officer to determine whether an applicant union satisfies the statutory definition are history, membership base, organisation and structure, finance, employer-provided facilities and negotiating record. These are explained further in the Office's booklet *'Guidance for trade unions wishing to apply for a certificate of independence'*,³ which is available on request from the Office and is published on the website www.nicertoffice.org.uk. The Certification Officer reaches her decision strictly on the basis of the statutory definition, having regard to the criteria as a whole. Other considerations, such as the effect the issue of a certificate might have on employment relations, may not be taken into account.

³ Available from <https://www.nicertoffice.org.uk/documents/guidance-trade-unions-wishing-apply-certificate-independence>

Procedure

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

Applications/Decisions

2.9 During the period of this report no certificates of independence were issued and none were refused. One certificate of independence was cancelled because the union concerned ceased to exist because of a Transfer of Engagements. The cancelled certificate was:

- Impact, which ceased to exist on 1 January 2018, when it had a transfer of engagements to Fórsa.

Great Britain Certification Officer decisions on trade unions with Northern Ireland members

2.10 One certificate of independence were issued by the Great Britain Certification Officer during the period. This was issued to:

- The National Education Union, a new union formed by the amalgamation of two unions which already held certificates of independence, namely the Association of Teachers and Lecturers and the National Union of Teachers.

One certificate of independence was cancelled because the union concerned ceased to exist as the result of a Transfer of Engagements. The cancelled certificate was:

- The Association of Teachers and Lecturers, which ceased to exist on 1 September 2017, when it amalgamated with the National Union of Teachers to form the National Education Union.

CHAPTER 3

ANNUAL RETURNS AND ACCESS TO ACCOUNTING RECORDS

This chapter deals with the requirements for trade unions and employers' associations to keep proper accounting records and to submit annual returns to the Certification Officer. It also deals with provisions relating to the investigation of the financial affairs of trade unions and employers' associations; Northern Ireland registered addresses; provisions giving union members a right of access to accounting records; and the duty to secure that certain offenders do not hold positions on a trade union's executive committee.

The statutory provisions

- 3.1 Article 10 of the 1992 Order provides that every trade union and employers' association, whose head or main office is situated in Northern Ireland (except those which consist wholly or mainly of representatives of constituent or affiliated organisations – see paragraphs 1.19 and 1.20 above), must keep proper accounting records in respect of its transactions, assets and liabilities, and must establish and maintain a satisfactory system of control of its accounting records, its cash holdings and all its receipts and remittances. The accounting records kept must be such as are necessary to give a true and fair view of the state of affairs of the organisation and to explain its transactions.
- 3.2 Organisations headquartered in Northern Ireland, and those headquartered in Great Britain, which have Northern Ireland members, must submit an annual return to the Certification Officer in the form prescribed, unless they have been in existence for less than 12 months. Organisations consisting wholly or mainly of representatives of constituent or affiliated organisations are exempt from this duty. Any trade union or employers' association carrying on business in Northern Ireland, but having its head or main office outside the United Kingdom, is required to send to the Certification Officer a statement setting forth, in relation to business carried on in Northern Ireland, such particulars of its receipts and payments, and such other information, as the Certification Officer may require (Articles 11 & 12 of the 1992 Order). At 31 March 2018, six Republic of Ireland based trade unions were listed as having Northern Ireland members. The Office is not aware of any Republic of Ireland based employers' associations with Northern Ireland members.

- 3.3 The period to be covered by annual returns is the calendar year, and they are required to be submitted before 1 June of the following year. However, the Certification Officer may, if she considers it appropriate in any particular case, direct that the return is to cover a 12-month period other than the calendar year, and may specify a date other than 1 June before which a return must be sent to her. This is usually done if the normal period or date would cause serious inconvenience to the organisation concerned. For most organisations (approximately 80% of trade unions and 70% of employers' associations), the financial year is the calendar year.
- 3.4 The returns must cover all funds maintained for trade union and employers' association purposes, and include revenue and other accounts and a balance sheet, which give a true and fair view of the matters to which they relate. A summary sheet must also be completed. The Certification Officer may require trade unions and employers' associations to provide such other documents relating to those accounts and such further particulars as she may specify. Any changes in the organisation's officers, or in the address of its head office, must be shown on the return, which must be accompanied by a copy of the rules in force at the end of the period it covers, whether or not those rules were altered during the period.
- 3.5 The annual return must include a copy of the auditor's report on the accounts. Under Schedule 1 to the 1992 Order a person is qualified to act as auditor to a trade union or employers' association if he or she is eligible for appointment as a company auditor under Article 28 of the Companies (Northern Ireland) Order 1990. 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 Order if its receipts and payments do not in aggregate exceed £5,000, the value of its assets is less than £5,000, and it has fewer than 500 members. If any one of these conditions is not satisfied, it must use an auditor eligible under the Companies Order. A body corporate may act as an auditor of a trade union or an unincorporated employers' association. The auditor has a duty to carry out such investigations as will enable an opinion to be formed 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 (Article 10). The 1992 Order sets out the rights of auditors, including access to information and the entitlement to attend and speak at general meetings of the organisation.

The auditor must state in the report whether, in his or her opinion, the accounts give a true and fair view of the matters to which they relate. If, in the auditor's opinion, the statutory requirements have not been satisfied or the accounts are not in agreement with the accounting records, or if all necessary information and explanations have not been supplied, the auditor must state these facts in the report by way of qualification. Most qualifications are of a minor technical nature and the Office takes appropriate steps to ensure that they are not required in future.

- 3.6 None of the returns received in this reporting year contained a qualified opinion by the auditors.
- 3.7 In order to avoid the duplication of broadly similar financial statements, the Certification Officer allows a special register body (paragraphs 1.14 - 1.16) or an employers' association incorporated under the Companies (Northern Ireland) Order 1986 to submit with its return a copy of its accounts prepared under the Companies Order, instead of the accounts prescribed in the return form. There must, however, be no significant diminution in the degree of disclosure, the period covered must be the same and a summary sheet must be completed. Notwithstanding anything in the Companies Orders, an auditor's report complying with the requirements of the 1992 Order is still required.
- 3.8 With the exceptions already noted, the duties imposed by Articles 10 and 11 and by Schedule 1 apply to all trade unions and employers' associations, whether listed under Article 5 of the 1992 Order or not. Refusal or wilful neglect to perform any of them is an offence for which the organisation concerned may be prosecuted and fined. The Certification Officer is responsible for enforcing these provisions, but does not generally undertake prosecutions for other offences, such as theft or fraud. Any evidence of such offences in the affairs of a trade union or employers' association that came to the notice of the Certification Officer would normally be referred to the appropriate prosecuting authorities.

Late submission of annual returns

3.9 The 1992 Order requires an organisation to submit an annual return to the Certification Officer before 1 June following the calendar year to which the return relates. For most organisations, the calendar year is also the financial year. In this reporting period, the Office anticipated the receipt of a total of 120 annual returns from trade unions and employers' associations. All of these returns were submitted on time. The Office continues to seek full compliance with the statutory requirements, and will take appropriate steps, to improve the performance of organisations, which consistently submit late returns.

Prosecutions

3.10 There were no prosecutions during the period of this report for failure to submit a return.

Authorised Northern Ireland resident

3.11 Every trade union or employers' association carrying on business in Northern Ireland, which has its head or main office outside Northern Ireland, must provide the Certification Officer each year with the name and address of at least one Northern Ireland resident authorised to accept on its behalf service of process and any notices required to be served on it. The resident does not have to be a member of the organisation.

3.12 Every trade union and employers' association headquartered outside Northern Ireland, which has submitted a return to the Office, has complied with this statutory requirement.

Public inspection of annual returns

3.13 Copies of the annual returns and the rules of trade unions and employers' associations with Northern Ireland members from 1992 onwards are available for public inspection at the Certification Office. While the returns provide detailed and comprehensive financial information, a one-page financial summary is also included for ease of interpretation.

3.14 The Office continued its review to establish whether certain Great Britain headquartered trade unions and employers' associations, which were not sending annual returns to it, had Northern Ireland members and was therefore required by statute to submit such returns. As a result one Great Britain headquartered trade union, the Aircrew Officers' Association Europe, is now sending a return to the Office. Information drawn from this return can be found at Appendix 3 to this report. No further employers' associations with Northern Ireland members were identified during this reporting period.

Statement to members of a trade union

3.15 Trade unions headquartered in Northern Ireland must issue a statement containing specific information to all members within eight weeks of the submission of the annual return to the Certification Officer. The 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 the president, the general secretary and each member of the executive.

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

3.16 The statement must also tell members how they can complain should they be concerned that some irregularity is occurring or has occurred in the financial affairs of the trade union. Article 11A(6) of the 1992 Order specifies exactly what the statement must say on this matter, and the prescribed wording is reproduced below:

"A member who is concerned that some irregularity may be occurring, or has occurred, in the conduct of the financial affairs of the union may take steps with a view to investigating further, obtaining clarification and, if necessary, securing regularisation of that conduct.

The member may raise any such concern with such one or more of the following as it seems appropriate to raise it with: the officials of the union, the trustees of the property of the union, the auditor or auditors of the union, the Certification Officer for Northern Ireland (who is an independent officer appointed by the Department for the Economy) 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 the rules of the union and contemplates bringing civil proceedings against the union or responsible officials or trustees, he should consider obtaining independent legal advice.”

3.17 It is not a requirement that the statement to members be distributed individually; unions may “use any other means...which it is the practice of the union to use when information of general interest to all its members needs to be provided to them” (Article 11A(2)).

3.18 Trade unions have readily complied in the main, with the requirements to provide members with a statement, which contained the required information and met the statutory timescale. The Office will endeavour to ensure that full compliance with the Order is maintained.

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

3.19 Under the 1992 Order (Articles 12A to 12E) the Certification Officer has power to investigate the financial affairs of trade unions and employers’ associations. She may, if she thinks there is good reason to do so, give a direction to the organisation concerned to produce relevant documents and explanations of them and specify the date by which these are to be provided. In addition, she may appoint inspectors to investigate the organisation’s financial affairs and to report to her on them. Under Article 12B(2) she may appoint inspectors only if there are circumstances suggesting one or more of the following:

- (a) *that the financial affairs of the trade union or employers’ association have been or are being conducted fraudulently or unlawfully;*
- (b) *that those managing those affairs have been guilty of fraud, misfeasance or other misconduct in connection with that management;*
- (c) *that the organisation concerned has failed to comply with a duty under the Order relating to its financial affairs; or*
- (d) *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 such circumstances and the Certification Officer must then consider whether it is appropriate to exercise her powers to give a direction and/or appoint an inspector.

