

**LAWS OF BRUNEI**

**CHAPTER 128**  
**TRADE UNIONS ACT**

**5 of 1961**  
**12 of 1972**

**LAWS OF BRUNEI**

**CHAPTER 128**  
**TRADE UNIONS**

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## **SCHEDULE**

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**TRADE UNIONS ACT****An Act to regulate trade unions**

*Commencement: 20th January 1962* [S 33/62]

1. This Act may be cited as the Trade Unions Act.

Short title.

2. (1) In this Act —

Interpretation.

“employer” includes the Government of Brunei Darussalam;

“registered” means registered under this Act;

“Registrar” means the Registrar of Trade Unions appointed under section 6;

“trade union” means any combination, whether temporary or permanent, the principal purposes of which are under its constitution the regulation of the relations between workers and employers, or between workers and workers, or between employers and employers, whether such combination would or would not, if this Act had not been enacted, have been deemed to have been an unlawful combination by reason of some one or more of its purposes being in restraint of trade;

“worker” means any person who has entered into or works under a contract with an employer in any capacity, whether the contract is express or implied, oral or in writing, and whether it is a contract of service or of apprenticeship or a contract personally to execute any work or labour and includes any person ordinarily employed under any such contract, whether such person is or is not in employment at any particular time.

- (2) Nothing in this Act —

(a) shall affect —

- (i) any agreement between partners as to their own business;
- (ii) any agreement between an employer and those employed by him as to such employment;
- (iii) any agreement in consideration of the sale of the goodwill of a business or of instruction in any profession, trade or handicraft; or

(b) shall preclude any trade union from providing benefits for its members.

Trade unions  
not criminal.

**3.** The purposes of any trade union shall not, by reason merely that they are in restraint of trade, be deemed to be unlawful so as to render any member of such trade union liable to criminal prosecution for conspiracy or otherwise.

Trade unions  
not unlawful  
for civil  
purposes.

**4.** The purposes of any trade union shall not, by reason merely that they are in restraint of trade, be unlawful so as to render voidable any agreement or trust.

Trade unions  
prohibited  
from carrying  
on business  
unless  
registered.

**5.** (1) No trade union shall perform any act in furtherance of the purposes for which it has been formed unless such trade union is registered under this Act.

(2) Any trade union or any officer or member thereof who contravenes the provisions of this section shall be guilty of an offence: Penalty, a fine of \$3,000.

Registrar of  
Trade Unions.

**6.** His Majesty the Sultan and Yang Di-Pertuan may appoint such person as he may think fit to be the Registrar of Trade Unions.

Minimum  
number of  
members.

**7.** Any seven or more members of a trade union may, by subscribing their names to the rules of the union and otherwise complying with the provisions of the Act with respect to registration, register such trade union under this Act;

Provided that if any one of the purposes of such trade union be unlawful the trade union shall not be registered and, if registered, the registration shall be void.

**8.** (1) Every trade union shall be registered in accordance with the provisions of this Act or be dissolved within 3 months of the date —

Compulsory  
registration.

(a) of its formation;

(b) of any notification by the Registrar that he has refused under section 10 to register the trade union; or

(c) of the commencement of this Act, whichever is the later date.

(2) Every trade union which is not registered or dissolved within the period prescribed in subsection (1) and every officer thereof shall be guilty of an offence: Penalty, a fine of \$300 for every day it remains unregistered and undissolved after the expiration of such period.

**9.** (1) With respect to the registration under this Act of a trade union, and of the rules thereof, the following provisions shall apply —

Rules for  
registration.

(a) an application to register the trade union and its rules shall be sent to the Registrar with copies of the rules and the list of the titles and names of the officers of the trade union;

(b) the Registrar upon being satisfied that the trade union has complied with the regulations respecting registration in force under this Act shall, subject to the provisions of section 10, register the trade union and rules;

(c) no trade union shall be registered under a name identical with that by which any other existing trade union has been registered or so nearly resembling such name as to be likely to deceive the members of the public;

(d) the Registrar upon registering a trade union shall issue a certificate of registration.

(2) A certificate issued under subsection (1) shall, until the contrary is proved and unless the certificate has been cancelled or withdrawn, be evidence that the provisions of the Act relating to registration have been complied with.

Refusal of  
registration.

**10.** (1) If the Registrar is satisfied that —

(a) the applicants have not been duly authorised to apply for registration;

(b) the purposes of the trade union are unlawful;

(c) the application is not in conformity with the provisions of this Act;

(d) the principal purposes of the combination do not substantially correspond with the principal purposes of a trade union within the meaning of section 2; or

(e) the combination seeking registration is an organisation consisting of persons engaged in or working at more than one trade, industry or calling and that its constitution does not contain suitable provision for the protection of their respective sectional industrial interests,

he may refuse registration.

(2) The Registrar shall not register a trade union if he is satisfied that any other trade union already registered is sufficiently representative of the whole of the interests in respect of which the applicants seek registration:

Provided that if the Registrar thinks that there exist reasonable grounds for believing that a trade union already registered is sufficiently representative of the whole or of a substantial proportion of the interests on behalf of which the applicants seek registration, he shall, by notice in the *Gazette* or otherwise, inform any registered trade unions which appear to represent the

same interests as the applicants of the receipt of their application, and shall invite any registered trade unions concerned, to submit in writing or otherwise, within a period to be fixed by him, any objections they may wish to make against such registration.

(3) When the Registrar refuses to register a trade union he shall forthwith inform the applicants in writing of the grounds of his refusal.

(4) An appeal shall lie to the Minister from a refusal of the Registrar to register a trade union and on such appeal the Minister may make any such order as he thinks proper, including any directions as to the costs of the appeal. Any such order of the Minister shall be final.

(5) The Minister may make rules governing such appeals, providing for the method of giving evidence, prescribing the time within which such appeals shall be brought, the fees to be paid, the procedure to be followed and the manner of notifying the Registrar of an appeal.

(6) The Registrar shall be entitled to be heard on any appeal.

**11.** (1) It shall be lawful for the Registrar to cancel the registration of any trade union —

Cancellation  
of registration.

(a) at the request of the trade union to be evidenced in such manner as he may direct;

(b) on proof to his satisfaction that a certificate of registration has been obtained by fraud or mistake, or that such trade union has wilfully, and after notice from the Registrar, violated any of the provisions of this Act or has ceased to exist.

(2) Not less than 2 months' previous notice specifying briefly the grounds of the proposed cancellation, except where the trade union has ceased to exist in which case notice of cancellation may be given forthwith, shall be given by the Registrar to the trade union before such cancellation is effected.



(3) An appeal from the decision of the Registrar under this section shall lie to the Minister subject to the same conditions as are provided for an appeal against the refusal of the Registrar to register a trade union, and the Minister may make rules providing for the same matters for which rules may be made in respect of such appeal. The decision of the Minister shall be final.

(4) A trade union whose registration has been cancelled in pursuance of paragraph (b) of subsection (1) shall, from the time of such cancellation, cease to enjoy as such the privileges of a registered trade union and its affairs shall be dissolved and shall be wound up by the Registrar in the prescribed manner, but without prejudice to any liability actually incurred by such trade union which may be enforced against the same as if such cancellation had not taken place.

(5) Any trade union which, after cancellation of its registration, continues in active operation and every officer, member of the committee of management or other person purporting to act on behalf of such trade union shall be guilty of an offence: Penalty, a fine of \$300 for every day during which such activities continue.

Change of  
name.

**12.** (1) Any registered trade union may, with the consent of not less than two-thirds of the total number of its members and subject to the provisions of subsection (2) and of section 14, change its name.

(2) A change in the name of a registered trade union shall not affect any rights or obligations of that trade union or render defective any legal proceeding by or against the trade union, and any legal proceeding which might have been continued or commenced by or against it under its former name may be continued or commenced by or against it under its new name.

Amalgam-  
ation.

**13.** Any 2 or more registered trade unions may become amalgamated together as one trade union with or without dissolution or division of the funds of such trade unions or either or any of them, provided that the votes of at least one-half of the

members of each or every such trade union entitled to vote consent in writing either by ballot or otherwise and are recorded in favour of the proposal; and provided no amalgamation shall prejudice any right of any such trade union or any right of a creditor of any such trade union.

**14.** (1) Notice in writing shall be given to the Registrar of every change of name and of every amalgamation, signed, in the case of a change of name, by the secretary and by 7 members of the registered trade union changing its name, and, in the case of an amalgamation, by the secretary and by 7 members of each and every registered trade union which is a party thereto.

Notice of  
change of  
name or  
amalgamation.

(2) If the proposed name is identical with that by which any other existing trade union has been registered or, in the opinion of the Registrar, so nearly resembles such name as to be likely to deceive the public or the members of either trade union, the Registrar shall refuse to register the change of name.

(3) Save as is provided in subsection (2), the Registrar shall, if he is satisfied that the provisions of this Act in respect of change of name have been complied with, register the change of name in the prescribed manner, and the change of name shall have effect from the date of such registration.

(4) If the Registrar is satisfied that the provisions of this Act in respect of amalgamation have been complied with and that the trade union formed thereby is entitled to registration under section 9, he shall register the trade union in the prescribed manner and the amalgamation shall have effect from the date of such registration.

(5) Any person aggrieved by the refusal of the Registrar to register either a change of the name of a registered trade union or the trade union formed by the amalgamation of any 2 or more registered trade unions, may appeal against such refusal in the manner provided by sections 10 and 11.

**15.** (1) Any 2 or more registered trade unions whose members are ordinarily employed in a similar trade, occupation or industry may form or create a federation of trade unions:

Federation of  
trade unions.

Provided that —

(a) the votes of at least one-half of the members of each or every such trade union entitled to vote consent in writing either by ballot or otherwise and are recorded in favour of the proposal; and

(b) no federation shall prejudice any right of any such trade union or any right of a creditor of any such trade union.

(2) The provisions of this Act relating to trade unions shall apply so far as the same may be applicable to a federation of trade unions as if such federation were a trade union.

(3) Every application for registration of a federation of trade unions shall be signed by the secretary and by 7 members of each and every registered trade union forming or creating such federation.

(4) Upon receipt of any such application the Registrar shall, if satisfied that the provisions of this section have been complied with and that the federation is entitled to registration, register the federation.

(5) A registered trade union may affiliate with a registered federation of trade unions representing a similar trade, occupation or industry if the consent of the members of the trade union to such affiliation has been obtained in the manner provided in subsection (1) and the federation of trade unions files with the Registrar a notice, signed by the secretary of the federation, that the application to affiliate has been duly approved by the federation.

