

# Industrial Organizations Regulation 1963

## **Unvalidated References:**

[Industrial Organizations Act 1962](#)

This reprint of this Statutory Instrument incorporates all amendments, if any, made before 25 November 2006 and in force at 1 January 2003.

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Legislative Counsel

Dated 25 November 2006

## **INDEPENDENT STATE OF PAPUA NEW GUINEA.**

Chapter 173.

[Industrial Organizations Regulation 1963](#)

### ARRANGEMENT OF SECTIONS.

1. Register of Industrial Organizations.
2. Application for registration.
3. Notification of alteration of rules before registration.
4. Objection to registration.
5. Certificate of registration.
6. Notice of amalgamation.
7. Notice of federation.
8. Registration of federation.
9. Change in membership of federation.
10. Notification of affiliation.
11. Notice of establishment of branch.
12. Notification of change of name.
13. Registration of amalgamation, etc.
14. Registered office.
15. Notification of dissolution.
16. Books and accounts.
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19. Date for filing of records.
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- 20A. Notification to Deduct Union Contributions.
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[Industrial Organizations Regulation 1963](#)

MADE under the [Industrial Organizations Act 1962](#).

Dated                    200 .

**PART I.** – REGISTRATION.

**1. REGISTER OF INDUSTRIAL ORGANIZATIONS.**

The Register shall be in Form 1.

**2. APPLICATION FOR REGISTRATION.**

An application for registration under Section 9 of the Act shall be in Form 2, in duplicate, and shall be accompanied by two copies of–

- (a) a list of the members of the industrial organization, showing the name, occupation and postal address of each member, and the name of the branch (if any) to which he belongs; and
- (b) a list of the officers of the industrial organization, showing the name, office, occupation and postal address of each officer; and
- (c) Form 13 in respect of each of the branches of the industrial organization; and
- (d) the rules of the industrial organization and of its branches; and
- (e) the resolution agreeing to the registration of the organization as an industrial organization, with details of the date and place on and at which the resolution was passed.

**3. NOTIFICATION OF ALTERATION OF RULES BEFORE REGISTRATION.**

A notification under Section 13(2) of the Act of the alteration of the rules of an organization shall be in Form 3, in duplicate, and shall be accompanied by a statutory declaration certifying that the alterations to the rules were properly passed by resolution in accordance with the Act and this Regulation.

**4. OBJECTION TO REGISTRATION.**

A notice of objection under Section 14(1) of the Act shall be in Form 4, in duplicate.

**5. CERTIFICATE OF REGISTRATION.**

A certificate of registration shall be in Form 5.

**PART II.** – CONSTITUTIONS.

## **6. NOTICE OF AMALGAMATION.**

A notice under Section 41(3) of the Act shall be in Form 6, and shall contain the particulars specified in that form.

## **7. NOTICE OF FEDERATION.**

A notice under Section 42(4) of the Act shall be in Form 7, and shall contain the particulars specified in that form.

## **8. REGISTRATION OF FEDERATION.**

Where, under Section 42(6) of the Act, the Registrar registers a federation, he shall—

- (a) issue a certificate of registration in Form 8, on which there shall be endorsed the names of the industrial organizations within the federation; and
- (b) record in the Register details of the certificate of registration; and
- (c) amend the entries in the Register in respect of the organizations that are members of the federation to record that they are members of the federation; and
- (d) require each of the organizations referred to in Paragraph (c) to surrender to him their certificates of registration, which the organization shall surrender accordingly, and—
  - (i) endorse on the certificates particulars of registration as a federation; and
  - (ii) return them to the organizations concerned.

## **9. CHANGE IN MEMBERSHIP OF FEDERATION.**

On being notified under Section 42(4) of the Act that an industrial organization has federated with a registered federation, the Registrar shall—

- (a) require the registered federation to surrender its certificate of registration, which the federation shall surrender accordingly; and
- (b) require the industrial organization to surrender its certificate of registration, which the organization shall surrender accordingly; and
- (c) amend the entry in the Register relating to the federation to show that the organization has joined the federation; and
- (d) amend the entry in the Register relating to the organization that has joined the federation to show that it is a member of the federation; and
- (e) amend the certificates of registration to show that the industrial organization has joined the federation, and return them to the federation and the organization respectively.

## **10. NOTIFICATION OF AFFILIATION.**

(1) A notice under Section 43(4) of the Act shall be in Form 9, in duplicate, and contain the particulars specified in that form.