- 3.20 Information suggesting that one or more of the situations described in the previous paragraph has occurred may come to the Certification Officer's attention from a variety of sources including, for example, members who query information supplied by a trade union in its statement to members, or have evidence of some other kind.
- 3.21 Not all the information received by the Office is of sufficient merit to warrant an approach to the body concerned. Where an approach is warranted, the matter may often be resolved through correspondence or informal meetings, or both.
- 3.22 No enquiries into the financial affairs of an employers' association were in progress during this reporting period. The Certification Officer did not have occasion to use her powers to require any trade union or employers' association to produce documents during the reporting period.
- 3.23 At the end of the previous reporting year 2016-17, one enquiry was in progress by the Great Britain Certification Officer concerning allegations of financial irregularity in a Great Britain-based trade union with members in Northern Ireland, the Unite the Union Bassa branch. By the end of this reporting period, this enquiry was still ongoing.

Access to accounting records

- 3.24 Article 37 of the 1992 Order gives members of a trade union a right of access to any accounting records which the union has available for inspection (under this Article unions have a duty to keep records available for six years). A member who claims that a trade union has failed to comply with his or her request for access to its accounting records may apply to the Certification Officer or the High Court. The Certification Officer may not consider an application if the applicant has applied to the High Court in respect of the same matter. Similarly, once an application has been made to the Certification Officer the same matter may not be put to the High Court.
- 3.25 On application to her, the Certification Officer is required to make such enquires as she thinks fit and give the applicant and the trade union an opportunity to be heard. So far, as is reasonably practicable, applications are to be determined within six months of being made. An applicant's expenses in attending a hearing, may in certain circumstances be reimbursed by the Office.

- 3.26 Where the Certification Officer is satisfied that the claim is well-founded she is required to make such an order as she considers appropriate for ensuring that the applicant -
- (a) is allowed to inspect the records requested;
 - (b) is allowed to be accompanied by an accountant when making the inspection of those records; and
 - (c) is allowed to take, or is supplied with, such copies of, or of extracts from, the records as she may require.

An order made by the Certification Officer may be enforced in the same way as an order of the High Court.

- 3.27 Where the Certification Officer requests a person to furnish information in connection with enquiries made by her under Article 37, she must specify the date by which she is to receive the information and may proceed to determine the application if the information has not been provided by that date.

- 3.28 No applications concerning access to accounting records were received in the period of this report.

- 3.29 The Great Britain Certification Officer concluded one complaint, carried over from the previous reporting period 2016-17, in respect of a Great Britain based union with members in Northern Ireland:

Markham v GMB (D/51/17-18) The Certification Officer upheld the complaint but did not deem it necessary to make an order as the union had subsequently provided access to the accounting records.

Articles 10 to 11 of the Industrial Relations (Northern Ireland) Order 1992 and in GB articles 28 to 30 of the Trade Union and Labour Relations (Consolidation) Act 1992 do not define 'accounting records'. However, the GB Certification Officer has considered this matter in the cases of **Mortimer v Amicus (D/1/03)**, **Foster v Musicians Union (D/13-17/03)** and, **Lee v NASUWT (D/3/06)**. This was reconsidered in the case of **Mills v Unite the Union (D/38/15-16)**. The decision was appealed to the Employment Appeal Tribunal (EAT)

(UKEAT/0148/16/LA). Although upholding the decision and dismissing a cross-appeal the EAT did make a point significant to this decision. At paragraph 60 of their decision the EAT stated:

“we disagree with this [the Certification Officer] observation “that accounting records are those that are created or kept principally for the purpose of accounting”. Whether something is an accounting record an objective test is to be applied. It may be that invoices and receipts are retained for the purpose of accounting. They may need to be made available to the auditor for checking the accounts. The fact that documents are kept for the purposes of accounting does not transform them into accounting records within the meaning of TULRCA Section 28(1)(a) and (2). The EAT goes on to say at paragraph 61: Proper accounting records within the meaning of Section 28 are those, which are “necessary to give a true and fair view of the state of affairs of the trade union and explain its transactions”.

3.30 Copies of all decisions of the Certification Officer for Great Britain are available on the Certification Officer’s website: www.gov.uk/certificationofficer.

CHAPTER 4

FINANCIAL AND MEMBERSHIP INFORMATION AND MEMBERSHIP REGISTER

This chapter is about the membership, income and expenditure of trade unions and employers' associations in the year ending 31 December 2017. It also describes the Certification Officer's jurisdiction to determine complaints about the maintenance of trade unions' membership registers.

Information from 2017 returns

- 4.1 Appendices 1-7 give information derived from annual returns of trade unions and employers' associations submitted to the Certification Office by June 2018. That information and the following comments in this chapter relate to organisations whose financial year ended on 31 December 2017, unless otherwise indicated.

Trade Unions - salaries and benefits

- 4.2 Trade unions are required to include in their annual return information about the salaries and benefits paid from their funds to certain of their national officers and executive members. For the purposes of the returns, 'benefits' means benefits designated taxable by the Inland Revenue, pension/superannuation contributions, and redundancy/other termination payments. Benefits with a value of £100 or more in any accounting period are included.
- 4.3 Appendix 6 gives details of the salary and benefits paid by trade unions with Northern Ireland members to their general secretary. The information covers trade unions headquartered in Northern Ireland, the Republic of Ireland and Great Britain. There is no requirement on unions to provide information about the salary or benefits of employees other than the general secretary, even if (as may occasionally happen) they are paid more than the general secretary. Employer's pension contributions make up a significant proportion of the benefits paid. Employer's national insurance contributions are excluded from the information in Appendix 6.

Trade unions - membership register

- 4.4 Under Article 3 of the 1995 Order, a trade union has a duty to maintain a register of the names and addresses of its members, and so far as reasonably practicable to ensure that entries in

the register are accurate and up-to-date. A trade union must allow any member, on request, with reasonable notice, to ascertain from the register free of charge whether there is an entry on it relating to him or her. The member may request from the union a copy of any such entry, and this is to be provided either free of charge, or on payment of a reasonable fee.

- 4.5 An application that a trade union has failed to comply with the requirements of Article 3 may be made to the Certification Officer or the High Court, but the same applicant may not apply to both in respect of the same alleged failure.
- 4.6 Where the Certification Officer makes a declaration, she is required, unless she considers that to do so would be inappropriate, to make an enforcement order imposing on the union one or both of the following:
- (a) to take such steps to remedy the declared failure, within such period, as may be specified in the order;
 - (b) to abstain from such acts as may be so specified with a view to securing that a failure of the same or a similar kind does not occur in future.
- 4.7 A declaration made by the Certification Officer may be relied on as if it were a declaration made by the High Court. An enforcement order made by the Certification Officer may be enforced in the same way as an order of the High Court.

Trade Unions - membership and financial information

- 4.8 The annual returns of trade unions must provide figures for both total membership and members who pay contributions. There may be significant differences between these two figures, usually because total membership figures can include student members, retired and unemployed members, members on long-term sick leave and maternity/childcare leave, and those on career breaks.

4.9 The total Northern Ireland membership of all trade unions since 2011 is outlined in Figures 1 and 2. Total Northern Ireland trade union membership at 31 December 2017 was recorded as 240,054.

75% of all Northern Ireland trade union members belong to Great Britain-based trade unions with 20% and 5% respectively being members of Northern Ireland and Republic of Ireland-based trade unions (see Figure 3).

Total Northern Ireland Trade Union Membership 2011 - 2018								
Year	2011	2012	2013	2014	2015	2016	2017	2018
Membership	237,971	243,235	243,233	241,875	240,811	242,988	235,228	240,054

Figure 1.



Figure 2.

Total Northern Ireland Membership of Trade Unions at 31 December 2017

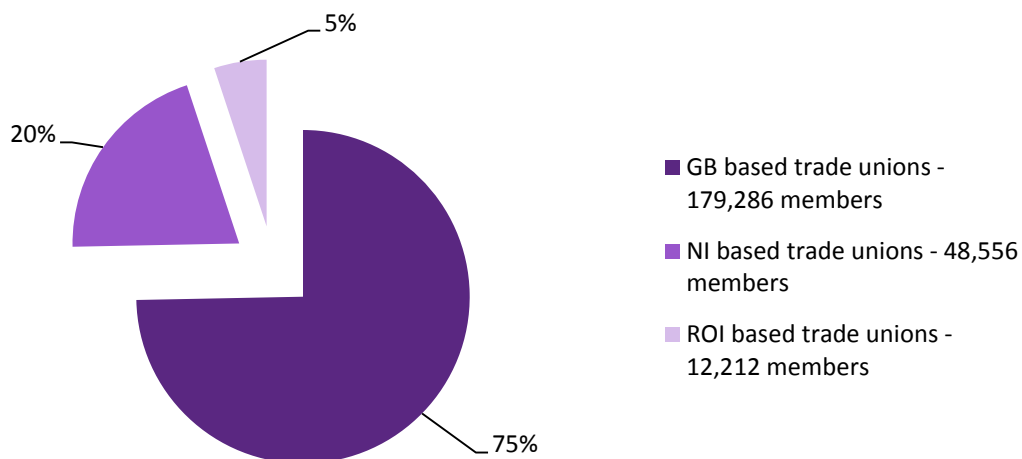


Figure 3.

4.10 Trade union income derives mainly from membership subscriptions and investments. There may also be additional income and assets arising if, for example, a union accepts the transfer of engagements of another union. In 2017, the total income of Northern Ireland-based trade unions was £4.8 million, total expenditure was £3.5 million, and net assets were £4.9 million.

4.11 Appendix 1 gives a summary of membership and finance statistics for Northern Ireland trade unions and Republic of Ireland trade unions with Northern Ireland members for the reporting period 2017-18. This shows a total of 48,596 members of Northern Ireland unions providing an annual contribution of £4.8 million; while there were 12,212 Northern Ireland members of Republic of Ireland unions providing an annual contribution of €2.2 million. In 2017, the total income of the Republic of Ireland unions was €52.6 million, total expenditure was €48.9 million and net assets were €99 million.

4.12 Financial and membership details of 41 Great Britain unions with 100 or more Northern Ireland members are given in Appendix 2. In 2017-18, 178,309 Northern Ireland members of these unions contributed £23 million. The total income of these unions in the year was £1,214 million, total expenditure was £832 million and net assets were £1,171 million.

4.13 Membership details of a further 33 Great Britain based trade unions with under 100 Northern Ireland members are listed in Appendix 3. This records a total of 977 Northern Ireland members contributing £140,930. In 2017-18, the total income of these unions was £20 million, total expenditure was £18 million and net assets were £25 million.