(6) Notice in writing of any resolution for affiliation passed by a registered trade union under subsection (5) signed by the secretary and by 7 members of such union shall be filed with the Registrar within one month of the date of the passing of such resolution.

(7) Upon the filing of both the notices referred to in subsections (5) and (6), the Registrar shall, if satisfied that the provisions of this section have been complied with and that the trade union is entitled to affiliate with the federation, enter the fact of such affiliation in the register, and, from the date of such entry, the trade union shall be deemed to be a member of the federation.

**16.** (1) Every officer of a registered trade union or federation of trade unions other than the secretary shall be *bona fide* and ordinarily engaged or employed or who for a period of not less than 2 years have been engaged or employed in the trade, industry or occupation represented by such trade union or federation of trade unions.

Officers of  
trade unions.

(2) The Minister may by special or general order declare —

(a) that the provisions of this section shall not apply to any registered trade union or class of registered trade unions specified in the order; or

(b) may grant exemption from the provisions of this section in respect of such officers or such proportion of the officers of any registered trade union or class of registered trade unions as may be specified in the order.

(3) Any permission granted under subsection (2) shall be notified in the *Gazette*.

(4) No person may, without the consent of the Registrar, at any time be an officer of more than one trade union.

**17.** (1) Except with the consent of the Minister, no registered trade union shall be affiliated or connected with any trade union or other organisation which is established outside Brunei Darussalam in such manner as to affect the freedom of action or independence of the trade union or so as to place the trade union which is established within Brunei Darussalam, or any of its members, in any way or in respect of any matter under the control of the trade union or other organisation which is established outside Brunei Darussalam.

Affiliation  
outside Brunei  
Darussalam.

(2) Every trade union so affiliated or connected which has not obtained the consent of the Minister to be so affiliated or connected, or from which any such consent has been withdrawn, shall be deemed to be an unlawful society within the meaning and for all the purposes of the Societies Act.

Cap. 66.

Membership  
of  
Government  
officers.

**18.** (1) No member of the Royal Brunei Police Force, the Royal Brunei Armed Forces and no member of the Prison Service shall join or be a member of any trade union or shall be accepted as a member of any trade union.

(2) Any person who contravenes subsection (1) or who knowingly is a party to such contravention shall be guilty of an offence: Penalty, a fine of \$6,000.

Protection of  
workers'  
option to join  
a trade union.

**19.** (1) No person shall be denied employment solely by reason of his refusal to join or not to join a trade union, and no person shall contract to require that a person shall be or shall become a member of a trade union as a condition of obtaining employment.

(2) No employer shall discriminate against any employed person by reason of his being or not being a member of a trade union.

(3) Any person or employer who contravenes either subsection (1) or (2) shall be guilty of an offence: Penalty, a fine of \$6,000 and 6 months imprisonment.

Provisions of  
Societies Act  
and  
Companies  
Act, not to  
apply to trade  
unions.

**20.** The Societies Act and the Companies Act shall not except for the purpose of subsection (2) of section 17 apply to a trade union, and the registration of any trade union under either such Act shall be void.

Cap. 66.  
Cap. 39.

Liability to  
render  
accounts.

**21.** (1) Every treasurer or other officer of a registered trade union shall, at such times as by the rules thereof he is called upon to do, render to the members thereof, at a meeting of the trade union, a just and true account of all moneys received and paid by him since he last rendered the like account or, if no previous account has been rendered, since the formation of the

trade union and of the balance then remaining in his hands, and of all bonds and securities of such trade union.

(2) Such account shall be audited by some fit and proper person or persons to be appointed by the trade union with the approval of the Registrar.

(3) Upon the account being audited, the treasurer or other officer, as the case may be, shall, if so required, hand over to the trade union the balance which on such audit appeared to be due from him, and shall also if required hand over to the trade union all securities and effects, books, papers and property of the trade union in his hands or custody.

(4) If the treasurer or other officer fails to hand over such moneys, securities and effects, books, papers and property of the trade union as in subsection (3) required, the committee of management of the trade union or any member for and on behalf of the trade union may sue him in any court having jurisdiction —

(a) for the balance appearing to have been due from him upon the account last rendered by him, or, if no such account has previously been so rendered, for the balance appearing to be due since the formation of the trade union;

(b) for all moneys received by him since such previously rendered account or, as the case may be, since the formation of the trade union; and

(c) for the securities and effects, books, papers and property in his hands or custody,

leaving him to set off in such action the sums, if any, which he may have since paid on account of such trade union.

(5) The Registrar may at any time order the books, accounts, vouchers, documents, securities and funds of any trade union to be inspected or audited by some fit and proper person or persons appointed by him, and it shall be the duty of the

secretary, treasurer or other officers of a trade union to make available to the person or persons so appointed all the accounts, books, documents, vouchers, securities and funds of the trade union for purposes of inspection or audit.

Application  
of funds.

**22.** The funds of a registered trade union may, subject to any limitations contained in the rules thereof and to the provisions of this Act, be expended only for the following objects —

(a) the payment of salaries, allowances and expenses to officers of the trade union;

(b) the payment of expenses of the administration of the trade union, including audit of the accounts of the funds of the trade union;

(c) the prosecution or defence of any legal proceedings to which the trade union or any member thereof is a party, when such prosecution or defence is undertaken for the purposes of securing or protecting any rights of the trade union as such or any rights arising out of the relations of any member with his employer or with a person whom the member employs;

(d) the conduct of trade disputes on behalf of the trade union or any member thereof;

(e) compensation of members for loss arising out of trade disputes;

(f) allowances to members or their dependants on account of death, old age, sickness, accidents or unemployment of such members;

(g) expenditure on trade union education and training; and

(h) any other object which by notification in the *Gazette* the Minister may declare to be an object for which such funds may be expended.

**23.** The funds of a registered trade union shall not be applied either directly or indirectly in payment of the whole or any part of any fine or penalty imposed upon any person by sentence or order of a court.

Prohibition of payment of fines and penalties.

**24.** The funds of a registered trade union shall not be applied either directly or indirectly in payment of contributions to any political party or for any political purpose whether within or without Brunei Darussalam.

Use of funds for political purposes.

**25.** (1) Every registered trade union shall transmit to the Registrar the accounts prepared and audited in accordance with section 21 within 3 months of the end of the financial year to which the accounts relate.

Audited accounts to be sent to Registrar.

(2) Every officer of a registered trade union which fails to comply with the provisions of this section shall be guilty of an offence: Penalty, a fine of \$3,000.

**26.** The account books of a registered trade union and a list of its members thereof shall be open to inspection —

Inspection of accounts and documents.

(a) by any officer or member of the trade union at such times as may be provided for in the rules of the trade union; and

(b) by the Registrar at any reasonable time.

(2) Any person who prevents or obstructs the inspection of the account books of a registered trade union by an officer or member of such trade union at a time prescribed by the rules thereof for such purpose or by the Registrar at any reasonable time shall be guilty of an offence: Penalty, a fine of \$3,000.

**27.** (1) The rules of every registered trade union shall contain provisions in respect of the several matters mentioned in the Schedule.

Rules of registered trade unions.

(2) A copy of such rules shall be supplied by the trade union to any person on demand on payment of a sum not



exceeding \$10.00 or such other sum as may be prescribed by the Minister.

Alteration of  
rules of trade  
unions, etc.

**28.** (1) Every alteration of the rules, or of the titles or names of the officers, of a registered trade union shall be registered with the Registrar and shall take effect from the date of registration unless some later date is specified in the rules.

(2) The rules of a registered trade union shall not be altered so that they cease to contain provisions in respect of the several matters mentioned in the Schedule.

Penalty for  
misuse of  
money or  
property of a  
registered  
trade union.

**29.** (1) Where, on a complaint made by a member of a registered trade union, it is shown to the satisfaction of the court of a magistrate that any officer or member of that union has in his possession or control any property of the union except in accordance with the rules of the union, or has unlawfully expended or withheld any money of the union, the court shall, if it considers the justice of the case so requires, order such officer or member to deliver all such property to the members of the union and to pay to them the money so unlawfully expended or withheld.

(2) A complaint made under subsection (1) shall not be entertained unless the court is satisfied that the complainant is, on the date of that complaint, a member of the registered trade union in respect of the property of which such complaint is so made.

(3) Any person bound by an order made under subsection (1) who fails to comply with the terms thereof and the directions given therein within a time to be specified in such order shall be guilty of an offence: Penalty, a fine of \$1,000.

(4) An order under sub-section (1) shall not affect or prevent a prosecution of, or civil proceedings against, any such officer or member.

(5) An injunction restraining any unauthorised or unlawful expenditure of the funds of a trade union may be granted on the application of 5 or more persons having a sufficient interest in the relief sought or of the Registrar, or of

the Attorney General, and in granting any such injunction the court, in the case of the dissolution of any trade union upon the cancellation of its registration, may order that the funds of that trade union be paid over to the Court for disposal in accordance with the rules of that trade union.

**30.** Any person who, with intent to deceive, gives to any member of a registered trade union or to any person intending or applying to become a member of such trade union any document purporting to be a copy of the rules of the trade union or of any alterations thereto which he knows, or has reason to believe, is not a correct copy of such rules or alterations as are for the time being in force, or any person who, with the like intent, gives a copy of any rules of an unregistered trade union to any person on the pretence that such rules are the rules of a registered trade union, shall be guilty of an offence: Penalty, a fine of \$3,000 and 3 months imprisonment.

Supplying false information regarding trade unions.

**31.** If default is made on the part of any registered trade union in doing any act, in giving any notice, or in sending any statement, return or other document as required by this Act or by the regulations made thereunder, every officer or other person bound by the rules of the trade union or under the provisions of this Act or the regulations made thereunder to do such act, or to give such notice, or to send such statement, return or document, or, if there is no such officer or person, every member of the committee of management of that registered trade union shall severally be guilty of an offence: Penalty, a fine of \$3,000.

Failure to submit returns.

**32.** No prosecution shall be instituted under this Act except by or with the consent of the Public Prosecutor.

Limitation of prosecutions.

**33.** Copies of this Act shall be posted at such places and in such languages as the Commissioner of Labour may direct.

Copies of Act to be posted as directed by the Commissioner of Labour.

**34.** The Minister may make regulations generally for carrying out the provisions of this Act and in particular but without prejudice to the generality of the foregoing power such regulations may provide for —

Regulations.