(2) On receipt of a notice referred to in Subsection (1), the Registrar shall require the organizations and the federations concerned in the affiliation to surrender their respective certificates of registration (which the organizations and federations shall surrender accordingly) and shall—

- (a) endorse the certificates accordingly; and
- (b) return them to the respective organizations and federations.

#### **11. NOTICE OF ESTABLISHMENT OF BRANCH.**

A notice under Section 44(2) of the Act—

- (a) shall be in Form 10, in duplicate; and
- (b) shall contain the particulars specified in that form; and
- (c) shall be accompanied by two copies of the branch rules.

#### **12. NOTIFICATION OF CHANGE OF NAME.**

A notice under Section 45(2) of the Act shall be in Form 11, in duplicate, and shall contain the particulars specified in that form.

#### **13. REGISTRATION OF AMALGAMATION, ETC.**

(1) Where, under Section 41 or 45 of the Act, the Registrar registers—

- (a) an amalgamation of industrial organizations; or
- (b) a change in the name of an industrial organization,

he shall require each of the organizations concerned to surrender to him the certificate of registration issued to it for cancellation or amendment which the organizations shall surrender accordingly.

(2) On the surrender under Subsection (1) of a certificate of registration, the Registrar shall—

- (a) issue a new certificate of registration or, if he thinks fit, amend the original certificate to record details of the amalgamation or change of name; and
- (b) cancel or amend the original entry in the Register; and
- (c) if a new certificate is issued, enter in the Register particulars of it.

#### **14. REGISTERED OFFICE.**

(1) Details of the situation and postal address of the registered office of an industrial organization, as required under Section 47(2) of the Act shall initially be included in Form 2.

(2) Where there is any subsequent change in the situation or particulars originally stated, notification in duplicate, of the following details shall be given to the Registrar:—

- (a) the address of the registered office as stated in Form 2;
- (b) the location and postal address of the new office;
- (c) the date on which the new office was or is to be occupied.

#### **15. NOTIFICATION OF DISSOLUTION.**

(1) A notice under Section 53(1) of the Act—

- (a) shall be in Form 12; and
- (b) shall contain the particulars specified in that form; and
- (c) shall be accompanied by the certificate of registration of the organization.

(2) Where the Registrar has caused notice of dissolution to be published in the National Gazette under Section 53(3)(b) of the Act, he shall, by endorsement on the certificate, cancel the certificate of registration of the organization.

### **PART III. – FUNDS AND ACCOUNTS.**

#### **16. BOOKS AND ACCOUNTS.**

The books of account to be kept under Section 56 of the Act are–

- (a) books containing original and duplicate receipts consecutively numbered; and
- (b) a bank deposit book containing original and duplicate sheets; and
- (c) a cash journal; and
- (d) a general journal; and
- (e) a ledger; and
- (f) a petty cash journal; and
- (g) a register of receipt books; and
- (h) a register of fixed and other assets; and
- (i) such other books of account as the Registrar requires.

#### **17. FORM OF ACCOUNT.**

The form of account to be given under Section 57(2) of the Act shall be in Form 13, or in such other form as the Registrar in a particular case approves.

#### **18. RECORDS.**

The records to be kept under Section 59(2) of the Act are–

- (a) a register of members in a form approved by the Registrar, in which there shall be recorded–
  - (i) the names of members, alphabetically; and
  - (ii) particulars of their respective occupations and postal addresses; and
  - (iii) the payment of fees, levies and other sums required to be paid; and
- (b) a register of officers and trustees in a form approved by the Registrar, recording–
  - (i) their names and the positions to which they are appointed; and
  - (ii) the dates of their respective appointments, terminations of office and resignations; and
- (c) an account of the receipts, payments, funds and effects of an organization and each branch kept in the books of account specified in Section 16; and
- (d) a financial statement in duplicate for the period ending on 31 December in each year in Form 14, or in such other form as is approved by the Registrar; and
- (e) such other records as are required by the Registrar.

#### **19. DATE FOR FILING OF RECORDS.**

A copy of the records referred to in Section 59(4) of the Act shall be forwarded so as to reach the Registrar not later than 28 February in each year, and shall be a true and certified copy of those records as at 31 December of the previous year.

## **20. INSPECTION OF DOCUMENTS FILED WITH THE REGISTRAR.**

On payment of the prescribed fee, a document filed with the Registrar under Section 59 of the Act may be inspected by any person during the usual office hours observed at the office of the Registrar.

### **PART IV. – MISCELLANEOUS.**

## **20A. NOTIFICATION TO DEDUCT UNION CONTRIBUTIONS.**

A notice under Section 63A(1) of the Act shall be in Form 15.