Employers' associations - membership and financial information

4.14 Employers' associations are not required to provide the Certification Officer with details of officers' salaries and benefits.

4.15 A summary of statistics on the membership and finances of nine Northern Ireland employers' associations for 2017-18 is given in Appendix 4. These figures include both general funds and, where applicable, funds maintained for specific purposes. The total Northern Ireland membership of employers' associations since 2011 is outlined in Figure 4. In 2017-18 the total income of these organisations was £6.6 million, expenditure was £5.7 million, and net assets were £13.4 million.

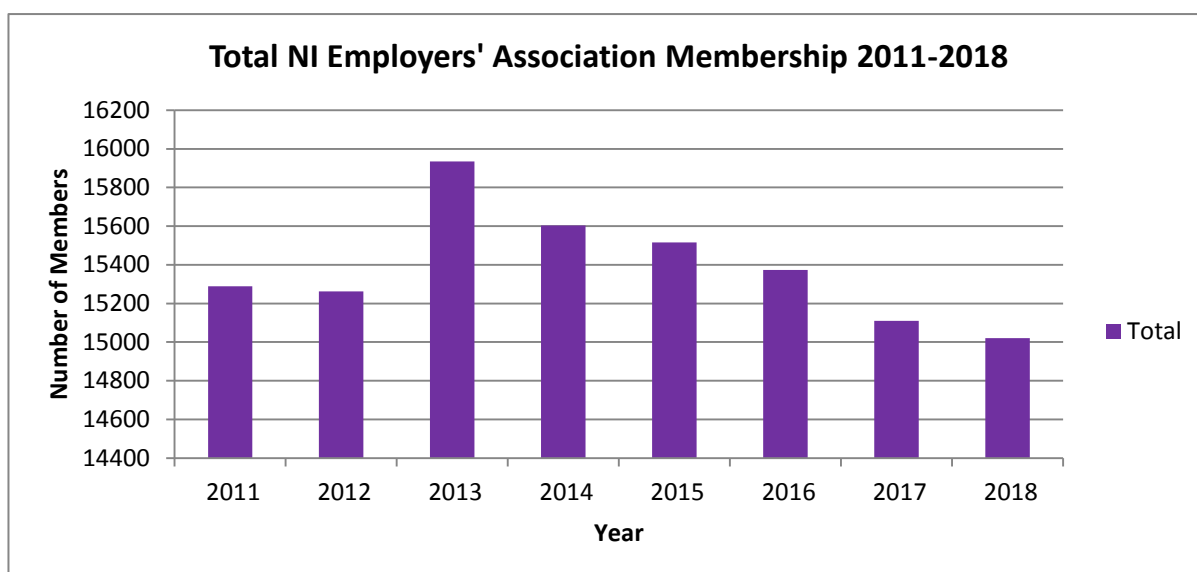


Figure 4.

4.16 Details of 28 Great Britain employers' associations with Northern Ireland members are given in Appendix 5. In 2017-18, these organisations received contributions amounting to £1.5 million from their Northern Ireland members. Their total income was £116 million, expenditure was £110 million, and net assets were £185 million.

CHAPTER 5

SUPERANNUATION SCHEMES

It is a legal requirement that any superannuation scheme maintained by a trade union or an employers' association for the benefit of members be actuarially examined at least every five years and a copy of the actuary's report 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 Schedule 1 to the 1992 Order requires that any superannuation scheme maintained by a Northern Ireland based trade union or employers' association⁴ for its members, must be examined periodically by a qualified actuary and a copy of each actuarial report sent to the Certification Officer. The actuarial examination is required to be made, not later than five years after the effective date of the preceding examination, but the Certification Officer has power to direct that, in any particular case, the period of five years may be reduced to such shorter period as she may specify. The Certification Officer also has power to exempt a members' superannuation scheme from actuarial examination if it applies only to a small number of members or for any other special reasons. 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 trade union or employers' association must supply a copy of any actuarial report made under Schedule 1 free of charge to any member on request.
- 5.2 Schedule 1 requires that the report by the actuary following his or her examination of any scheme shall state whether in his or her 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.

⁴ In practice, the requirements affect trade unions only; the Office is not aware of any schemes maintained by employers' associations.

Schemes maintained - Northern Ireland

5.3 During the period of this report, no trade union or employers' association based in Northern Ireland operated a superannuation scheme for its members.

Schemes maintained – Great Britain

5.4 Three Great Britain based trade unions, which have Northern Ireland members, maintained members' superannuation schemes at 31 March 2018:

- General Municipal Boilermakers (GMB),
- National Union of Rail, Maritime and Transport Workers (RMT);and
- Unite the Union (6 schemes).

5.5 No Great Britain-based employers' association operated a members' superannuation scheme.

Actuarial reports

5.6 The Great Britain Certification Officer was due and received three actuarial reports during this reporting period from Great Britain based trade unions with Northern Ireland members. The actuarial reports were on the Unite the Union BAeSSA Superannuation Fund – a members' superannuation scheme operated by Unite the Union, the RMT Orphan Fund operated by the National Union of Rail, Maritime and Transport Workers, and the GMB – BMS Section Members' Superannuation Fund operated by the GMB. There were no outstanding reports due at the end of the period. Unite the Union – AEEU Section Superannuation Fund is due to provide an actuarial report in the following period. This scheme is due to report to the Certification Officer by 31 December 2018.

CHAPTER 6

MERGERS

Mergers between trade unions and between unincorporated employers' associations must be conducted under the relevant statutory procedures, which include a ballot of members. The procedures allow members to complain to the Certification Officer about particular aspects of the balloting process. This chapter deals with the statutory background.

The statutory provisions

- 6.1 The 1995 Order and the Trade Unions and Employers' Associations (Amalgamations, etc.) Regulations 1965, as amended, lay down procedures governing two types of merger between trade unions and between unincorporated employers' associations. The procedures apply, with certain modifications, to mergers between Northern Ireland organisations and organisations in Great Britain, and to both listed and unlisted organisations. Their main purposes are to facilitate the merger process 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 The two types of merger are a *transfer of engagements* and an *amalgamation*. Under a transfer of engagements, a 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 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 who must approve them before a ballot of members on the merger proposal can be held. The statutory fee payable for approval of the instrument is shown in Appendix 9.

- 6.4 Ballots must be postal⁵ 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. 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 voting paper. Other requirements relate to storage, distribution and counting of votes by independent persons and the availability of a union's membership register and the circumstances of its inspection by an independent scrutineer. For mergers involving employers' associations, the provisions are slightly different. Details can be found in the guidance booklet (see paragraph 6.9 below).
- 6.5 In a transfer of engagements, only the members of the transferring organisation vote on the instrument of transfer. In an amalgamation, the members of each amalgamating organisation vote. If the required majority of votes recorded in the ballot is in favour of the transfer or amalgamation, an application to register the instrument may be made to the Certification Officer. Before making such an application, the union must send a copy of the scrutineer's report to every member, or notify them of its contents by other means. Members must also be told that they will, on request, be provided with a copy of the scrutineer's report - either free or subject to a reasonable specified charge. The Certification Officer has power to direct an organisation to publicise its application to register a transfer or amalgamation.
- 6.6 An interval of six weeks must elapse between the application for registration of an instrument and registration itself; and before the expiry of the six week period any member of a 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 has not been observed. If, after giving the parties an opportunity to be heard, the Certification Officer finds the complaint justified, she must make a declaration to that effect, and she may make an order specifying the steps which must be taken before she will register the instrument. There is a right of appeal against the Certification Officer's decision to the Court of Appeal on a point of law.

⁵ *The 1995 Order provides that a trade union member may, for reasons of personal safety request his union to send him a voting paper by some means other than post.*

- 6.7 Article 82A of the 1995 Order provides for automatic listing of a new organisation formed by the amalgamation of organisations on the list at the time of amalgamation (see paragraph 1.7), and for automatic issue of a certificate of independence to a new union formed by amalgamation of unions which held a certificate at the time of amalgamation (see Chapter 2, paragraph 2.5).
- 6.8 Formal documents kept by the Certification Officer relating to mergers under the 1995 Order are available for public inspection. The statutory fee payable is shown in Appendix 9.

Information on procedures

- 6.9 Certification Office staff will offer information on the statutory provisions and are always prepared to meet officials of organisations considering a merger to discuss procedures and time tables. The Office has produced two booklets on the statutory requirements for transfers of engagements and amalgamations, one for 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, and are available on the website www.nicertoffice.org.uk.

Mergers proposed or completed

- 6.10 No formal proposals to enter into a transfer of engagements or an amalgamation were received from any Northern Ireland-based union during the period of this report.

Mergers of Great Britain unions with Northern Ireland members

- 6.11 During this reporting period, there was one registered transfer of engagements involving a Great Britain-based union with Northern Ireland members; this was:
- The Association of Teachers and Lecturers, which ceased to exist on 1 September 2017, following its amalgamation with the National Union of Teachers to form the National Education Union.

Full details have been given in paragraph 1.10 of this report.

CHAPTER 7

POLITICAL FUNDS

The 1995 Order enables trade unions and unincorporated employers' associations to establish separate funds for the furtherance of political objects. They can only do so if a ballot of the members has passed a resolution adopting the political objects. The Certification Officer is the statutory authority for approving the establishment and continuance of such funds. This chapter explains the statutory provisions, including those relating to the exemption of Northern Ireland members and to complaints by trade union members about breaches of political fund rules.

The statutory provisions for Northern Ireland organisations

General

- 7.1 A trade union or an unincorporated employers' association, whether listed or not, can include the furtherance of political objects among its objects. A resolution to adopt political objects ('a political resolution') must be passed by the members in a postal ballot⁶ held under rules ('political ballot rules') which have been approved by the Certification Officer. An independent scrutineer must be appointed to oversee the ballot. If political objects are adopted, rules governing the expenditure of funds on them must also be adopted. The Certification Officer must approve these 'political fund rules'.
- 7.2 Trade unions and employers' associations are required to renew periodically their authority to spend money on political objects. They must pass a political resolution by ballot of their members ('a review ballot') at least once in every 10 years. Each new ballot must be held in accordance with rules approved by the Certification Officer.

Exemption

'Contracting-in'

- 7.3 Unlike members of trade unions and employers' associations in Great Britain, members in Northern Ireland must provide a written authority (Article 59(1) of the 1995 Order) to their organisation before any contribution to the political fund may be taken from them, whether by way of deduction from their normal membership subscription or through a separate levy. This statutory requirement is known colloquially as 'contracting-in'.