(a) the books and registers to be kept for the purposes of this Act and the forms thereof;

(b) the manner in which trade unions and the rules of the trade unions shall be registered and the fees payable on registration;

(c) the manner in which, and the qualifications of persons by whom, the accounts of registered trade unions or of any class of such trade unions shall be audited;

(d) the conditions subject to which inspection of documents kept by the Registrar shall be allowed and the fees which shall be chargeable in respect of such inspections;

(e) the due disposal and safe custody of the funds and moneys of a trade union;

(f) the creation, administration, protection, control and disposal of the benevolent funds of registered trade unions and all matters connected therewith or incidental thereto;

(g) the returns to be made, and the accounts to be rendered, to the Registrar by the officers of trade unions; and

(h) anything required or permitted by this Act to be prescribed.

## SCHEDULE

### (Section 27)

1. The name of the trade union, the address of its office and the place or places of meeting for the business of the trade union.

2. The whole of the objects for which the trade union is to be established, the purposes for which the funds thereof shall be applicable, and the conditions under which any member may become entitled to any benefit assured thereby and the fines and forfeitures to be imposed on any member of the trade union.

3. The manner of making, altering, amending and rescinding rules.
4. A provision for the appointment and removal of a general committee of management and of a treasurer, a secretary and other officers of the trade union.
5. A provision for the keeping of a register of members of the trade union and of the committee of management and officers thereof.
6. A provision for the keeping of full and accurate accounts by the treasurer.
7. The custody and investment of the funds of the trade union, the designation of the officer or officers responsible therefor, and the annual or periodical audit of its accounts.
8. The inspection of the books and names of members of the trade union by every person having an interest in the funds of the trade union.
9. The manner of the dissolution of the trade union and the disposal of the funds thereof available at the time of such dissolution.
10. The taking of all decisions in respect of the election of officers, the amending of rules, strikes, dissolution and any other matter affecting the members of the union generally by secret ballot.

**SUBSIDIARY LEGISLATION**

**Regulations under section 34**

- (1) Trade Unions (Registration) Regulations**
- (2) Trade Unions (Accounting Procedure) Regulations**

**SUBSIDIARY LEGISLATION**

**Regulations under section 34**

**(1) TRADE UNIONS (REGISTRATION) REGULATIONS**

**ARRANGEMENT OF RULES**

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**PART I**

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[Subsidiary]

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**SCHEDULE**

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## SUBSIDIARY LEGISLATION

## Regulations under section 34

## (1) TRADE UNIONS (REGISTRATION) REGULATIONS

[S 101/62]

*Commencement: 20th February 1962*

## PART I

## PRELIMINARY

1. These Regulations may be cited as the Trade Unions (Registration) Regulations. Citation.
2. In these Regulations, unless the context otherwise requires — Interpretation.
- “the Act” means the Trade Unions Act;
- “officer”, when used with reference to a trade union, means any member of the executive body or committee of management thereof, but does not include an auditor;
- “registered office” means that office of a trade union which is registered under the Act as the head office of the trade union.

## PART II

## REGISTRATION OF TRADE UNIONS

3. (1) The Registrar of Trade Unions shall keep and maintain a register of trade unions and such register shall be substantially in the Form A set out in the First Schedule hereto. Register of trade unions.
- (2) There shall be registered in the register of trade unions the following matters —
- (a) the prescribed particulars relating to any registered trade union;
- (b) any alteration or change which may from time to time be effected in such particulars; and
- (c) all such other matters as may be required to be registered under the Act.
- (3) A certified copy of any entry in the register shall be conclusive proof of the facts specified therein as on the date of such specified copy.
4. (1) Every application made for the registration of a trade union shall be substantially in the Form B set out in the First Schedule hereto and shall be submitted in triplicate to the Registrar. Application for registration.



(2) Every application under paragraph (1) of this Regulation shall —

(a) be signed by at least 7 members of the trade union, any of whom may be officers thereof;

(b) be accompanied by such fee prescribed by regulation 33;

(c) be accompanied by a printed copy of the rules of the trade union signed by the members of the trade union making the application under sub-paragraph (a) above;

(d) be accompanied by a statement of the following particulars, namely —

(i) the names, occupations and addresses of the members making the application;

(ii) the name of the trade union and the address of the head office; and

(iii) the titles, names, ages, addresses and occupations of the officers of the trade union, and such other information regarding such officers as the Registrar may in any particular case require to be furnished.

Manner of registration.

5. (1) The registration of a trade union shall be effected by entering in the register all the particulars prescribed in the Form A set out in the First Schedule hereto which are applicable, such entry being subscribed by the signature of the Registrar.

(2) All other entries or alterations or changes made in the register shall be initialled by the Registrar.

(3) Whenever it is shown to the satisfaction of the Registrar that an error has been made in any entry in the register, such entry may be amended by the Registrar, and thereupon shall be initialled by him.

Certificate of registration.

6. The certificate of registration issued by the Registrar under section 9 of the Act shall be substantially in the Form C as set out in the First Schedule hereto.

Application for cancellation of registration.

7. (1) Every application for cancellation of registration of a registered trade union under paragraph (a) of subsection (1) of section 11 of the Act shall be given in duplicate substantially in the Form D as set out in the First Schedule hereto and be signed by the Secretary of the trade union and by not less than 7 other members, and, if the union has a seal, the seal shall also be affixed thereto.

(2) Such application shall be accompanied by the union's certificate of registration.

8. Upon an application for the cancellation of the registration of a trade union being presented to him, the Registrar, if he has reason to believe that the applicants have not been duly authorised by such trade union to make the same, may, for the purpose of ascertaining the facts, require from the applicants such evidence as may seem to him necessary and examine any officer of such trade union.

Power of Registrar to call for evidence.

9. (1) The Registrar shall, when he proposes to cancel the registration of a trade union under paragraph (b) of subsection (1) of section 11 of the Act, cause a notice to be served on the trade union substantially in the Form E set out in the First Schedule hereto.

Notice to cancel registration.

(2) The certificate of registration issued to a trade union under regulation 6 shall be surrendered by the Secretary of the union on receipt of the order of the Registrar for cancellation of registration.

Surrender of certificate.

10. (1) The cancellation of registration under paragraph (a) or paragraph (b) of subsection (1) of section 11 of the Act shall be by an order made by the Registrar.

Order for cancellation of registration.

(2) Such order shall be dated as on the date on which it was made, shall specify briefly the grounds for the cancellation of registration and shall forthwith be served on the trade union affected thereby.

(3) The date of issue of such order shall be entered in item 16(c) of the Form A set out in the First Schedule hereto.

(4) A cancellation of registration of a trade union shall include the cancellation of its certificate of registration.

11. (1) Notice of any change of the name of a registered trade union under section 12 of the Act shall be given in duplicate substantially in the Form F set out in the First Schedule hereto.

Notice of change of name.

(2) The registration of a change of name shall be effected by entering in the register the particulars prescribed in item 13 of the Form A set out in the First Schedule hereto.

(3) When the Registrar registers a change of name he shall certify under this signature at the foot of the certificate issued under regulation 6 that the new name has been registered. The Secretary of the trade union shall present the certificate to the Registrar for this purpose.

12. (1) Notice of every amalgamation of trade unions under section 13 of the Act shall be given in duplicate substantially in the Form G set out in the First Schedule hereto.

Notice of amalgamation.

(2) When an amalgamated trade union is registered under subsection (4) of section 14 of the Act it shall be assigned a new number in the register and the particulars prescribed by regulation 5 shall be entered therein. The Registrar shall issue in respect of the amalgamated trade union a certificate in the Form C set out in the First Schedule hereto and shall also note the fact of amalgamation against the entries in the register, if any, relating to the trade unions so amalgamated.

Registration of amalgamated trade unions.

[Subsidiary]

Notice of dissolution.

**13.** (1) When a registered trade union is dissolved, notice of the dissolution shall be sent in duplicate to the Registrar substantially in the Form H set out in the First Schedule hereto.

(2) The Secretary of the trade union shall send to the Registrar with the notice of dissolution the certificate of registration issued under regulation 6. When the Registrar registers the dissolution, he shall send an intimation of the fact of such registration under his signature to the Secretary of the trade union.

Registered office.

**14.** (1) Every registered trade union shall have a registered office situated in Brunei Darussalam to which all communications and notices may be addressed.

Situation of registered office.

(2) The situation of such registered office shall be given to the Registrar in Schedule I of Form B set out in the First Schedule hereto.

Notice of change of office.

(3) Notice of any change in the situation of the registered office of a trade union shall be given in duplicate substantially in the Form I set out in the First Schedule hereto.

Notice of alteration of rules.

**15.** (1) Application for the registration of any new rules or of any alterations made in the existing rules of a trade union under subsection (1) of section 28 of the Act shall be made to the Registrar in triplicate substantially in the Form J set out in the First Schedule hereto. The application shall be signed by the Secretary of the trade union and sent to the Registrar within 14 days of the making of the new rules or of the alteration of the existing rules of the trade union.

Registration of amendment to rules.

(2) The Registrar shall issue a certificate that the amendment to the rules has been approved and registered by him substantially in the Form J(1) set out in the First Schedule hereto.

Notification of change of officers, etc.

**16.** (1) Notice of all changes of officers or of the title of any officer shall —

(a) be prominently exhibited in such place as it may easily be read in the registered office of every registered trade union; and

(b) with the particulars specified in regulation 4(2)(d)(i) of these Regulations relating to such officer<sup>4</sup> 4 days after the change, be sent to the Registrar by such trade union together with the fee prescribed by regulation 33;

and the Registrar shall, on being satisfied that such change is not contrary to the rules of the trade union or to the provisions of the Act and these Regulations, thereupon correct the register accordingly.

(2) Notice required under paragraph (1) above shall be given in triplicate to the Registrar substantially in the Form K set out in the First Schedule hereto.

(3) In the case of paid employees, such notice shall be given in triplicate to the Registrar substantially in the Form K (1) set out in the First Schedule hereto.

**17.** Notice of intention to form a federation of trade unions under section 15 of the Act shall be given substantially in the Form L set out in the First Schedule hereto.

Notice of intention to form a federation.

**18.** A federation of trade unions shall file an application for registration required under section 15 of the Act substantially in the Form L (1) set out in the First Schedule hereto and its rules shall make provisions for all matters specified in the Schedules thereto.

Application for registration.

**19.** On registration of a federation of trade unions the Registrar shall issue a certificate substantially in the Form L (2) set out in the First Schedule hereto.

Certificate of registration of a federation.

**20.** Notice of intention to affiliate with a federation of trade unions under subsection (5) of section 15 of the Act shall be given substantially in the Form M (1) set out in the First Schedule hereto by a registered trade union.