## **21. LACK OF PRESCRIBED FORM.**

Where–

- (a) a form is not prescribed for a document; or
- (b) a prescribed form is not suitable to the circumstances of a particular case,

the form shall be such as the Registrar directs or approves for the purpose.

## **22. FEES.**

The fees specified in Schedule 2 are payable to the State in respect of the matters specified in that Schedule.

### **SCHEDULE 1**

*PAPUA NEW GUINEA.*

[Industrial Organizations Act 1962.](#)

*Form 1 – Register of industrial Organizations.*

Act, Sec. 7(1). Form 1.Reg., Sec. 1.

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[Industrial Organizations Act 1962.](#)

*Form 2 – Application for the Registration of an Industrial Organization.*

Act, Secs. 8,9,47. Form 2.Reg., Sec. 2.

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***Form 3 – Application for Leave to Alter Rules.***

Act, Sec. 13(2). Form 3.Reg., Sec. 3.

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***Form 4 – Notice of Objection.***

Act, Secs. 14(1), 41(8), 42(9), 45(7). Form 4.Reg., Sec. 4.

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***Form 5 – Certificate of Registration.***

Act, Sec. 21(1). Form 5.Reg., Sec. 5.

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***Form 6 – Notice of Amalgamation.***

Act, Sec. 41(3). Form. 6.Reg., Sec. 6.

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***Form 7 – Notice of Federation.***

Act, Sec. 42(4). Form 7.Reg., Sec. 7.

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***Form 8 – Certificate of Registration of a Federation of Industrial Organizations.***

Act, Sec. 42(6). Form 8.Reg., Sec. 8.

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***Form 9 – Notice of Affiliation.***

Act, Sec. 43(4). Form 9.Reg., Sec. 10(1).

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***Form 10 – Notification of the Establishment of a Branch of an Industrial Organization.***

Act, Sec. 44(2). Form 10.Reg., Sec. 11.

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***Form 11 – Notice of Change of Name of an Industrial Organization.***

Act, Sec. 45(2). Form 11.Reg., Sec. 12.

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***Form 12 – Notification of the Dissolution of an Industrial Organization.***

Act, Sec. 53(1). Form 12.Reg., Sec. 15(1).

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***Form 13 – Form of Account.***

Act, Sec. 57(2). Form 13.Reg., Sec. 17.

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***Form 14 – Financial Statement.***

Act, Sec. 59(2). Form 14.Reg., Sec. 18(d).

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*Form 15 – <sup>[1]</sup>Notice to Deduct Union Contributions.*

Act, Sec. 63A. Form 15.Reg., Sec. 20A.

**SCHEDULE 2 – FEES.**

<sup>[2]</sup>Reg., Sec. 22

	<b>FEES</b>	<b>K</b>
<b>1.</b>	<b>For issue of certificate of registration of an industrial organization.</b>	<b>1000.00</b>
<b>2.</b>	<b>For issue of certificate of registration after amalgamation.</b>	<b>1000.00</b>
<b>3.</b>	<b>For issue of certificate of registration of a federation.</b>	<b>1000.00</b>
<b>4.</b>	<b>For issue of certificate on change of name of an industrial organization.</b>	<b>1000.00</b>
<b>5.</b>	<b>For amendment or alteration to a certificate of registration of an industrial organization or a federation.</b>	<b>60.00</b>
<b>6.</b>	<b>For lodging a notice of objection.</b>	<b>20.00</b>
<b>7.</b>	<b>For registering a new rule or an alteration in the rules.</b>	<b>10.00</b>
<b>8.</b>	<b>For registering a notice of change of officers.</b>	<b>200.00</b>
<b>9.</b>	<b>For inspection of documents filed with the Registrar (each document).</b>	<b>15.00</b>
<b>10.</b>	<b>For preparation of the original of any form required to be lodged with the Registrar.</b>	<b>15.00</b>
<b>11.</b>	<b>For each additional copy of a form prepared with the original.</b>	<b>15.00</b>
<b>12.</b>	<b>For providing a copy of any form filed with the Registrar.</b>	<b>10.00</b>
<b>13.</b>	<b>For each additional copy prepared at the same time.</b>	<b>10.00</b>

Office of Legislative Counsel, PNG

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<sup>[1]</sup>Schedule 1, Form 15 added by No. 17 of 1978, s2.

<sup>[2]</sup>Schedule 2 replaced by the *Industrial Organizations (Amendment) Regulation 1998* (No 34 of 1998).