⁶ See footnote to Chapter 6.

The rules of trade unions and employers associations must provide for each member to know what portion, if any, of his or her normal contribution is a contribution to the political fund. The Certification Officer must approve these rules.

- 7.4 A member who does not 'contract-in' to the political fund is exempt from contributing to it and any deduction or levy for that purpose would be unlawful. Any Northern Ireland member of a trade union or employers' association who believes an unauthorised deduction or levy has been made may complain to the Certification Officer.
- 7.5 Members not contributing to the political fund must not be excluded from any benefits of the organisation or placed under any disability or disadvantage compared with other members, except in relation to the control or management of the political fund. Contribution to the political fund must not be made a condition for admission to the organisation.

'Contracting-out'

- 7.6 Any member who having initially 'contracted-in' to a political fund and wishes subsequently to 'contract-out' of it must give a written 'notice of withdrawal' (Article 59(2) of the 1995 Order). This may be delivered at the head office or a branch office of the organisation by the member in person or by any authorised agent or by post. The withdrawal takes effect from the 1 January next following the giving of the notice. If any deduction is made after that date the member may complain to the Certification Officer.

Great Britain and Republic of Ireland organisations

- 7.7 The statutory requirement that Northern Ireland members of trade unions and unincorporated employers' associations must 'contract-in' to a political fund applies regardless of where their organisation is headquartered. The requirements and conditions outlined in paragraphs 7.3 to 7.6 therefore apply also to Northern Ireland members of trade unions and employers' associations headquartered in Great Britain or the Republic of Ireland.
- 7.8 Two Republic of Ireland trade unions with Northern Ireland members operate political funds. The unions concerned, Services, Industrial, Professional and Technical Union (SIPTU) and the Irish National Teachers Organisation (INTO), have given the Certification Officer an assurance that they do not take political fund contributions from Northern Ireland members.

Political fund model rule for Great Britain organisations

7.9 A political fund model rule covering Northern Ireland members has been agreed with the Great Britain Certification Officer for use by Great Britain based unions. It is included in the booklet '*Guidance for trade unions and employers' associations wishing to establish a political fund*⁷' issued by the Great Britain Certification Office. Approval for use of the model rule, and for any proposed amendment of it, must be obtained from the Northern Ireland Certification Officer before any lawful political fund contribution may be levied on a Northern Ireland member, even if the member has provided a written authority. Great Britain trade unions and employers' associations, which are intending to adopt or amend the model rule, should contact the Northern Ireland Certification Office in advance.

Complaints

7.10 Any member of a trade union or employers' association who considers that its 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, she may make an order requiring the organisation to remedy it.

7.11 A member may 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 approved political ballot rules. Any complaint must be made within the period of one year beginning with the day on which the result of the ballot is announced.

7.12 A member who claims that money has been spent on political objects without a political fund resolution being in force, or without approved political fund rules, may apply to the Certification Officer for a declaration to that effect. If the Certification Officer makes a declaration she may also make such order for remedying the breach as she thinks just in the circumstances. Appeals against decisions of the Certification Officer may be made to the Court of Appeal on a question of law.

7.13 As mentioned earlier, Northern Ireland members who consider that political fund contributions are being taken from them without their written authority may complain to the

⁷ Available at <https://www.gov.uk/government/publications/set-up-a-political-fund-for-a-trade-union-or-employers-association>

Certification Officer. If she upholds a complaint, the Certification Officer may make an order to remedy the breach. The appeal mechanism is as in paragraph 7.12 above.

7.14 Northern Ireland members of a Great Britain headquartered trade union or employers' association who consider that its political fund rules have been breached, other than in relation to their political fund contributions, may complain to the Great Britain Certification Officer, Certification Office, Lower Ground Floor, Fleetbank House, 2-6 Salisbury Square, London EC4Y 8JX. Enquiries should be made to this Office, tel: 0330 109 3602, e-mail: info@certoffice.org.

Advice on procedures

7.15 On request, the Office will give advice on the procedures for establishing political funds and for holding review ballots. Guidance booklets, which include model rules are available free of charge from the Office or can be downloaded from the website www.nicertoffice.org.uk. A trade union or employers' association wishing to ballot its members on a political fund resolution should contact the Office at an early stage.

Northern Ireland organisations with political fund rules

7.16 No Northern Ireland organisation had political fund rules in force at 31 March 2018.

Great Britain organisations with political fund rules approved by the Northern Ireland Certification Officer

7.17 There were 18 Great Britain trade unions with Northern Ireland members operating political funds at 31 March 2018. One union established a new political fund and one union closed its political fund since the last reporting period. These unions were the Society of Radiographers who following a ballot in February 2016 approved the establishment of a political fund which was subsequently brought into action in January 2017 and the Association of Revenue and Customs which confirmed on 19 January 2018 the closure of its political fund. Of these, 16 had Northern Ireland members 'contracting-in'.

7.18 The 2017 returns show that 33,400 recorded Northern Ireland members of these trade unions - representing some 23.6% of the total Northern Ireland membership – contributed £183,141

towards political funds. A list of the 16 unions, showing the number of Northern Ireland members and the amount of their financial contributions, is given at Appendix 7. The two Great Britain unions whose Northern Ireland members did not contribute to their political funds in 2017 are listed in Appendix 8.

Great Britain organisations with new political fund rules approved for the first time in this reporting period

7.19 No new political funds were approved in 2017-18.

Amendments to rules of Great Britain organisations

7.20 Amendments to the political fund rules of Great Britain organisations require the approval of the Great Britain Certification Officer. To the extent that they relate to the contributions of Northern Ireland members, they also require the approval of the Northern Ireland Certification Officer. Four Great Britain trade unions with Northern Ireland members had amendments to their political fund rules approved during 2017-18 by the two Certification Officers. The four unions were Prospect, USDAW, the POA and the University and College Union.

Political fund review ballots held by Great Britain organisations

7.21 During the reporting period, one Great Britain union with Northern Ireland members held a political fund review ballot. This was the POA, whose review date was 15 August 2017. The POA's political fund was approved on 25 October 2017 meaning there was a period in which the union's political fund resolution had lapsed.

Political fund complaints by Northern Ireland members to the Great Britain Certification Officer

7.22 There were no such complaints in this reporting period.

CHAPTER 8

SECRET POSTAL BALLOTS FOR TRADE UNION ELECTIONS

The 1995 Order requires that certain officers and all members of a trade union's executive committee must be elected by secret postal ballot.⁸ No one may continue to hold one of those positions for more than five years without being re-elected. This chapter deals with the statutory provisions governing elections. As explained in Chapter 9, the Certification Officer also has powers to deal with breaches of a union's own rules governing elections and certain other matters.

The statutory provisions

- 8.1 A trade union must ensure that no one takes up a position as a member of its principal executive committee or as its president or general secretary, without having been elected to that position. 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 amalgamations, special register bodies, newly formed unions, and officers nearing retirement. Elections must be by secret postal ballot of the members of the union, conducted in accordance with the provisions in the 1995 Order (Articles 12 to 28).
- 8.2 Individual trade union members have a statutory right to apply to the Certification Officer for a declaration that their trade union has failed to comply with one or more of the relevant provisions of the Order. After giving the applicant and the union an opportunity to be heard, the Certification Officer may make or refuse the declaration asked for. Where she makes a declaration she must also, unless she considers it inappropriate, make an order imposing on the union one or more of the following requirements -
- (a) to hold the election in accordance with the order;
 - (b) to take such other steps to remedy the declared failure as may be specified in the order;
and
 - (c) to abstain from such acts as may be specified with a view to ensuring that a failure of the same or a similar kind does not occur in future.

⁸ See footnote to Chapter 6

Disclosure of applicant's identity, hearings, appeals, etc.

- 8.3 Article 70 of the 1992 Order requires the Certification Officer to make provision about the disclosure or otherwise of the identity of an individual who has made, or is proposing to make, any application, or complaint.
- 8.4 The Certification Officer has accordingly made provision that the identity of an individual who makes or is proposing to make an application or complaint relating to a trade union will not generally be disclosed to the union unless or until the application or complaint is accepted. When an application or complaint is accepted, the Certification Officer will generally disclose the individual's identity to the union (and to such others as she thinks fit), unless she decides that the circumstances are such that it should not be disclosed. The Certification Officer makes that decision on a case-by-case basis. Fear of denigration will not of itself normally justify non-disclosure. The provision made by the Certification Officer under Article 70 of the 1992 Order is on the Office website: www.nicertoffice.org.uk.
- 8.5 When a hearing is held on any application or complaint, expenses incurred by applicants and their necessary witnesses in attending the hearing may in certain circumstances be reimbursed by the Office at the discretion of the Certification Officer. All hearings before the Certification Officer are held in public.
- 8.6 Appeals on any question of law arising in proceedings before, or from a determination by, the Certification Officer may be made to the Court of Appeal.
- 8.7 If the Certification Officer decides, that there has been a breach of the statutory provisions she must state in her declaration any steps, which the union has taken or has agreed to take to remedy the breach or prevent such a breach occurring in the future.

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

Applications and decisions

8.9 During the period covered by this report, the Certification Officer made no decisions relating to alleged breaches of the statutory provisions.

8.10 During this reporting period, the Great Britain Certification Officer received multiple applications regarding the election of the General Secretary of Unison. These applications were outstanding at the end of this reporting period. The Great Britain Certification Officer made the following decision relating to elections in Great Britain trade unions with Northern Ireland members:

Henderson v GMB (D/39-43/15-16) The Certification Officer determined an application relating to the election of the General Secretary of the GMB. Mr Henderson alleged four breaches of Section 47(1) of the 1992 Act and one breach of the rules of the GMB. The Certification Officer dismissed all five complaints. Mr Henderson has appealed this decision to the EAT.

The full text of these decisions is available on the Great Britain Certification Office website:

www.gov.uk/certificationofficer.

CHAPTER 9

APPLICATIONS CONCERNING BREACHES OF TRADE UNION RULES

A member of a trade union who claims that there has been a breach or threatened breach of the rules of a trade union relating to certain matters set out in Article 90A(2) of the 1995 Order may apply to the Certification Officer for a declaration to that effect. This chapter explains breach of rule applications and how they are dealt with.