Notice of intention to affiliate with a federation.

**21.** Notice of resolution to affiliate with a federation of trade unions under subsection (6) of section 15 of the Act shall be given substantially in the Form M (1) set out in the First Schedule hereto by a registered trade union.

Notice of resolution to affiliate with a federation.

**22.** Notice of acceptance of the affiliation of a trade union with a federation of trade unions shall be given substantially in the Form M (2) set out in the First Schedule hereto by the registered federation of trade unions.

Notice of acceptance of affiliation of a trade union.

**23.** (1) The rules of a registered trade union relating to the taking of decisions by ballot shall ensure that every member of the trade union has an equal right, and a reasonable opportunity, of voting, and, in the case of a secret ballot, that the secrecy of the ballot is properly secured.

Ballots.

(2) The results of ballot taken under paragraph (1) above shall be submitted in duplicate substantially in the Form N set out in the First Schedule hereto and, in the case of election of officers, a list shall be submitted, signed by the scrutineers showing the names of all nominees and the votes recorded against each person.

**24.** (1) The account rendered to a registered trade union by the Treasurer or other officer responsible for the accounts under section 21 of the Act shall be substantially in the Form O set out in the First Schedule hereto.

Form of account rendered by Treasurer.

(2) There shall be appended to the accounts a statutory declaration by the Treasurer or other officer to the effect that the statement of accounts is true and correct to the best of his knowledge and belief.

**25.** (1) The Secretary of every registered trade union shall transmit to the Registrar within 3 months of the end of the union's financial year a general statement of the receipts, effects and expenditure of the trade union, and such

Annual return. Penalties.

general statement shall be substantially in the Form P set out in the First Schedule hereto and shall contain all the particulars indicated in that Form.

(2) There shall also be appended to such general statement a statutory declaration by the Treasurer or other officer responsible for the accounts to the effect that the statement of accounts is true and correct to the best of his knowledge and belief.

(3) The general statement shall also show —

(a) the assets and liabilities of the trade union;

(b) the receipts and expenditure during the year preceding the date to which it is made out; and

(c) separately, the expenditure in respect of the several objects of the trade union.

(4) Together with such general statement, the Secretary shall also furnish to the Registrar a copy of all alterations or amendments of rules, and of all new rules, and a list of all changes of officers, made by the trade union during the period of 12 months preceding the end of the union's financial year, and a copy of the rules of the union in force on that day.

(5) Every member of a registered trade union shall be entitled to receive free of charge a copy of such general statement and the Secretary of such registered trade union shall deliver a copy of such statement to every member of his union who makes application to him therefor.

(6) Failure to comply with any of the requirements of this Regulation on the part of any registered trade union shall render the Secretary, the Treasurer or any officer or other person bound by the rules of the trade union to comply with such requirements, or, if there is no such officer or person, every member of the executive committee or committee of management of that registered trade union, liable under the provisions of section 31 of the Act.

(7) Every person who wilfully makes or orders or causes or procures to be made any false entry in or omission from any account of a registered trade union or general statement, copy or list delivered to the Registrar under paragraphs (1), (2), (3) and (4) of this Regulation shall be guilty of an offence: Penalty, a fine of \$3,000 and 3 months imprisonment.

Qualification  
of auditors.

**26.** (1) The person to be approved by the Registrar under the provisions of subsection (2) of section 1 of the Act to audit the accounts of a registered trade union shall be a qualified accountant who has obtained a written authority from His Majesty the Sultan and Yang Di-Pertuan in Council under the law relating to the registration of companies in Brunei Darussalam to be an auditor of the accounts of companies generally:

Provided that the Registrar, if he is satisfied that the financial resources of any trade union do not justify the employment of a person so qualified, or for any other sufficient reason, may approve any other fit and proper person to audit the accounts of the registered trade union.

(2) Notwithstanding anything contained in paragraph (1) of this Regulation no person who, at any time during the year for which accounts are to be audited, was entrusted with any part of the funds or securities belonging to a registered trade union shall be eligible to audit the accounts of that trade union for that year.

**27.** The auditor or auditors appointed by a registered trade union with the approval of the Registrar for the audit of the trade union accounts shall audit the accounts and shall thereafter sign the auditor's declaration appended to the Form P set out in the First Schedule hereto indicating separately on that Form under his signature or their signatures a statement showing in what respect he or they found the return to be incorrect, not supported by vouchers, or not in accordance with the Act or these Regulations. The particulars given in this statement shall indicate —

Manner of  
audit.

(a) every payment which appears to be unauthorised by the rules of the trade union or contrary to the provisions of the Act or these Regulations;

(b) the amount of any deficiency or loss which appears to have been incurred by the negligence or misconduct of any person; and

(c) the amount of any sum which ought to have been put is not brought to account by any person.

**28.** Any notice, order or intimation required by the Act or by these Regulations to be given or served on a registered trade union shall be deemed to have been duly given or served if such notice, order or intimation is served personally on the Secretary of that union, or sent by registered post addressed to the Secretary of that union at its registered office.

Manner of  
serving notice  
or order.

**29.** (1) The register of trade unions maintained by the Registrar in accordance with regulation 3 of these Regulations shall be open for inspection during office hours to any person on presentation of a written application to the Registrar on payment of the prescribed fee.

Inspection of  
register and  
documents.

(2) Documents in the possession of the Registrar received from any registered trade union may be inspected during office hours by any member of the union on presentation of a written application to the Registrar on payment of the prescribed fee.

**30.** (1) Whenever the Registrar inspects the account books of a registered trade union under the provisions of section 6 of the Act, it shall be the duty of the Secretary of that union, if requested to do so by a notice being served on the union by the Registrar, to authorise the Bank at which the union's account is kept to disclose to the Registrar the union's account and documents incidental thereto.

Disclosure of  
a trade union's  
bank account.  
Penalty for  
failure to  
comply.

(2) Failure to comply with the provisions of paragraph (1) above shall render the Secretary liable to a fine of \$3,000.

**31.** (1) A registered trade union shall not create a benevolent fund unless rules governing the creation, administration, protection, control and

Benevolent  
funds.

[Subsidiary]

disposal of such fund and governing all matters connected therewith or incidental thereto shall have been approved in writing by the Registrar.

(2) The Registrar shall not approve such rules unless he is satisfied that the interests of the members of the union in such fund are adequately safeguarded.

(3) When such rules have been approved by the Registrar, the particulars prescribed by item 9(a) and (b) in the Form A set out in the First Schedule hereto shall be entered in the register.

Disposal and  
custody of  
funds.

**32.** (1) The executive committee or committee of management of every registered trade union shall open a current account with a Bank in the name of the union and all monies received by the union, except monies the disposal and custody of which are governed by rules relating to a benevolent fund, shall be paid into this account within 7 days of the receipt thereof provided that the Treasurer or Secretary of the union may retain as cash-in-hand such sums as may, by the rules of the union, be prescribed.

(2) All cheques or withdrawal orders drawn on this account shall be signed by the following 3 persons —

(a) The President (or the analogous officer) or in his absence the Vice-President (or the analogous officer);

(b) the Treasurer of the union; and

(c) the Secretary of the union.

In the absence of the Treasurer or Secretary, the executive committee or committee of management shall appoint one of its members to sign cheques in place of the absent officer.

(3) On the opening of a current account, the Secretary of the union shall notify the Registrar of the name of the Bank in which such account has been opened and the Registrar shall enter the name of such Bank in the register.

Fees.

**33.** The prescribed fees shall be in accordance with the Second Schedule hereto.

## PART II

### APPLICATION FOR EXEMPTIONS

Application to  
be by letter.

**34.** (1) Application for exemption under the provisions of subsection (2) of section 16 of the Act shall be made by the Secretary of the trade union seeking the exemption by letter in duplicate addressed to the Minister. The letter shall set out briefly and sufficiently the grounds upon which the exemption is desired.

[Subsidiary]

(2) The application shall be accompanied by a certificate from the President or analogous officer of the registered trade union that he supports the application, and that the grounds upon which the application is based are true.

Certificate from the union in support of the application.

(3) The Minister shall have power to refer the application to the Registrar for his comments.

Registrar may comment.

### PART III

#### GENERAL

35. Any person who contravenes any of the provisions of these Regulations shall, unless a penalty therefor is prescribed under the Act or Regulations made thereunder, be liable to imprisonment for 6 months and to a fine of \$6,000.

Contravention of Regulations.

36. The Registrar may exempt any union from all or any of the provisions of these Regulations for such period and upon conditions as he may specify.

Exemption.

### FIRST SCHEDULE

#### FORM A

#### TRADE UNIONS ACT, CAP. 128

#### REGISTER OF TRADE UNIONS

##### (Regulation 3)

1. Registration number .....

2. Date of registration .....

3. (a) Names of the members making the application.

.....  
 .....  
 .....

(b) Occupation of the members making the application.

.....  
 .....  
 .....



[Subsidiary]

4. Name of the trade union .....
5. Address of the head office of the trade union .....
6. Date of establishment of the trade union .....
7. Officers of the trade union:
  - Title .....
  - Name .....
  - Age .....
  - Brunei Darussalam NRIC No. ....
  - Occupation .....
  - Address .....
8. Name of Bank at which current account is kept .....
9. (a) Whether provision has been made in the rules for the creation of a benevolent fund and if so from what date .....
- (b) Date on which Registrar approved the rules governing the benevolent fund .....
10. Signature of the Registrar .....
11. (a) Date of intimation of alteration of rules .....
- (b) Date of registration of alteration of rules and its notification to the Secretary of the trade union .....
- (c) Initials of the Registrar .....
12. (a) Date of registration of change of address of registered office .....
- (b) Address of the trade union as changed .....
- (c) Initials of the Registrar .....
13. (a) Date of registration of change of name .....
- (b) Name of the trade union as changed .....
- (c) Initials of the Registrar .....
14. (a) Date of registration of change of officers or the title of any

- officer .....
- (b) The names of the officers or the title of any officer so changed .....
- (c) Initials of the Registrar .....
15. (a) Date of registration of amalgamation .....
- (b) Name of the amalgamated trade union .....
- (c) Address of the amalgamated trade union .....
- (d) Initials of the Registrar .....
16. (a) Date of application for cancellation of registration under section 11(1)(a) of the Act .....
- (b) Date of giving notice of cancellation under section 11(1)(b) of the Act .....
- (c) Date of issue of order cancelling registration .....
- (d) Initials of the Registrar .....
17. (a) (1) Date of notice of dissolution .....
- (2) Names of signatories of notice of dissolution .....
- (3) Occupations of signatories of notice of dissolution .....
- (b) Date of registration of dissolution and issue of certificate to that effect .....
- (c) Initials of the Registrar .....