The statutory provisions

9.1 Individual trade union members have the right to apply to the Certification Officer if they believe there has been a breach or threatened breach of a trade union's rules relating to any of the matters set out in Article 90A(2) of the 1995 Order. These matters are:

- (a) the appointment or election of a person to, or the removal of a person from, any office;
- (b) disciplinary proceedings by the union (including expulsion);
- (c) the balloting of members on any issue other than industrial action;
- (d) the constitution or proceedings of any executive committee or of any decision-making meeting; and
- (e) such other matters as may be specified in an order made by the Department for the Economy.

9.2 The applicant must be a member of the union, or have been a member at the time of the alleged breach or threatened breach. The Certification Officer may not consider an application if the applicant has applied to the High Court in respect of the same matter. Similarly once an application has been made to the Certification Officer the same matter may not be put to the High Court.

9.3 The Certification Officer may refuse to accept an application if she is not satisfied that the applicant has taken all reasonable steps to resolve the claim by the use of any internal complaints procedure of the union.

9.4 If the Certification Officer accepts an application, she must make such enquiries as she thinks fit and, before reaching a decision on the application, provide the applicant and the trade

union with an opportunity to be heard. Article 70ZA of the 1992 Order gives the Certification Officer the power to strike out certain applications or complaints.

- 9.5 The Certification Officer must give reasons for her decision in writing and, where she makes a declaration that there has been a breach or threatened breach of rule, she is required to make an enforcement order unless she considers that to do so would be inappropriate. The enforcement order may impose on the union one or both of the following requirements:
- (a) to take such steps to remedy the breach, or withdraw the threat of a breach, as may be specified in the order; and
 - (b) to abstain from such acts as may be so specified with a view to securing that a breach or threat of the same or similar kind does not occur in future.

Where an order imposes a requirement on the union as in (a) above, it must specify the period within which the union is to comply with the requirement.

- 9.6 An order made by the Certification Officer may be enforced, by any person who is a member of the union and was a member at the time the order was made, in the same way as an order of the High Court.
- 9.7 An appeal may be made to the Court of Appeal, on any question of law arising in, proceedings before, or from a determination by, the Certification Officer. Appeal is by way of notice of appeal and rehearing, under Order 59 of the Rules of the Supreme Court (Northern Ireland) 1980.

Applications and decisions

- 9.8 During the period of this report, the Certification Officer issued two decisions on applications by two trade union members:

Kilgallon v Unite the Union (D/01/17) Mr Kilgallon made one complaint under Article 90A of the 1995 Order alleging a breach of union rule relating to the election of a person to office. The Certification Officer struck out the application on the basis that she could not find any case for a breach of rules under her jurisdiction, which had a reasonable prospect of success.

Murphy v Unite the Union (D/06/17) Mr Murphy made one complaint under Article 90A of the 1995 Order alleging a breach of union rule relating to the election of unions officials and record keeping of official meetings. The application was dismissed upon withdrawal by the applicant.

9.9 Copies of the Certification Officer's decisions are available free of charge from the Office, and published on the Office website: www.nicertoffice.org.uk.

9.10 The Certification Officer does not have power to determine every kind of complaint that a union member may wish to make. The jurisdiction of the Certification Officer is strictly defined by the statutory provisions. General grievances or complaints about a trade union may not fall within her jurisdiction and therefore may not be accepted by her.

9.11 The Great Britain Certification Officer made the following decisions in cases of alleged breach of rule by Great Britain trade unions with Northern Ireland members:

Mr M Rolfe v POA (D/53-55/17-18) Mr Rolfe made three complaints of breach of union rules in relation to a disqualification from holding NEC posts until 2016. Two complaints were dismissed upon their withdrawal by Mr Rolfe. The Certification Officer upheld one complaint in relation to a breach of union rule 10.9. The Certification Officer ordered that the NEC remove the disqualification of Mr Rolfe from holding any National Executive post, which was imposed on him under rule 10.9 following his resignation as a Prison Officer on 3 May 2017. This order will take effect from the date of this decision. The POA have appealed against this decision to the Employment Appeal Tribunal.

Barron v University College Union (D/40-48/17-18) Professor Barron made nine complaints of breaches of rule of the London School of Economics branch of the UCU pursuant to s.108A(2) of the Trade Union and Labour Relations (Consolidation) Act 1992. HHJ Mary Stacy, the Assistant Certification Officer appointed to hear this case, made a declaration that breaches had occurred in relation to two of the complaints, which concerned branch elections. The other complaints were dismissed. The

Assistant Certification Officer did not make any enforcement orders. Professor Barron has appealed against this decision to the Employment Appeal Tribunal.

Mr Alec McFadden v Unite the Union (D/28-29/17-18) The applicant made two complaints under section 108A(1) of the Trade Union Labour Relations (Consolidation) Act 1992 that Unite the Union had breached its rules relating to disciplinary proceedings. Following submissions from the parties on two preliminary issues Jeffrey Burke QC, the Assistant Certification Officer, appointed by the Certification Officer to hear the complaints, decided to uphold the applicant's complaints of breach of rules. The Assistant Certification Officer, ordered that Unite take all reasonable steps to ensure that the Claimant is restored within 14 days of this order, for the remainder of the respective terms of each office, to each of the posts and positions within Unite from which he was removed by reason of the penalties imposed in those disciplinary proceedings and should forthwith communicate to each of its branches in its North-West region his decision in this case.

Mr Tully v National Crime Officers Association (D/23-27/17-18) The applicant made five complaints under section 108A(1) of the Trade Union Labour Relations (Consolidation) Act 1992 that the National Crime Officers Association had breached its rules relating to disciplinary proceedings. The Certification Officer made five declarations that the union had breached its rules. The Certification Officer made enforcement orders stating that the National Executive Committee's decision at its meeting on 7 to 8 September 2016 to expel Mr Tully from membership of the NCOA is null and void and that the Union make arrangements to restore Mr Tully to membership of the NCOA by 19 November 2017.

Penkethman & Walker v Communication Workers Union (D/21-22/17-18) Ms Penkethman and Mr Walker made one complaint alleging a breach of rule relating to canvassing during the 2017 elections in the Midland No 7 branch of the CWU under section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992. Mr Walker made a further separate complaint relating to the receiving of a voting paper during the same election. The Certification Officer refused both of the claimants'

applications. Mr Walker has appealed this decision to the Employment Appeal Tribunal.

Burgess and Ors, Wakefield, Bannister and Rogers v UNISON (D/5-20/17-18) The applicants made 16 complaints that UNISON had breached its rules in relation to its 2015 General Secretary election. Many of the complaints contained multiple allegations of breaches. In addition, it was alleged that the Union breached section 49(4) and 49(6) of the 1992 Act in relation to the 2015 UNISON General Secretary election. Mary Stacey, the Assistant Certification Officer appointed to hear the case, made decisions relating to all of the above complaints. She made one declaration that the union had breached its rules relating to the use of union resources used to support candidates. No enforcement order was made, on the basis that it would be disproportionately punitive, in response to the breach found, to order the General Secretary election to be run again. The Employment Appeal Tribunal dismissed an appeal made by the applicants on 8 February 2017.

The full text of these decisions is available on the Great Britain Certification Office website www.gov.uk/certificationofficer.

CHAPTER 10

PUBLIC INTEREST DISCLOSURES

The Certification Officer for Northern Ireland is authorised to receive information about fraud or other irregularities relating to the financial affairs of trade unions or employers' associations from "whistle-blowers" who are employees/workers of these organisations.

The statutory provisions

10.1 The Public Interest Disclosure (Northern Ireland) Order 1998 gives protection to workers who 'blow the whistle' on wrongdoing. It makes it unlawful for employers to subject their employees/workers to a detriment if they make disclosures about certain types of wrongdoing to persons or bodies that are authorised to receive such information (known as 'prescribed persons'). The Certification Officer for Northern Ireland is designated a prescribed person by the Public Interest Disclosure (Prescribed Persons) Order (Northern Ireland) 1999 (Statutory Rule No. 401). The relevant provisions of the Public Interest Disclosure Order are incorporated, by amendment, in Part VA of the Employment Rights (Northern Ireland) Order 1996. Disclosures to prescribed persons are covered at Article 67F of the latter Order.

10.2 The provisions of the Public Interest Disclosure Order apply only to employees or workers of trade unions or employers' associations. They do not apply to members of trade unions or employers' associations, unless those members are also employees of the organisation concerned. Members of trade unions or employers' associations who believe that there has been fraud or other misconduct in the management of their organisation's financial affairs may make a complaint to the Certification Officer under Article 12E of the Industrial Relations (NI) Order 1992.

10.3 For a disclosure to the Certification Officer to qualify for protection it must meet certain requirements. The employee/worker must:

- (a) make the disclosure in good faith;
- (b) reasonably believe that the disclosure concerns the matters for which the Certification Officer is prescribed (i.e. fraud or other irregularities relating to the financial affairs of trade unions or employers' associations); and

- (c) reasonably believe that the information disclosed, and any allegation contained within it, are substantially true.

Information on procedures

10.4 Anyone wishing to make a protected disclosure to the Certification Officer about fraud or other irregularities in the financial affairs of the trade union or employers' association for which they work, can contact the Office by e-mail: info@nicertoffice.org.uk or by post at:

The Northern Ireland Certification Officer
for Trade Unions and Employers' Associations
10-16 Gordon Street
Belfast BT1 2LG

10.5 The Department for the Economy has produced a guide to the provisions of the Public Interest Disclosure Order, which can be downloaded at www.economy-ni.gov.uk. A guidance note is also available on the Northern Ireland Certification Officer's website⁹ www.nicertoffice.org.uk. Certification Office staff are also available to provide information on the statutory provisions relating to public interest disclosures.

Public interest disclosures

10.6 During the period of this report the Northern Ireland Certification Officer received no public interest disclosures from employees/workers of a trade union or employers' association.

⁹ Available at <https://www.nicertoffice.org.uk/sites/nico/files/documents/the-public-interest-disclosure-order.pdf>.

APPENDICES
(SHOWING THE POSITION AT 31 DECEMBER 2017)

**APPENDIX 1 (SEE PARA 4.11) - (a) LIST OF NORTHERN IRELAND TRADE UNIONS (b) REPUBLIC OF IRELAND TRADE UNIONS WITH NI MEMBERS (AT 31 DECEMBER 2017
UNLESS OTHERWISE INDICATED)**

(a) List of Northern Ireland Unions	NI Members	Total Members (inc. Rol)	NI Subscription Contributions	Total Income	Total Expenditure	Funds at the End of the Year	Total Assets at the End of the Year	Total Liabilities at the End of the Year
			£'s	£'s	£'s	£'s	£'s	£'s
Belfast Airport Police Association (March 18) *	15	15	1,870	1,881	512	27,105	27,555	450
Lough Neagh Fisherman's Association *	62	62	235	235	711	1,432	1,432	0
Northern Ireland Public Service Alliance*	41,986	41,986	4,077,291	4,097,440	2,737,346	3,733,745	4,041,317	307,572
Ulster Teachers Union*	6,493	6,533	672,518	703,121	712,025	1,088,688	1,159,920	71,232
TOTALS	48,556	48,596	4,751,914	4,802,677	3,450,594	4,850,970	5,230,224	379,254

(b) Republic of Ireland Unions	NI Members	Total Members	NI Subscription Contributions	Total Income	Total Expenditure	Funds at the End of the Year	Total Assets at the End of the Year	Total Liabilities at the End of the Year
			€'s	€'s	€'s	€'s	€'s	€'s
Financial Services Union *	2,892	12,058	773,471	4,931,848	2,998,535	39,028,892	43,175,357	4,146,465
Irish National Teachers' Organisation*	7,256	43,623	1,216,762	14,686,925	12,664,894	15,036,064	22,646,737	7,610,673
Independent Workers Union *	99	1,036	6,058	101,223	102,462	0	24,738	24,738
Services, Industrial, Professional & Technical Union *	1,965	210,223	190,174	32,964,407	33,150,403	44,498,343	49,181,016	4,682,673
TOTALS	12,212	266,940	2,186,465	52,684,403	48,916,294	98,563,299	115,027,848	16,464,549
(C) Schedule of unlisted Trade Unions								
Irish Congress of Trade Unions**								
TOTALS	197,132	718,179	0	4,004,813	3,890,477	1,410,258	3,150,664	1,740,406

* Denotes a trade union holding a Certificate of Independence at 31 December 2017

** See Paragraph 1.19 [The total membership shown covers 42 unions recorded as affiliated to the ICTU in 2017, headquartered in NI, Rol and GB]

APPENDIX 2 (SEE PARA 4.12) - GB TRADE UNIONS WITH 100 OR MORE NI MEMBERS - AT 31 DECEMBER 2017 (UNLESS OTHERWISE INDICATED)

	NI Members	GB Members	Members	Rol Members	Elsewhere (incl. Channel Islands)	NI Subscription Contributions £'s	Total Income £'s	Total Expenditure £'s	Funds at the End of the Year £'s	Total Assets at the End of the Year £'s	Total Liabilities at the End of the Year £'s
ACCORD	1,641	22,160	2	2	10	153,246	2,692,726	2,399,936	5,920,673	6,095,646	174,973
Advance	510	6,153	2	2	0	42,980	872,014	479,712	2,761,889	2,811,482	49,593
Aegis the Union (June 17)	138	4,306	0	0	0	8,495	801,141	911,691	523,810	582,852	59,042
Association of Educational Psychologists	118	3,247	5	5	26	30,801	1,000,949	894,240	1,447,598	1,558,083	110,485
Association of School and College Leaders	192	18,419	1	1	83	58,820	6,115,102	6,078,654	3,727,211	4,985,894	1,258,683
Association of Teachers and Lecturers (Final Return)	3,606	148,850	15	15	622	250,336	14,492,000	14,954,000	20,681,000	25,081,000	4,400,000
Bakers, Food & Allied Workers Union	577	17,512	365	365	0	72,669	3,102,791	2,674,921	-2,556,463	2,257,845	4,814,308
British Airline Pilots' Association	238	13,199	93	93	1,158	102,082	8,159,958	6,850,179	14,856,473	15,488,965	632,492
British Association of Occupational Therapists Ltd	1,073	30,677	102	102	147	279,294	7,948,256	7,948,256	0	347,069	347,069
British Dental Association (Sept 17)	785	17,104	0	0	145	297,610	16,707,321	16,761,040	-387,989	7,287,422	7,675,411
British Dietetic Association (Feb 18)	309	8,815	59	59	136	12,000	258,814	258,814	361,913	367,818	5,905
British Medical Association	5,550	147,884	133	133	2,695	1,576,200	137,941,000	24,773,000	102,872,000	184,960,000	82,088,000
Chartered Society of Physiotherapy	1,923	54,123	183	183	912	532,794	18,567,011	16,830,042	3,788,562	27,067,448	23,278,886
Community	216	26,061	0	0	0	30,464	11,453,000	7,475,000	76,534,000	94,032,000	17,498,000

APPENDIX 2 (SEE PARA 4.12) - GB TRADE UNIONS WITH 100 OR MORE NI MEMBERS - AT 31 DECEMBER 2017 (UNLESS OTHERWISE INDICATED)

	NI Members	GB Members	Members	Rol Members	Elsewhere (incl. Channel Islands)	NI Subscription Contributions £'s	Total Income £'s	Total Expenditure £'s	Funds at the End of the Year £'s	Total Assets at the End of the Year £'s	Total Liabilities at the End of the Year £'s
Communication Workers' Union	4,828	186,190	0	403	684,250	30,470,616	34,025,388	17,905,513	44,667,235	26,761,722	
Equity	432	40,545	96	768	53,534	8,445,706	5,937,829	14,455,169	42,505,898	28,050,729	
FDA	321	16,095	0	343	82,171	4,792,499	3,473,766	3,716,325	10,048,090	6,331,765	
Fire Brigades Union	1,579	31,463	0	0	309,153	11,301,034	9,913,643	7,064,688	11,193,452	4,128,764	
GMB	11,841	601,848	358	447	1,377,319	74,399,000	62,647,000	105,338,000	109,978,000	4,640,000	
Hospitals Consultants and Specialists Association (Sep17)	130	3,164	0	21	35,750	737,517	751,418	681,224	705,117	23,893	
Musicians' Union	295	30,009	16	101	59,343	8,389,403	7,009,004	18,923,722	19,242,551	318,829	
National Association of Schoolmasters Union of Women Teachers (NASUWT)	13,547	300,541	0	2,142	1,628,210	33,600,403	34,981,080	35,888,759	56,689,944	20,801,185	
National Association of Head Teachers	930	39,674	0	1,008	234,000	10,435,000	9,082,000	6,525,000	7,166,000	641,000	
National Union of Journalists	817	23,066	2,443	693	157,000	6,101,992	6,819,997	333,873	10,411,999	10,078,126	
National Union of Rail, Maritime & Transport Workers	113	79,865	93	320	23,738	21,292,000	15,787,000	47,393,000	61,513,000	14,120,000	
Nationwide Group Staff Union	162	12,504	0	0	14,716	1,436,571	1,290,974	1,418,388	1,526,479	108,091	
Nautilus International	310	12,977	283	7,227	71,177	7,773,386	6,978,411	17,900,995	20,116,018	2,215,023	
PDA Union	533	25,690	0	0	7,995	398,343	419,247	117,514	130,859	13,345	
POA	1,092	28,919	0	0	216,196	5,082,454	5,177,702	4,312,885	5,025,558	712,673	

APPENDIX 2 (SEE PARA 4.12) - GB TRADE UNIONS WITH 100 OR MORE NI MEMBERS - AT 31 DECEMBER 2017 (UNLESS OTHERWISE INDICATED)

	NI Members	GB Members	Rol Members	Elsewhere (incl. Channel Islands)	NI Subscriptions Contributions £'s	Total Income £'s	Total Expenditure £'s	Funds at the End of the Year £'s	Total Assets at the End of the Year £'s	Total Liabilities at the End of the Year £'s
Prospect	2,195	135,357	64	4,870	30,300	24,437,000	16,172,000	22,807,000	53,350,000	30,543,000
Public and Commercial Services Union	1,563	179,392	0	108	181,531	48,312,882	34,891,406	22,393,541	24,202,745	1,809,203
Royal College of Midwives	1,654	45,152	24	337	330,692	10,245,929	9,473,790	6,922,656	7,770,074	847,418
Royal College of Nursing of the UK	14,150	438,788	478	726	2,422,764	53,470,000	47,602,000	38,847,000	48,799,000	9,952,000
Society of Chiropridists & Podiatrists	468	8,592	215	224	200,697	4,567,269	5,048,073	4,723,037	6,162,402	1,439,365
Society of Radiographers	997	25,725	26	206	231,670	7,730,303	6,707,047	4,496,501	5,577,417	1,080,916
The Social Workers Union (Sept 17)	254	11,165			3,778	200,068	116,258	169,864	174,203	4,339
Transport Salaried Staff Association	308	17,264	597	0	77,135	22,761,124	7,129,787	39,052,983	41,978,354	2,925,371
Union of Shop, Distributive and Allied Workers	17,927	415,333	0	0	1,453,000	45,958,000	41,805,000	47,709,000	90,779,000	43,070,000
UNISON	44,246	1,332,760	0	0	4,003,112	233,786,000	174,712,000	112,560,000	266,658,000	154,098,000
Unite the Union	37,667	1,233,646	23,891	15,304	5,060,000	283,143,000	157,405,000	332,691,000	348,865,000	16,174,000
University and College Union (Aug 17)	3,074	100,763	16	132	604,602	24,226,258	17,233,004	26,330,848	39,660,202	13,329,354
TOTALS	178,309	5,894,997	29,560	41,314	23,001,624	1,213,605,840	831,879,309	1,171,209,162	1,707,820,121	536,610,958

APPENDIX 3 (SEE PARA 4.13) - GB TRADE UNIONS WITH UNDER 100 NI MEMBERS - AT 31 DECEMBER 2017 (UNLESS OTHERWISE INDICATED)