**NOTE** — The particulars referred to above may be contained in one or more pages of the register allotted to each trade union.

## FORM B

## TRADE UNIONS ACT, CAP. 128

## APPLICATION FOR REGISTRATION OF A TRADE UNION

## (Regulation 4)

To the Registrar of Trade Unions,  
Brunei Darussalam.

Name of trade union .....

Address of head office .....

1. This application is made by the persons whose names are subscribed hereunder.

2. The ..... Union came into existence on the ..... day of ..... 20 .....

3. The Union is a union of employers/workers engaged in the ..... industry/or ..... profession/or ..... (establishment) and has ..... members.

4. The statement of particulars required by regulation 4 (2) of these Regulations is given in Schedule I attached to this application.

5. A copy of the printed rules of the trade union is attached to this application.

6. The particulars given in Schedule III show the provision made in the rules for the matters referred to in section 7 (1) of the Act.

7. We have been duly authorised by the trade union to make this application on its behalf, such authorisation consisting of \* .....

Dated this ..... day of ....., 20 .....

Signatures of applicants:

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

---

\* State here whether the authority to make this application was made by a “resolution of a general meeting of the trade union”, or, if not, in what other way it was given.

## SCHEDULE I

## STATEMENT OF PARTICULARS REFERRED TO IN

## REGULATION 4(2)

- (a) The names, occupations, and addresses of the members making the application are as follows —

		Name and alias if any	Occupation	Address
Signed	1.			
	2.			
	3.			
	4.			
	5.			
	6.			
	7.			

- (b) (1) The name under which it is proposed that the trade union on behalf of which this application is made shall be registered is

.....

- (2) The address of the head office of the trade union to which all communication and notices may be addressed is

.....

## SCHEDULE II

(To be completed by every Officer)

Title of Office	Name	Age	Whether a Brunei National	Address	Present Occupation	(a) Details of employment to establish the qualification of two years in the trade, industry or occupation required under section 16	(b) Details of previous office held in trade unions	(c) Details of any conviction in any court	Signature of Officers

- (a) Here must be inserted sufficient particulars to establish to the satisfaction of the Registrar that the officer has been employed for 2 years in the trade, industry, or occupation with which the trade union is connected.
- (b) All posts held in trade unions with the name of the trade union and the relevant date must be disclosed.
- (c) The nature of the charge, date of hearing, name of Court and the punishment including, discharge under the provisions of the Criminal Procedure Code must be disclosed.

## SCHEDULE III

## REFERENCE TO RULES

The numbers of the rules making provision for the several matters detailed in column 1 are given in column 2 below:

1 Matter	2 Number of Rule
1. The name of the trade union, the address of its office and the place or places of meeting for the business of the trade union. ....	.....
2. The whole of the objects for which the trade union is to be established, the purpose for which the funds thereof shall be applicable, the conditions under which any member thereof may become entitled to any benefit assured thereby and the fines and forfeitures to be imposed on any member thereof. ....	.....
3. The manner of making, altering, amending and rescinding rules. ....	.....
4. A provision for the appointment and removal of a general committee of management and of a treasurer, a secretary and other officers of the trade union. ....	.....
5. A provision for the keeping of a register of members of the trade union and of the committee of management and other officers thereof. ....	.....
6. A provision for the keeping of full and accurate accounts by the treasurer. ....	.....
7. The custody and investment of the funds of the trade union, the designation of the officer or officers responsible therefor, and the annual or periodical audit of its accounts. ....	.....
8. The inspection of the books and names of members of the trade union by every person having an interest in the funds of the trade union. ....	.....
9. The manner of the dissolution of the trade union and the disposal of the funds thereof available at the time of such dissolution. ....	.....
10. The taking of all decisions in respect of the election of officers, the amending of rules, strikes, dissolution and any other matter affecting the members of the trade union generally by secret ballot. ....	.....

**FORM C**

**TRADE UNIONS ACT, CAP. 128**

**CERTIFICATE OF REGISTRATION**

**(Regulation 6)**

It is hereby certified that the .....  
..... has at this day been registered  
as a trade union under section 9(1)(a) of the Trade Unions Act, and that its  
registration number is .....

Given under my hand this ..... day of ....., 20 .....

.....  
Registrar of Trade Unions,  
Brunei Darussalam

**FORM D**

**TRADE UNIONS ACT, CAP. 128**

**REQUEST TO CANCEL REGISTRATION  
OF A TRADE UNION**

**(Regulation 7)**

Name of registered trade union .....

Registration number .....

Registered address of head office .....

Dated this ..... day of ....., 20 .....

To:

The Registrar of Trade Unions,  
Brunei Darussalam

The above-mentioned trade union at a general meeting\* held on the  
..... day of ....., 20 .....  
resolved as follows†

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

† Here give exact copy of resolution.



[Subsidiary]

We thereof request that its certificate of registration under the Trade Union Act, may be cancelled.

The certificate of registration No. ....  
is forwarded herewith.

We certify that the statements contained in this application are to the best of our knowledge and belief true.

SEAL OF THE  
TRADE UNION  
(if any)

Signature of Secretary:

Signature of Members:

1. ....
2. ....
3. ....
4. ....
5. ....
6. ....
7. ....
8. ....

FORM E

TRADE UNIONS ACT, CAP. 128

NOTICE BEFORE CANCELLATION OF  
REGISTRATION UNDER SECTION 11(1)(b) OF  
THE TRADE UNIONS ACT

(Regulation 9)

Office of the Registrar of Trade Union,  
Brunei Darussalam.

....., 20 .....

Name of trade union .....

Registration number .....

Notice is hereby given under section 11(2) of the Trade Unions Act, to  
the above-mentioned trade union that it is the intention of the Registrar to

proceed on the\* ..... day of .....,

20 ....., to cancel the registration of the trade union unless cause be shown  
to the contrary in the meantime, under the provisions of section 15(1)(b), that  
is to say:

The ground of such proposed cancellation is:‡

\* The date entered herein shall not be less than 2 months from the date of notice.

‡ The facts should be briefly specified where practicable.

The grounds upon which the Registrar proposes to act as aforesaid are:

.....

Registrar of Trade Unions,  
Brunei Darussalam

The Secretary of .....

(here enter name of trade union)

Registered address of Head Office of the Trade Union .....

.....

## FORM F

## TRADE UNIONS ACT, CAP. 128

## NOTICE OF CHANGE OF NAME

## (Regulation 11)

Name of registered trade union .....

Registration number .....

Registered address of head office .....

Dated this ..... day of ....., 20 .....

To:

The Registrar of Trade Unions,  
Brunei Darussalam

Notice is hereby given in terms of section 14 of the Trade Unions Act that the name of the above-mentioned trade union has been changed to .....

The consent of the members was obtained by\* .....  
.....

The certificate of registration No. .... is forwarded herewith for necessary amendment.

Name of Block  
Letters

Signature of Secretary:	1. ....	.....
Signature of Members: {	2. ....	.....
	3. ....	.....
	4. ....	.....
	5. ....	.....
	6. ....	.....
	7. ....	.....
	8. ....	.....

\* i.e. by referendum, resolution of a general meeting, etc. If procedure followed is covered by rule, quote number of the rule.

FORM G

TRADE UNIONS ACT, CAP. 128

NOTICE OF AMALGAMATION OF TRADE UNIONS

(Regulation 12)

A. Name of registered trade union .....

Registration number .....

B. Name of registered trade union .....

Registration number .....  
(and so on if more than 2)

Address .....

Dated this ..... day of ..... , 20 .....

To:

The Registrar of Trade Union,  
Brunei Darussalam

Notice is hereby given that, in accordance with the requirement of section 14 of the above-mentioned Act, the members of each of the above-mentioned trade unions have resolved to become amalgamated together as one trade union.

2. The following are the terms of the said amalgamation .....

3. It is intended that the amalgamated trade union shall henceforth be called .....

4. The address of the head office of the amalgamated trade union is .....

5. The consent of the members of the trade unions was obtained by\* .....

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

\* Set out in respect of each trade union whether by referendum, resolution of a general meeting etc. If procedure followed is covered by rule, quote number of the rule.

[Subsidiary]

	Name of Trade Union (in block letters)	Name of Trade Union (in block letters)
Signature of Secretary: ‡	1. ....	1. ....
Signature of Members: {	2. ....	2. ....
	3. ....	3. ....
	4. ....	4. ....
	5. ....	5. ....
	6. ....	6. ....
	7. ....	7. ....
	8. ....	8. ....

‡ To be signed by seven members and the Secretary of each trade union.

## FORM H

## TRADE UNIONS ACT, CAP. 128

## NOTICE OF DISSOLUTION OF TRADE UNION

## (Regulation 13)

Name of registered trade union .....

Registration number .....

Registered address of head office .....

Dated this ..... day of ....., 20 .....

To:

The Registrar of Trade Unions,  
Brunei Darussalam

Notice is hereby given that the above-mentioned trade union was dissolved in pursuance of the rules thereof on the ..... day of ..... , 20 .....

We have been duly authorised by the ..... Union to forward this notice on its behalf, such authorisation consisting of a resolution passed at a general meeting/delegates' conference on the ..... day of ..... , 20 .....

The certificate of registration No. .... is returned herewith.

		Name and Address (in block letters)
Signature of Secretary:	1. ....	.....
	2. ....	.....
	3. ....	.....
	4. ....	.....
Signature of Members:	5. ....	.....
	6. ....	.....
	7. ....	.....
	8. ....	.....

# FORM I

## TRADE UNIONS ACT, CAP. 128

### NOTICE OF CHANGE OF OFFICE OF A REGISTERED TRADE UNION

#### (Regulation 14)

Name of registered trade union .....

Registration number .....

Dated this ..... day of ....., 20 .....

To:

The Registrar of Trade Unions,  
Brunei Darussalam

Notice is hereby given that the head office of the above-mentioned trade union has been removed from ..... and is now situated at ..... in .....

The consent of the executive committee/committee of management\* was obtained at a ..... meeting held on .....

.....  
Signature of Secretary

.....  
President

.....  
Treasurer

[Subsidiary]

Received this ..... day of  
 ....., 20 ....., notice of  
 removal of registered office of the  
 ..... Union, registration  
 No. .... to .....  
 .....  
 Signature of Registrar  
 of Trade Unions

\* Delete whichever is inappropriate.