ORGANISATION	NI Members	GB Members	ROI Members	Elsewhere (incl. Channel Islands)	Subscription Contributions £'s	Total Income £'s	Total Expenditure £'s	Funds at the End of the Year £'s	Total Assets at the End of the Year £'s	Total Liabilities at the End of the Year £'s
Air Crew Officers' Association Europe (Mar 18)	1	66	13	70	1,212	243,894	122,731	137,973	220,264	82,291
Affinity	12	26,978	2	553	1,144	2,526,083	2,584,464	1,367,106	1,695,191	328,085
Association for Clinical Biochemistry & Laboratory Medicine	42	1,205	31	104	6,760	902,422	989,694	2,472,320	2,868,422	396,102
Association of Revenue and Customs	81	2,279	0	1	19,391	346,333	281,159	374,974	392,827	17,853
Boots Pharmacist Association	58	1,183	0	0	5,568	115,750	98,540	41,587	58,097	16,510
British Association of Dental Nurses	60	7,930	1	4	2,661	370,123	219,824	548,766	566,357	17,591
British Association of Journalists	1	861	1	22	11	112,036	117,333	-1,364	21,276	22,640
British Orthoptic Society Trade Union	36	989	36	6	2,699	80,000	90,508	13,127	13,127	0
Currys Supply Chain Staff Assoc. (CSCSA) (April 17)	41	3,741	15	0	0	405,068	405,068	0	21,908	21,908
Guild of Professional Teachers of Dance, Movement to Music & Dramatic Arts	46	751	17	0	2,852	50,749	55,010	83,645	89,627	5,982
Headmasters and Headmistresses Conference (Mar 18)	8	278	3	55	23,912	2,813,948	2,817,634	4,845,254	5,693,417	848,163
Immigration Service Union (ISU)	42	2,827	0	111	4,956	345,599	323,956	1,004,850	1,058,967	54,117
Independent Democratic Union	22	6,177	0	0	2,112	603,189	614,603	586,112	864,861	278,749
Independent Pilots Association (Jun 17)	10	578	0	21	2,611	103,790	94,087	66,240	168,105	101,865
Institute of Journalists	10	820	18	161	1,594	63,000	66,619	17,403	21,994	4,591
Leeds Building Society Staff Association	1	791	2	0	18	22,302	8,171	79,681	80,674	993
National Association of Co-Operative Officials (Final Return)	4	1,112	0	18	919	434,786	642,229	835,211	874,926	39,715
National Association of Group Secretaries to NFU (Oct 17)	58	535	0	0	11,732	222,327	221,449	241,556	255,220	13,664

APPENDIX 3 (SEE PARA 4.13) - GB TRADE UNIONS WITH UNDER 100 NI MEMBERS - AT 31 DECEMBER 2017 (UNLESS OTHERWISE INDICATED)

ORGANISATION	NI Members	GB Members	ROI Members	Elsewhere (incl. Channel Islands)	Subscription Contributions £'s	Total Income £'s	Total Expenditure £'s	Funds at the End of the Year £'s	Total Assets at the End of the Year £'s	Total Liabilities at the End of the Year £'s
National Crime Officers Association	77	2,329	0	51	1,189	396,447	346,143	134,526	164,240	29,714
National House Building Council Staff Association	15	670	0	1	360	17,003	18,694	106,862	108,704	1,842
National Association of Probation Officers	92	4,904	0	0	21,397	3,193,835	1,483,823	2,993,661	3,052,945	59,284
National Society for Education in Art and Design (Sept 17)	18	1,882	10	55	1,405	273,060	267,879	79,764	292,791	213,027
Prison Governors' Association	35	989	0	4	5,740	161,780	198,537	164,700	182,204	17,504
R&C Trade Union	3	103	0	0	400	14,139	11,180	-3,363	661	4,024
Retained Firefighters Union	27	1,998	0	0	2,624	203,201	137,998	265,276	271,954	6,678
Royal Society for Protection of Birds Staff Association (Mar 18)	31	1,084	0	0	396	24,936	25,837	96,111	96,111	0
Sales Staff Association	9	164	0	0	540	11,484	22,156	137,272	142,843	5,571
Society of Authors	59	9,399	79	677	5,240	1,695,342	1,354,882	4,529,705	5,718,950	1,189,245
Society of Union Employees	4	373	0	0	444	39,196	33,018	138,828	145,744	6,916
Solidarity	2	202	0	0	196	11,718	11,839	1,425	1,678	253
United Road Transport Union	15	9,475	0	0	2,613	1,684,829	1,728,897	1,651,530	2,106,275	454,745
Voice	43	20,443	0	17	7,119	1,734,972	1,932,124	918,918	1,157,496	238,578
Writers Guild of Great Britain	14	2,082	5	70	1,416	605,977	483,684	577,723	740,138	162,415
TOTALS	977	115,198	233	2,001	140,930	19,829,318	17,809,770	24,507,379	29,147,994	4,640,615

APPENDIX 4 (SEE PARA 4.15) - LIST OF NORTHERN IRELAND EMPLOYERS' ASSOCIATIONS - 31 DECEMBER 2017 (UNLESS OTHERWISE INDICATED)

NORTHERN IRELAND EMPLOYERS ASSOCIATION										
	NI Members	NI Contributions £	Total Members (incl. Channel Islands & Islands & Islands &	Total Income £'s	Total Expenditure £'s	Funds at the End of the Year £'s	Total Assets at the End of the Year £'s	Total Liabilities at the End of the Year £'s	Total	
Anglo-North Irish Fish Producers Organisation (Dec 17)	37	385,579	42	1,104,967	828,109	2,767,371	3,532,125	764,754		
Construction Employers' Federation Ltd	1,005	446,004	1,005	703,057	712,102	631,362	781,989	150,627		
Engineering Employers' Federation NI Association	115	797,714	115	871,049	869,840	290,564	770,360	479,796		
Northern Ireland Bakery Council (Mar 18)	3	2,400	3	30,687	33,027	8,248	11,268	3,020		
NI Local Government Association (Mar 18)	11	565,842	11	779,626	660,493	21,264	734,360	713,096		
NI Fish Producers Organisation Ltd	129	763,698	148	1,092,372	797,448	5,327,231	5,416,181	88,950		
NI Grain Trade Association Ltd	31	72,775	31	72,775	66,905	22,158	60,815	38,657		
Ulster Chemists Association	208	58,683	208	134,894	154,472	262,039	321,281	59,242		
Ulster Farmers' Union	11,351	1,172,671	11,351	1,835,922	1,585,879	4,099,293	4,527,229	427,936		
TOTALS	12,890	4,265,366	12,914	6,625,349	5,708,275	13,429,530	16,155,608	2,726,078		

APPENDIX 5 (SEE PARA 4.16) - GB EMPLOYERS' ASSOCIATIONS WITH NI MEMBERS - 31 DECEMBER 2017 (UNLESS OTHERWISE INDICATED)

GB EMPLOYERS' ASSOCIATIONS WITH NI MEMBERS	Members		ROI	Elsewhere		Contributions	NI £	Total Members (incl. Channel Islands and RoI)	Total Income £'s	Total Expenditure £'s	Funds at the End of the Year £'s	Total Assets at the End of the Year £'s	Total Liabilities at the End of the Year £'s
	NI	GB		NI	GB								
Association of Circus Proprietors	1	16	0	0	0	2,000	17	32,355	27,489	16,225	20,350	4,125	
Assoc of Newspaper & Magazine Wholesalers (March 18)	1	2	0	3	3	3,134	6	120,837	119,839	48,809	117,742	68,933	
British Amusement Catering Trade Association (June 17)	7	491	0	0	0	7,618	498	993,339	1,686,623	17,239,087	26,051,792	8,812,705	
BFM Ltd	1	135	1	0	0	473	137	435,142	510,732	3,815,704	4,072,395	256,691	
British Allied Trades Federation	26	2,829	25	35	35	10,160	2,915	4,104,163	3,315,408	15,611,229	18,094,670	2,483,441	
British Printing Industries Federation Limited (March 18)	21	1,091	1	0	0	59,190	1,113	2,245,336	2,245,336	0	494,789	494,789	
Builders Merchants Federation (March 18)	13	602	21	4	4	21,754	640	2,647,166	2,526,026	4,269,109	5,610,439	1,341,330	
Building & Engineering Services Association (Feb 18)	41	1,179	1	1	1	136,558	1,221	10,356,113	10,824,353	885,277	17,926,212	17,040,935	
Construction Plant Hire Association (June 17)	10	1,625	6	6	6	5,566	1,641	1,293,261	1,101,933	2,972,291	3,347,299	375,008	
Dairy UK Limited	5	191	0	2	2	124,500	198	2,190,394	2,164,623	7,299,595	9,580,930	2,281,335	
Electrical Contractors' Association	22	2,649	37	1	1	55,839	2,709	25,436,945	19,875,591	56,509,750	61,943,541	5,433,791	
Engineering Construction Industry Association	1	182	0	5	5	3,576	188	2,401,521	2,177,470	5,438,601	7,019,134	1,580,533	
Federation of Master Builders Ltd	267	7,943	0	0	0	136,170	8,210	5,469,267	5,226,784	8,289,652	10,515,046	2,225,394	
Federation of Window Cleaners	21	859	4	4	4	2,329	888	144,784	123,619	378,875	460,860	81,985	
Freight Transport Association	470	16,690	14	10	10	496,422	17,184	29,483	24,763	8,783	14,802	6,019	
Glass & Glazing Federation	4	416	0	8	8	7,865	428	2,810,970	3,394,551	9,527,755	11,771,664	2,243,909	

APPENDIX 5 (SEE PARA 4.1.6) - GB EMPLOYERS' ASSOCIATIONS WITH NI MEMBERS - 31 DECEMBER 2017 (UNLESS OTHERWISE INDICATED)

GB EMPLOYERS' ASSOCIATIONS WITH NI MEMBERS	NI Members	GB Members	ROI	Elsewhere	Contributions	NI	Total Members (incl. Channel Islands and Rol)	Total Income £'s	Total Expenditure £'s	Funds at the End of the Year £'s	Total Assets at the End of the Year £'s	Total Liabilities at the End of the Year £'s
National Federation of Retail Newsagents	567	12,247	294	44	157,624	13,152	4,267,525	4,768,379	7,510,162	8,222,112	711,950	
National Federation of Roofing Contractors Ltd (Final Return)	22	1,225	3	3	743	1,253	1,794,562	1,710,870	1,327,723	2,090,876	763,153	
National Hairdressers' Federation Ltd	17	5,194	1	18	4,136	5,230	1,792,605	1,505,223	3,472,861	3,827,885	355,024	
Producers Alliance for Cinema and Television Ltd	16	522	0	0	12,489	538	2,882,408	3,547,611	1,523,832	2,393,251	869,419	
Radio, Electrical and Television Retailers' Association	39	667	0	0	10,335	706	758,083	917,332	1,673,340	1,722,117	48,777	
Road Haulage Association Ltd	173	6,937	7	6	104,000	7,123	11,025,113	10,756,477	3,994,437	7,923,336	3,928,899	
Scottish & NI Plumbing Employers' Association	60	697	0	0	35,715	757	984,875	1,020,610	1,677,005	1,880,887	203,882	
Scottish Association of Master Bakers (Mar 2018)	2	294	0	0	380	296	1,467,160	1,535,553	2,640,351	2,881,057	240,706	
Retail Motor Industry Fed Ltd	315	10,154	0	0	54,290	10,469	27,019,000	26,158,000	26,936,000	34,276,000	7,340,000	
UK Theatre Association	2	236	0	0	5,610	238	916,510	891,876	351,592	1,178,942	827,350	
Thermal Insulation Contractors' Association (Final Return)	1	289	0	2	1,500	292	1,489,478	1,326,194	1,815,958	2,227,485	411,527	
UK Cinema Association Ltd	6	186	0	0	7,936	192	468,851	458,287	249,976	2,323,231	2,073,255	
TOTALS	2,131	75,548	408	152	1,467,912	78,239	115,577,246	109,941,552	185,483,979	247,988,844	62,504,865	