## FORM J

## TRADE UNIONS ACT, CAP. 128

APPLICATION FOR REGISTRATION OF  
NEW RULES OR ALTERATION OF RULES

## (Regulation 15(1))

Name of registered trade union .....

Registration number .....

Registered address of head office .....

Dated this ..... day of ....., 20 .....

To:

The Registrar of Trade Unions,  
 Brunei Darussalam

I, ..... the undersigned, the Secretary  
 of the above-mentioned trade union, apply for the registration of the new rule/  
 rules/alteration/alterations of the rules of the trade union, 2 printed/written  
 copies of which are annexed hereto.

2. I also annex a printed copy of the registered rules marked to show where  
 and in what manner they are altered.

3. I have been duly authorised by the trade union to make this application on  
 its behalf, such authorisation consisting of a resolution passed at a meeting of  
 its executive committee/committee of management on the\* .....

4. I declare that in making the new rule/rules/alterations, the existing rules  
 of the trade union have been complied with.

.....  
 Signature of Secretary

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

## FORM J(1)

## TRADE UNIONS ACT, CAP. 128

CERTIFICATE OF REGISTRATION OF  
AMENDMENT OF RULES/REVISED RULES

## (Regulation 15(2))

Registration number .....

The revised rules/foregoing amendment of rules of the .....  
..... are/is registered under the Trade Unions Act.This ..... day of ..... , 20 .....  
(SEAL)  
Copy kept......  
Registrar of Trade Union,  
Brunei Darussalam

## FORM K

## TRADE UNIONS ACT, CAP. 128

NOTICE OF CHANGE OF OFFICERS  
OR OF THE TITLE OF ANY OFFICER

## (Regulation 16)

Name of registered trade union .....

Registration number .....

Registered address of head office .....

Dated this ..... day of ..... , 20 .....

To:

The Registrar of Trade Unions,  
Brunei DarussalamNotice is hereby given that the following changes of officers have taken  
place:

## OFFICERS RELINQUISHING OFFICE

Name	Title of Office	Date of relinquishing office



## LAWS OF BRUNEI

50

**CAP. 128**

*Trade Unions*

[Subsidiary]

### OFFICERS APPOINTED

Title of Office	Name	Age	Address	Occupation	Whether a Brunei National	Date of appointment

2. I have ben duly authorised by .....  
trade union to forward this notice on its behalf, such authorisation consisting  
of a resolution passed at the general meeting/delegates' conference/executive  
committee meeting/committee of management meeting on the ‡ .....  
day of ....., 20 .....

.....  
Signature of Secretary

### CERTIFICATE

We hereby declare that to the best of our knowledge and belief the officers appointed above have been employed in the trade or industry which this trade union represents for a period of 2 years, and have not been previously convicted in any Court.

We declare that these officers are entitled to hold office under section 16 of the Trade Unions Act.

(SEAL OF THE UNION)

President: .....  
Secretary: .....  
Treasurer: .....

Dated this ..... day of ..... , 20 .....

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

## FORM K(1)

## TRADE UNIONS ACT, CAP. 128

NOTICE OF CHANGE OF EMPLOYEES OF  
A TRADE UNION

## (Regulation 16)

Name of registered trade union .....

Registration number .....

Registered address of head office .....

Dated this ..... day of ....., 20 .....

To:

The Registrar of Trade Unions,  
Brunei Darussalam

Notice is hereby given that the following changes of officers have taken place:

**EMPLOYEES RELINQUISHING APPOINTMENT**

Name	Title of Office	Date of relinquishing office

**OFFICERS APPOINTED**

Title of Office	Name	Age	Address	Occupation	Whether a Brunei National	Date of appointment

2. I have been duly authorised by .....  
trade union to forward this notice on its behalf, such authorisation consisting

[Subsidiary]

of a resolution passed at the general meeting/delegates' conference/executive committee meeting/committee of management meeting on the ‡ ..... day of ..... , 20 .....

.....  
Signature of Secretary

**CERTIFICATE**

We hereby declare that to the best of our knowledge and belief the officers appointed above have been employed in the trade or industry which this trade union represents for a period of 2 years, and have not been previously convicted in any Court.

We declare that these officers are entitled to hold office under section 16 of the Trade Unions Act.

(SEAL OF THE UNION)

President: .....

Secretary: .....

Treasurer: .....

Dated this ..... day of ..... , 20 .....

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

**FORM L**

**TRADE UNIONS ACT, CAP. 128**

**NOTICE OF INTENTION TO FORM  
A FEDERATION OF TRADE UNIONS**

**(Regulation 17)**

Name of registered trade union .....

Registration number .....

Registered address of head office .....

To:

The Registrar of Trade Unions,  
Brunei Darussalam

Notice is hereby given that it is the intention of the above-mentioned trade union to join with —

1. ....
2. ....
3. ....
4. ....

to form a federation of trade union.

2. The proposed name of the federation of trade unions is .....

.....

3. A ballot vote of the members of this trade union will be taken on

.....

.....  
Secretary

### FORM L(1)

### TRADE UNIONS ACT, CAP. 128

### APPLICATION FOR REGISTRATION OF FEDERATION OF TRADE UNIONS

### (Regulation 18)

Name of registered trade union .....

Address of head office .....

To:

The Registrar of Trade Unions,  
Brunei Darussalam

1. This application is ade by the Secretary and seven members of each trade union whose names are subscribed hereunder.

2. The ..... unions came into existence on the ..... day of ..... , 20 .....

3. The federation of trade unions in a union of employers/workes engaged in the ..... industry/or ..... profession/or ..... (establishment).

[Subsidiary]

4. A copy of the rules of the unions is attached to this application.
5. The names of the officers of the federation, their titles of offices, ages, occupations and addresses are given in Schedule I.
6. We have been duly authorised the trade unions agreeing to form this federation to make this application on their behalf, such authorisation consisting of\* ..... take by ‡ ..... as required under section 15(1) of the Trade Unions Act. (A return of the †† ..... in respect of each union is attached to this application).

Dated this ..... day of ..... , 20 .....

Name of union (1) ..... (2) .....

(3) .....

Signature of applicants

Secretary	.....	.....	.....
(1)	.....	.....	.....
(2)	.....	.....	.....
(3)	.....	.....	.....
(4)	.....	.....	.....
(5)	.....	.....	.....
(6)	.....	.....	.....
(7)	.....	.....	.....

\* referendums, resolutions of a general meeting, or any other type of authorisation.

‡ secret ballot or any other method.

†† ballot or any other method.

## SCHEDULE I

### (LIST OF OFFICERS OF THE FEDERATION)

Title of office held in union	Name and alias if any	Whether a Brunei National	Age	Address	Occupation

## SCHEDULE II

## REFERENCE TO RULES

The numbers of the rules making provision for the several matters detailed in column 1 are given in column 2 below:

1 Matter	2 Number of Rule
1. The name of the federation of trade unions, the address of its office and the place or places of meeting for the business of the federation. ....	.....
2. The whole of the objects for which the federation is to be established, the purposes for which the funds thereof shall be applicable, the conditions under which any member thereof may become entitled to any benefit assured thereby and the fines and forfeitures to be imposed on any member thereof. ....	.....
3. The manner of making, altering, amending and rescinding rules. ....	.....
4. A provision for the appointment and removal of a general committee of management and a treasurer, a secretary and other officers of the federation. ....	.....
5. A provision for the keeping of a register of members of the federation and of the committee of management and other officers thereof. ....	.....
6. A provision for the keeping of full and accurate accounts by the treasurer. ....	.....
7. The custody and investment of the funds of the federation, the designation of the officer or officers responsible therefor, and the annual or periodical audit of its accounts. ....	.....
8. The inspection of the books and names of members of the federation by every person having an interest in the funds of the federation. ....	.....
9. The manner of the dissolution of the federation and the disposal of the funds thereof available at the time of such dissolution. ....	.....
10. The taking of all decisions in respect of the election of officers, the amending of rules, strikes, dissolution and any other matter affecting the members of the federation generally by secret ballot. ....	.....

**FORM L(2)**

**TRADE UNIONS ACT, CAP. 128**

**CERTIFICATE OF REGISTRATION OF  
A FEDERATION OF TRADE UNIONS**

**(Regulation 19)**

It is hereby certified that the .....  
has this day been registered as a trade union under section 15(4) of the Trade  
Unions Act, and that its registration number is .....

Given under my hand this ..... day of ..... , 20 .....

.....  
Registrar of Trade Unions,  
Brunei Darussalam

**FORM M**

**TRADE UNIONS ACT, CAP. 128**

**NOTICE OF INTENTION TO AFFILIATE WITH  
A FEDERATION OF TRADE UNIONS**

**(Regulation 20)**

Name of registered trade union .....

Registration number .....

Registered address of head office .....

To:

The Registrar of Trade Unions,  
Brunei Darussalam

Notice is hereby given that it is the intention of the above-mentioned  
trade union to affiliate with the .....

.....

2. A ballot vote of the members of this union will be taken on .....

.....

.....  
Secretary

## FORM M(1)

## TRADE UNIONS ACT, CAP. 128

NOTICE OF RESOLUTION TO AFFILIATE WITH  
A FEDERATION OF TRADE UNIONS

## (Regulation 21)

Name of registered trade union .....

Registration number .....

Registered address of head office .....

.....

Dated this ..... day of ....., 20 .....

Notice is hereby given that the above-mentioned trade union has resolved  
to affiliate with the .....

.....  
a federation of trade unions, registered under certificate of registration

.....

The consent of the members was obtained by a majority ballot  
taken \* at a general meeting held

by postal ballot and declared

on the ..... day of ....., 20 .....

## A return of ballot is attached

	Signatures	Name of signatories (in block letters)
Secretary:	1. ....	.....
	2. ....	.....
	3. ....	.....
Seven members (not necessarily officers)	4. ....	.....
	5. ....	.....
	6. ....	.....
	7. ....	.....
	8. ....	.....

(Alias, if any)

\* Delete whichever is nappropriate.



**FORM M(1)**

**TRADE UNIONS ACT, CAP. 128**

**NOTICE OF ACCEPTANCE OF  
A REGISTERED TRADE UNION TO AFFILIATE BY  
A FEDERATION OF TRADE UNIONS**

**(Regulation 22)**

Name of registered federation of trade union .....

Registration number .....

Registered address of head office .....

Dated this ..... day of ....., 20 .....

Notice is hereby given that the above-mentioned federation of trade union  
has accepted the affiliation of .....  
union, registered under certificate of registration No. ....

Signature: President .....

President .....

President .....

**FORM M(1)**

**TRADE UNIONS ACT, CAP. 128**

**RETURN OF RESULT OF BALLOT**

**(Regulation 23)**

..... Union

\*Resolution .....