APPENDIX 6 (PARA 4.3) – SALARY AND BENEFITS OF THE CHIEF OFFICERS OF TRADE UNIONS WITH NI MEMBERS – AT 31 DECEMBER 2017 (UNLESS OTHERWISE INDICATED)

NORTHERN IRELAND	OFFICE HELD	SALARY	BENEFITS (Excluding Contributions)
		£'s	£'s
Belfast Airport Police Association	Chairman	Nil	Nil
Lough Neagh Fishermen's Association	General Secretary	Nil	Nil
Northern Ireland Public Service Alliance	General Secretary	58,997	24,447
Ulster Teachers' Union	General Secretary	42,330	35,431
REPUBLIC OF IRELAND	OFFICE HELD	SALARY	BENEFITS (Excluding PRSI)
		€'s	€'s
Financial Services Union	General Secretary	137,806	67,671
Irish Congress of Trade Unions	General Secretary	Nil	Nil
Irish National Teachers' Organisation	General Secretary	148,524	54,805
	General Treasurer	114,751	42,343
Services, Industrial, Professional & Technical Union (SIPTU)	General Secretary	108,384	8,563
Independent Workers Union	National Secretary	Nil	Nil
GREAT BRITAIN	OFFICE HELD	SALARY	BENEFITS (Excluding NI Contributions)
		£'s	£'s
Accord	General Secretary	119,007	23,506
Advance	General Secretary	17,127	4,404
Aegis the Union ^(30/6/17)	General Secretary	74,118	14,287
Affinity	General Secretary	105,470	30,258
Association for Clinical Biochemistry & Laboratory Medicine	General Secretary	Nil	Nil
Aircrew Officers Association Europe	General Secretary	Nil	Nil
Association of Educational Psychologists	General Secretary	66,276	6,417
Association of Revenue and Customs	President	Nil	Nil
Association of Schools and College Leaders	General Secretary	92,696	12,424
Association of Teachers & Lecturers	General Secretary	83,981	12,422
Bakers, Food & Allied Workers Union	General Secretary	48,251	17,085
	National President	48,251	18,807
Boots Pharmacists' Association (BPA)	Chief Executive	21,222	Nil
	Treasurer	7,560	Nil
British Airline Pilots Association	General Secretary	107,625	20,136
British Association of Dental Nurses	Chief Executive	Nil	Nil
British Association of Journalists	General Secretary	23,750	169
British Association of Occupational Therapists ^(30/9/17)	Chairman	Nil	Nil
British Dental Association ^(30/9/17)	General Secretary	75,000	Nil
British Dietetic Association ^(28/2/18)	Head of Employment Relations	49,061	6,469

SALARY AND BENEFITS OF THE CHIEF OFFICERS OF TRADE UNIONS WITH NI MEMBERS – AT 31 DECEMBER 2017 (UNLESS OTHERWISE INDICATED)

GREAT BRITAIN	OFFICE HELD	SALARY	BENEFITS (Excluding NI Contributions)
		£'s	£'s
British Medical Association	Chairman (up to June 17)	20,174	Nil
	Chairman (from July 17)	85,500	Nil
British Orthoptic Society Trade Union	General Secretary	Nil	Nil
	Chartered Society of Physiotherapy	Chief Executive	20,636
Communication Workers Union	General Secretary	97,418	28,239
Community	General Secretary	111,723	33,355
Curry's Supply Chain Staff Association	General Secretary	29,741	5,497
Equity	General Secretary	109,504	6,000
FDA	General Secretary	104,748	25,558
Fire Brigades Union	General Secretary	73,184	48,459
	Asst. General Secretary	69,589	46,772
GMB	General Secretary	102,000	33,000
Guild of Professional Teachers of Dance, Movement to Music and Dramatic Arts	General Secretary	15,390	Nil
	Headmasters & Headmistresses' Conference ^(31/3/18)	General Secretary	117,231
Immigration Service Union	Membership Sec	117,231	20,652
	Hospital Consultants & Specialists Association ^(30/9/17)	Chief Executive	87,790
Independent Pilot's Association	General Secretary	70,778	8,845
	Independent Democratic Union	General Secretary	38,442
Institute of Journalists	General Secretary	57,426	2,120
	Leeds Building Society Staff Association	General Secretary	40,000
Musicians Union	General Secretary	Nil	2,570
	National Association of Co-operative Officials (Final return)	General Secretary	221,145
National Association of Group Secretaries to the NFU	General Secretary	93,673	29,648
	National Association of Head Teachers	Chairman	9,616
National Association of Head Teachers	General Secretary	10,628	Nil
	National Crime Officers Association	General Secretary	161,672
National Crime Officers Association	President	35,464	575
	General Secretary	35,331	562
NAP0-The Trade Union and Professional Association for Family Court and Probation Staff	General Secretary	71,831	1,503
	NASUWT	General Secretary	104,373
National House Building Council Staff Association	General Secretary	Nil	36,807
	National Society for Education in Art & Design ^(30/9/17)	General Secretary	Nil
National Union of Journalists	General Secretary	45,450	Nil
	National Union of Rail, Maritime & Transport Workers	General Secretary	90,143
National Union of Rail, Maritime & Transport Workers	General Secretary	99,958	40,757
	Sen Asst. General Secretary	56,299	24,467
	Asst. Gen. Secretary	77,810	20,958

SALARY AND BENEFITS OF THE CHIEF OFFICERS OF TRADE UNIONS WITH NI MEMBERS – AT 31 DECEMBER 2017 (UNLESS OTHERWISE INDICATED)

GREAT BRITAIN	OFFICE HELD	SALARY	BENEFITS (Excluding NI Contributions)
		£'s	£'s
Nationwide Group Staff Union	General Secretary	129,132	29,094
Nautilus International	General Secretary	95,315	21,290
PDA Union ^(31/3/18)	General Secretary	Nil	5,000
Prison Governors Association	General Secretary	Nil	Nil
POA	General Secretary	78,659	31,944
	Dept. General Secretary	71,639	29,896
Prospect	General Secretary	114,000	14,000
Public and Commercial Services Union	General Secretary	94,007	11,849
	Asst. General Secretary	80,610	10,000
Retained Firefighters Union	Chief Executive	44,836	3,960
Royal College of Midwives (Jan – Aug 2018) (Sept – Dec 2018)	General Secretary	92,130	18,118
	General Secretary	50,325	9,268
Royal College of Nursing of the UK	General Secretary	111,400	13,082
Royal Society for the Protection of Birds Staff Association ^(31/3/18)	Chairperson	1,200	Nil
Sales Staff Association	General Secretary	Nil	Nil
Society of Authors	Secretary	98,215	8,302
Society of Chiropractors and Podiatrists	General Secretary	129,298	2,154
Society of Radiographers	Chief Executive Officer	54,644	9,936
Society of Union Employees (UNISON) Solidarity	National Secretary	Nil	Nil
	General Secretary	7,488	90
Social Workers Union	General Secretary	58,166	Nil
Transport Salaried Staffs' Association	General Secretary	77,425	23,708
UNISON	General Secretary	106,458	13,950
Unite the Union	General Secretary	73,976	11,270
Union of Shop, Distributive & Allied Workers	General Secretary	106,708	35,455
United Road Transport Union	General Secretary	62,985	54,994
University and College Union Voice	General Secretary	105,579	22,602
	General Secretary	65,852	1,962
Writers Guild of Great Britain	General Secretary	53,500	4,815

APPENDIX 7 (SEE PARA 7.18) - GB TRADE UNIONS WITH NORTHERN IRELAND MEMBERS WHO HAVE “CONTRACTED IN” TO POLITICAL FUNDS – AT 31 DECEMBER 2017 (UNLESS OTHERWISE INDICATED)

	NI Members Contracted-in	% of total NI Members	NI Contributions £
Communication Workers Union	2,137	44.3%	22, 310
Community	119	55.1%	1,238
Fire Brigades Union	732	46.4%	6,590
GMB	26	0.2%	199
Musician’s Union	47	15.9%	203
National Association of Schoolmasters Union of Women Teachers (NASUWT)	769	5.7%	837
National Union of Rail, Maritime and Transport Workers	100	88.5%	312
POA	1,092	100%	1,693
Prospect	491	22.5%	295
PCS	388	24.8%	465
Society of Radiographers	110	11%	66
Transport Salaried Staffs’ Association	190	61.7%	139
Union of Shop, Distributive and Allied Workers	7,248	40.4%	34,000
UNISON	5,134	11.6%	21,398
Unite the Union	14,207	37.7%	92000
University and College Union	610	19.8%	1,396
TOTALS	33,400	23.6%	183,141

**APPENDIX 8 (SEE PARA 7.18) - GREAT BRITAIN TRADE UNIONS WHOSE NORTHERN IRELAND MEMBERS DO NOT CONTRIBUTE TO
POLITICAL FUNDS – 31 DECEMBER 2016**

Bakers, Food and Allied Workers Union

Unity

APPENDIX 9 - STATUTORY FEES

The Department for the Economy sets statutory fees. They were revised by the Certification Officer (Fees) Regulations (Northern Ireland) 2008 (SR 2002 No.95), under the powers conferred on the Department by Articles 5, 6 and 107 of the Industrial Relations (Northern Ireland) Order 1992 and Article 89 of the Trade Union and Labour Relations (Northern Ireland) Order 1995. The Regulations came into effect on 6 April 2008.

	Current Fee
Application for entry in the list of trade unions or the list of employers' associations	£45
Application for approval of change of name	£45
Application for a certificate of independence	£885
Application for a certificate of independence by an amalgamated trade union where each amalgamating union already had a certificate	£45
Application for formal approval of an instrument of transfer of engagements or an instrument of amalgamation	£1120
Inspection of merger documents	£45

APPENDIX 10 – CERTIFICATION OFFICE FORMS

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

10-16 Gordon Street
Belfast BT1 2LG
Tel: 028 9023 7773
Fax: 028 9023 2271
Email: info@nicertoffice.org.uk
Web: www.nicertoffice.org.uk

Published and printed by DoF, Digital Print Services,
Craigantlet Buildings, Stoney Road, Belfast BT4 3SX
Tel: 028 9016 3397

978-1-912313-21-1