.....

.....

NOTE —

\* In case of election of officers, a statement shall be attached showing the names of all nominees and the votes cast in respect of each person against his name.

We certify that a ballot was duly taken on the above resolution at a meeting held on .....

The result was as follows:

Votes for .....

Votes against .....

Votes rejected (as per schedule)<sup>‡</sup> .....

Total number of ballot papers used for voting .....

The Resolution was therefore carried  
lost <sup>††</sup>

..... Chairman

..... Executive Committee/  
..... Committee of Management

..... General Secretary

..... }  
..... } Scrutineers  
..... }

Date .....

Address of head office .....

<sup>‡</sup> If any votes were rejected, a schedule must be appended by the scrutineers, stating the reasons for which they were respectively rejected and the number of votes rejected for each of such reasons.

<sup>††</sup> Cancel that which is not required.

## FORM O

## TRADE UNIONS ACT, CAP. 128

**FORM OF ACCOUNT TO BE RENDERED  
BY THE TREASURER OR OTHER OFFICER IN  
CHARGE OF ACCOUNTS OF A TRADE UNION**

(Regulation 24)

## STATEMENT OF RECEIPTS AND EXPENDITURE

	\$	¢		\$	¢
Balance at beginning of financial year .....			Salaries, allowances and expenses of officers .....		
Subscription from members			Salaries, allowances and expenses of establishment		
Donations .....			Auditor's fees .....		
Interest on investments .....			Legal expenses .....		
Income from miscellaneous source (to be specified)			Expenses in conducting trade disputes .....		
			Compensation paid to members for loss arising out of disputes .....		
			Funeral, old age, sickness, unemployment benefits, etc. ....		
			Education, social and religious benefits .....		
			Cost of publishing periodicals .....		
			Rents, rates and taxes .....		
			Stationery, printing and postage .....		
			Other expenses (to be specified) .....		
			Balance at end of financial year .....		
Total	_____		Total	_____	

.....  
Signature of Treasurer

## STATEMENT OF ASSETS AND LIABILITIES

ON THE ..... DAY OF

....., 20 .....

(REPRESENTING END OF FINANCIAL YEAR)

LIABILITIES		ASSETS	
	\$    ¢		\$    ¢
Amount of general fund .....		Cash —	
Loans from .....		In the hands of Treasurer .....	
Debts due to .....		In the hands of Secretary .....	
Other liabilities (to be specified) .....		in the hands of .....	
		In the ..... Bank	
		In the ..... Bank	
		Securities as per list below ...	
		Unpaid subscriptions due .....	
		Loans to .....	
		Immovable property .....	
		Goods and furniture .....	
		Other assets (to be specified)	
Total liabilities .....		Total assets .....	

## LIST OF SECURITIES

Particulars	Face Value	Cost Price	Market price at date on which accounts have been made up	In Hands of

I, ..... \* Treasurer  
 Officer in charge of Accounts  
 of the ..... Trade Union, do solemnly declare that the  
 above statement of accounts of the Union is true and correct to the best of my  
 knowledge and belief, and I make this solemn declaration conscientiously  
 believing the same to be true and by virtue of the provisions of the Statutory  
 Declarations Act (Cap. 12).

[Subsidiary]

Subscribed and solemnly  
 declared by the above-named .....  
 ..... at .....  
 in Brunei Darussalam this .....  
 day of ..... , 20 .....

Before me,

.....  
 Magistrate

\* Strike out unnecessary words.

**FORM P****TRADE UNIONS ACT, 1961**

**ANNUAL RETURN OF A REGISTERED  
 TRADE UNION AT THE END OF  
 ITS FINANCIAL YEAR**

**(Regulation 25)**

Name of registered trade union .....

Registration number .....

Registered address of head office .....

Return is furnished for financial

year ending ..... , 20 .....

Number of members on books at  
 beginning of financial year ..... ..

Number of members admitted during  
 the financial year ..... ..

Number of members who left during  
 the financial year ..... ..

Number of members on books at the  
 end of the financial year ..... ..

Males .....

Females .....

**CLASSIFICATION OF MEMBERS  
IN BENEFIT BY RACE AND SEX**

	Malays	Chinese	Indians	Others	Total
--	--------	---------	---------	--------	-------

Males  
Females

_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

2. A general statement audited in the prescribed manner of all receipts and payments during the period of 12 months ending on ..... , 20 ..... , and of the assets and liabilities of the trade union as on such date, together with auditor's report is annexed as Statement 1.
3. A copy of the rules of the trade union corrected up to the date of despatch of this return is appended together with a copy of all alterations or amendments of rules and of all new rules that were passed by the trade union during the course of its financial year.
4. A statement of all changes of officers during the course of the trade union's financial year is annexed as Statement 2.

.....  
Signature of Secretary

Dated this ..... day of ..... , 20 .....

[Subsidiary]

## STATEMENT 1

(i) STATEMENT OF RECEIPTS AND EXPENDITURE  
AT END OF FINANCIAL YEAR

RECEIPTS		PAYMENTS	
	\$    ¢		\$    ¢
Balance at beginning of financial year .....		Salaries, allowances and expenses of officers .....	
Subscription from members		Salaries, allowances and expenses of establishment	
Donations .....		Auditor's fees .....	
Interest on investments .....		Legal expenses .....	
Income from miscellaneous source (to be specified)		Expenses in conducting trade disputes .....	
		Compensation paid to members for loss arising out of disputes .....	
		Funeral, old age, sickness, unemployment benefits, etc. ....	
		Education, social and religious benefits .....	
		Cost of publishing periodicals .....	
		Rents, rates and taxes .....	
		Stationery, printing and postage .....	
		Other expenses (to be specified) .....	
		Balance at end of financial year .....	
Total _____		Total _____	

.....  
Signature of Treasurer

**(ii) STATEMENT OF ASSETS AND LIABILITIES  
AT END OF FINANCIAL YEAR**

<b>LIABILITIES</b>		<b>ASSETS</b>	
	\$    ¢		\$    ¢
Amount of general fund .....		Cash —	
Loans from .....		In the hands of Treasurer .....	
Debts due to .....		In the hands of Secretary .....	
Other liabilities (to be specified) .....		in the hands of .....	
		In the ..... Bank	
		In the ..... Bank	
		Securities as per list below ...	
		Unpaid subscriptions due .....	
		Loans to .....	
		Immoveable property .....	
		Goods and furniture .....	
		Other assets (to be specified)	
Total liabilities	_____	Total assets	_____

**STATEMENT 2**

**CHANGES OF OFFICERS MADE DURING  
FINANCIAL YEAR**

**(i) OFFICERS RELINQUISHING OFFICE**

Name	Title of office	Date of relinquishing office



[Subsidiary]

## (ii) OFFICERS APPOINTED

Name	Date of birth	Private Address	Personal occupation	Title of office held in union	Date on which appointment is column 5 was taken up

.....  
Signature of Secretary

## AUDITOR'S DECLARATION

Name of registered trade union .....

Registration number .....

The undersigned, having had access to all the books and accounts of the trade union, and having examined the foregoing statements and verified the same with the account vouchers relating thereto, now sign the same as found to be correct, duly vouched in accordance with law, subject to the following remarks\*.

.....  
Signature of Auditors

## LIST OF SECURITIES

Particulars	Face Value	Cost Price	Market price at date on which accounts have been made up	In Hands of

I, ..... \* Treasurer  
Officer in charge of Accounts  
of the ..... Trade Union, do solemnly declare that the  
above statement of accounts of the Union is true and correct to the best of my  
knowledge and belief, and I make this solemn declaration conscientiously  
believing the same to be true and by virtue of the provisions of the Statutory  
Declarations Act (Cap. 12).

\* Strike out unnecessary words.

Subscribed and solemnly  
declared by the above-named .....  
..... at .....  
in Brunei Darussalam this .....  
day of ..... , 20 .....

}

Before me,

.....  
Magistrate

**SECOND SCHEDULE**

**TRADE UNIONS ACT, CAP. 128**

**FEES**

**(Regulation 33)**

	\$	¢
Application for registration under regulation 4(2) or regulation 18 .....	25	.00
Application for registration of amendments to rule or new rules .....	10	.00
Filing notice of change of officers or paid employees .....	5	.00
Inspection by member of the public of the Register .....	5	.00
Inspection by any member of a union of documents in the possession of the Registrar .....	3	.00

**SUBSIDIARY LEGISLATION**

**Regulations under section 34**

**(2) TRADE UNIONS (ACCOUNTING PROCEDURE)  
REGULATIONS**

**ARRANGEMENT OF RULES**

**Rules**

1. Citation.
2. Interpretation.
3. All monies received or expended by a trade union to be accounted for.
4. Duty of Treasurer to keep proper books of account.
5. Account books to be kept at the registered office of each trade union and at every branch.
6. Treasurer to be responsible for the posting of accounting books.
7. All receipt entries to be vouched for on the official receipt form.
8. All expenditure entries to be supported by receipts or vouchers.
9. Union Treasurer and Branch Treasurer to be responsible for all books of receipts.
10. Treasurer to keep the accounts.
11. Branch Treasurer to cause Branch accounts to be balanced and sent to Union Headquarters.
12. President to make arrangements with union bankers for issue of monthly certificates certifying balance of trade unions and branches of trade unions.
13. Exemption.

**SCHEDULE**

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## SUBSIDIARY LEGISTRATION

## Regulations under section 34

(2) TRADE UNIONS (ACCOUNTING PROCEDURE)  
REGULATIONS

[S 67/63]

*Commencement: 7th July 1962*

1. These Regulations may be cited as the Trade Unions (Accounting Procedure) Regulations. Citation.
2. In these Regulations, unless the context otherwise requires — Interpretation.

“trade union” means any registered trade union and includes a branch of a registered trade union lawfully established in accordance with the rules of such union;

“Treasurer” means the Treasurer of a trade union and, in respect of a branch of a trade union, means the Branch Treasurer.
3. All monies from whatever source received by trade union and all monies paid out from union funds by a trade union shall be accounted for in the manner prescribed by these regulations. All monies received or expended by a trade union to be accounted for.
4. The Treasurer shall cause to be kept proper books of account with respect to — Duty of Treasurer to keep proper books of account.
  - (a) all sums of money from whatever source received and all sums of money expended by a trade union together with the particulars of all such receipts and payments and the matters in respect of which the receipts and expenditure takes place;
  - (b) the assets and the liabilities of the trade union.
5. There shall be kept at the registered office of a trade union and at every branch office of every trade union the following books of account, that is to say — Account books to be kept at the registered office of each trade union and at every branch.
  - (a) a Cash Book in Form AP. in the Schedule to these Regulations;
  - (b) a Property Register containing particulars of property (movable and immovable), in Form AP. in the Schedule to these Regulations;
  - (c) a Subscription Register in the form set out in Form AP. 3 in the Schedule to these Regulations;
  - (d) a record of the stock and issues of receipt books in the form set out in Form AP. 4 in the Schedule to these Regulations.

**[Subsidiary]**

Treasurer to be responsible for the posting of accounting books.

6. (1) The Treasurer shall be responsible for the proper keeping and posting of the books of account prescribed by these Regulations in the registered office of the trade union or the branch thereof, as the case may be, and shall keep and post or cause to be kept and cause to be posted the books of account prescribed by these Regulations.

(2) The Treasurer shall be responsible for the safe custody of the books of account and all subsidiary documents relative thereto and shall not remove them from the official place of business of the union or branch, as the case may be, unless specifically authorised in writing on each and every occasion by the President of the union.

All receipt entries to be vouched for on the official receipt form.

7. (1) An official receipt shall be issued for each and every sum of money received by the Treasurer; and no other officer of the union or employee of the union shall receive money or issue receipts unless specifically so authorised in writing on each and every occasions by the President of the union in the case of an officer or employee who is to be authorised to receive money on behalf of the union or by the Branch President of the branch of a trade union in respect of any officer or employee who is entitled to receive money on behalf of the Branch of a union.

(2) All receipt entries in the accounts shall be vouched for by the official receipt which shall be in the form set out in Form AP. 5 in the Schedule to these Regulations.

(3) The official receipts shall be printed and made up into books of duplicate receipts serially numbered.

(4) The General Secretary of the trade union shall examine all receipt books for defects on their receipt from the Printer and the following certificate shall be endorsed by the General Secretary in each and every book of receipts.

“Examined by me this \_\_\_\_\_ day  
of \_\_\_\_\_ and found to contain and found to contain  
forms in duplicate correctly numbered from  
to  
General Secretary”.

(5) No alteration or erasures shall be made on any receipt and where an error has been made, the receipt shall be cancelled and left intact or, if it has been detached, pasted back into the receipt book. A new receipt shall be issued in place of the cancelled receipt.

(6) The General Secretary of a trade union in respect of the union, and the Branch Secretary of a trade union in respect of the branch of a trade union, shall keep all stocks of unused receipt books in safe custody under lock and key.

(7) The Treasurer shall keep all receipt books in use in safe custody and locked in a safe place when not in use.

(8) In the event of a receipt book being lost at a branch of a trade union, the Branch Treasurer shall within 48 hours of discovering the loss notify the Treasurer of the trade union of the loss, together with a report of all the circumstances of the loss and containing the particulars of the receipts contained therein. The Treasurer of the union shall through the General Secretary of the union report the loss forthwith to the Registrar of Trade Unions, together with a report of the circumstances of the loss.

(9) In the event of a receipt book being lost at the headquarters of the union, such loss shall be reported forthwith through the General Secretary to the Registrar of Trade Unions together with a report of the circumstances of the loss.

(10) Where the loss of a receipt book has taken place, the Registrar may cause an enquiry to be carried out on the loss of such receipt book as he deems fit and proper.

8. All payment entries shall be supported by a receipt issued by the person to whom a payment was made by the trade union or, where that is not practical, such entries shall be vouched for by an internal payments voucher in the form set out in Form AP. 6 in the Schedule to these Regulations.

All expenditure entries to be supported by receipts or vouchers.

9. (1) The Treasurer of a trade union shall be responsible for the safe custody of all revenue receipt books and shall enter or cause to be entered in the record the stock and issue of receipts prescribed by regulation 5 the serial numbers of all receipt books received by him and all issues of receipt books out of stock made by him.

Union Treasurer and Branch Treasurer to be responsible for all books of receipts.

(2) The Branch Treasurer of a branch of a trade union shall be responsible for the safe custody of revenue receipt books received by him from the Treasurer of the trade union and shall enter in the record the stock and issue of receipts prescribed by regulation 5 the serial numbers of all receipts books received by him and the issue of such receipt books made by him.

10. (1) The Treasurer shall enter or cause to be entered daily in the Cash Book prescribed by paragraph (a) of regulation 5, a record of all monies received by the trade union or branch, as the case may be, together with the particulars of the origin of the monies, the date, and receipt number supporting the receipt; and shall enter or cause to be entered a record of all payments made on behalf of the trade union or branch with descriptive particulars, the date of payment, the number of the official payment voucher supporting the payment and the amount of the payment.

Treasurer to keep the accounts.

(2) The Treasurer of a trade union, and the Branch Treasurer of every branch of a trade union in cases where a branch of a trade union

[Subsidiary]

maintains a Ledger, shall daily enter or cause to be entered in the Ledger under the appropriate head or heads of account all monies received and all payments made on behalf of the trade union or branch of a trade union.

(3) The Treasurer of a trade union, and the Branch Treasurer of the branch of a trade union in cases where a Journal is maintained by such branch, shall keep or cause to be kept such Journal in accordance with normal accounting practice. All Journal entries shall provide concise but full and adequate explanation of the transactions recorded.

(4) The Cash Book and Ledger shall be entered up from day to day and in no case shall postings be made more than 7 days after the receipt or payment of monies by the trade union.

(5) The Treasurer shall keep or cause to be kept the Property Registers prescribed by paragraph (b) of regulation 5 up to date, and the said Registers shall be balanced monthly.

(6) The Treasurer shall keep or cause to be kept Subscription Register prescribed by paragraph (c) of regulation 5 up to date and such register shall be balanced monthly with the Cash Book.

(7) The Treasurer shall keep or cause to be kept the record of stock and issue of receipts prescribed by paragraph (d) of regulation 5 up to date and such record shall be balanced monthly.

Branch  
Treasurer to  
cause Branch  
accounts to be  
balanced and  
sent to Union  
Headquarters.

**11.** (1) The Treasurer of a branch of a trade union shall cause the accounts of the branch to be balanced at the end of each calendar month, and shall remit his accounts to the headquarters of his trade union not later than the fourteenth day of the calendar month next after the last day of the month for which the account is to be submitted, together with all duplicate receipts to support the receipt entries and all original receipts or payment vouchers to support the payment entries, together with a certified statement of unused receipt books, and the bank reconciliation statement where appropriate. The bank reconciliation statement shall be substantially in the form shown at Form AP. 7 of the Schedule to these Regulations.

(2) If the Treasurer of the trade union does not receive the accounts from a branch of the trade union by the fifteenth day of the calendar month next after the month for which the account was due, he shall be responsible for obtaining the account from such Branch.

(3) The Treasurer of a registered trade union shall on receipt of the accounts from the branch or branches of the trade union balance the accounts of the union; such balance shall be prepared within 30 days after the accounts of the branch or branches were due to be remitted to the headquarters of the trade union under paragraph (1) of this regulation.

(4) Where a trade union has no branches, the Treasurer of such trade union shall balance the accounts of the union not later than the fifteenth day of the calendar month next following that month for which the account was due.

**12.** The President of a trade union shall make appropriate arrangements with the various bankers at which union or branch funds are deposited for the issue direct to him of monthly certificates certifying the balance held at the credit of the trade union account and shall arrange that the appropriate bank reconciliation statements are agreed with the bank certificates. Once a year, or at such intervals as the auditors may request, the President shall arrange for bank certificates to be supplied by the union bankers direct to the Auditor.

President to make arrangements with union bankers for issue of monthly certificates certifying balances of trade unions and branches of trade unions.

**13.** The Registrar may exempt any union from all or any of the provisions of these Regulations for such period and upon such conditions as he may specify.

Exemption.



**SCHEDULE**  
**Form AP. 1: Cash Book**  
**(Regulation 5(a))**

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## Trade Unions

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[illegible]

# LAWS OF BRUNEI

## Trade Unions

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**[Subsidiary]**

## EXPENSES

[illegible]

## FORM AP. 2: PROPERTY REGISTER

(Regulations 5(b))

Nature of Asset and location .....  
 .....  
 Date acquisition approved and authority .....  
 .....  
 Approved rate of depreciation .....  
 authorised by minutes of .....  
 Cost price .....

Date	<i>Original Cost</i>	<i>Depreciaiton</i>	<i>Balance</i>
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

Rate of Entrance Fees

FORM AP. 3: SUBSCRIPTION REGISTER

YEAR From .....

Rate of Subscriptions

(Regulation 5(c))

To .....

.....  
(Name of Trade Union)

Subscription Register

Serial No.	Name	Age	Sex	Address	APRIL						MAY					Remarks
					\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.		
																OTHER MONTHS TO FOLLOW TO END OF 31st MARCH

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## Trade Unions

### Particulars of Stock of Receipt Books

[illegible]

## FORM AP. 5: OFFICIAL RECEIPT

(Regulation 7(2) and 7(3))

Name of Trade Union .....  
 Registration Certificate No. ....  
 No. .... Date .....  
 Received from .....  
 the sum of Dollars .....  
 and cents .....  
 in payment of Entrance Fees ..... Subscriptions .....  
 Donations ..... Levies ..... Other Sources  
 (to be specified) .....  
 \$ .....

.....  
*Signature of Treasurer*

## DUPLICATE

Name of Trade Union .....  
 Registration Certificate No. ....  
 No. .... Date .....  
 Received from .....  
 the sum of Dollars .....  
 and cents .....  
 in payment of Entrance Fees ..... Subscriptions .....  
 Donations ..... Levies ..... Other Sources  
 (to be specified) .....  
 \$ .....

.....  
*Signature of Treasurer*

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## FORM AP. 6: INTERNAL PAYMENTS VOUCHER

(Regulation 8)

Name of Union .....

Date .....

Voucher No. ....

PARTICULARS OF PAYMENTS

AMOUNT

\$                      cts.

Payment authorised by

Payments made by

..... President

..... *Hon. Treasurer*

..... Hon. Secretary

..... *Signature of Recipient*

Date .....

(Received)

This form of voucher must be used for payments of an internal nature where authentic receipts are unobtainable.

## FORM AP. 7: BANK RECONCILIATION STATEMENT

(Regulation 11)

### BANK RECONCILIATION STATEMENT

AS AT .....

Balance as per Bank Statement/Pass Book ..... ..

Balance as per Cash Book ..... ..

Difference as Reconciled Below ..... ..

### RECONCILIATION

..... *Hon. Treasurer*