



SUPPLEMENT No. 2

TO

THE CYPRUS GAZETTE No. 3417 OF 27TH JANUARY, 1949.

LEGISLATION.

THE STATUTE LAWS OF CYPRUS

No. 4 OF 1949.

**A LAW TO MAKE BETTER PROVISION FOR THE REGISTRATION
AND CONTROL OF TRADE UNIONS.**

WINSTER,]

[19th January, 1949.

Governor.

BE it enacted by His Excellency the Governor and
Commander-in-Chief of the Colony of Cyprus as
follows :—

PART I.

PRELIMINARY.

1. This Law may be cited as the Trade Unions Short title.
Law, 1949.

2. In this Law the following expressions have the meanings hereby respectively assigned to them, that is to say—

“committee of management” means the body by whatever name called to which the central management of the affairs of a trade union is entrusted and includes the secretary and treasurer of any trade union ;

“officer” when used with reference to a trade union, includes any member of the committee of management or the committee of any branch thereof, but does not include an auditor ;

“register” means the register of trade unions kept and maintained by the Registrar under section 6 of this Law ;

“registered trade union” means a trade union registered under this Law ;

“Registrar” means the person for the time being appointed by the Governor under section 3 of this Law by name or by office to be or to act as Registrar of Trade Unions ;

“trade dispute” means any dispute between employers and workmen, or between workmen and workmen, which is connected with the employment or non-employment or the terms of the employment, or with the conditions of labour, of any person ;

“trade union” means any combination whether temporary or permanent, the principal objects of which are, under its constitution, the regulation of the relations between workmen and employers, or between workmen and workmen, or between employers and employers whether such combination would or would not, if this Law had not been enacted, have been deemed to have been an unlawful combination by reason of some one or more of its objects being in restraint of trade and shall include any federation of two or more trade unions or any body of persons established for the co-ordination of the activities of any trade union or branch thereof :

Provided that nothing in this Law shall—

(a) affect—

- (i) any agreement between partners as to their own business or any trading agreement between employers,
- (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) preclude any trade union from providing benefits for its members;

“workman” means any person who has entered into or works under a contract with an employer whether the contract be by way of manual labour, clerical work, or otherwise, be expressed or implied, oral or in writing, and whether it be a contract of service or of apprenticeship or a contract personally to execute any work or labour.

PART II.

APPOINTMENT OF REGISTRAR AND OTHER OFFICERS.

3.—(1) The Governor shall appoint a Registrar of Trade Unions who shall be responsible for the due performance of the duties and functions assigned to him as Registrar under this Law. Appointment of Registrar and other officers.

(2) The Governor may appoint such other officers as may, from time to time, be required for the purposes of this Law.

4. An annual report on the work of the Registrar and any other officers appointed under this Law shall be furnished to the Colonial Secretary by the Registrar. Report to be furnished by Registrar.

5. No suit shall lie against any person appointed under section 3 of this Law for anything done or omitted to be done by him in good faith without negligence and in intended exercise of any power or performance of any duty provided or imposed by this Law. Protection of Registrar and officers.

PART III.

REGISTRATION.

6.—(1) The Registrar shall keep and maintain in such form as may be prescribed, a register of trade unions in which shall be entered the prescribed particulars relating to any registered trade union and any branch thereof, and any alteration or change which may from time to time be effected in the name, rules, officers or committee of management thereof or in the situation of the registered head and branch offices thereof, and all such other matters as may be required to be entered therein under this Law. Register of trade unions.

(2) A certified copy of any entry in the register shall be conclusive proof of the facts specified therein as on the date of such certified copy.

Trade union
with
membership
restricted to
persons in
the civil
employment
of Crown.

7.—(1) Notwithstanding anything in this Part of this Law, any trade union whose membership is restricted to persons in the civil employment of the Crown may within thirty days after its establishment, or in the case of an already established trade union, within thirty days after the commencement of this Law, apply to the Governor for a certificate of exemption, and, as from the date of the application the provisions of section 8 of this Law shall not apply to the trade union unless the Governor rejects the application.

(2) If, on considering the application, the Governor is of the opinion that the Registrar would have been justified in registering the trade union under section 10 of this Law if an application for registration had been made, he may grant a certificate of exemption from registration, and, thereupon, all the provisions of this Law relating to registered trade unions shall apply to the trade union so exempted:

Provided that at any time after the grant of a certificate of exemption, the Governor may, if he thinks fit, declare the certificate to be cancelled.

(3) If the Governor rejects the application the provisions of section 8 of this Law shall apply to the trade union as if the date of the rejection had been the date of the establishment of the union.

Trade unions
to register.

8.—(1) Upon the establishment of a trade union, it shall be the duty of the committee of management or the directing authority, by whatever name it may be called, of such union, to make application for registration within thirty days after the date of the establishment of such union or dissolve the union. Any person who fails to comply with the requirements of this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding twenty-five pounds, and to an additional fine of the like amount for each week during which the omission continues.

(2) When a fine is jointly and severally incurred under this section by any number of persons, every such person shall be liable to pay the whole fine unless the Court otherwise directs.

(3) The Registrar may, if he thinks fit, from time to time, grant an extension of the period specified in sub-section (1) of this section, provided that such period shall not, in any particular case, be so extended as to exceed a period of two months in the aggregate.

9.—(1) Every application for registration of a trade union shall be made to the Registrar in the prescribed form and shall be signed by at least seven members of the union, any of whom may be officers thereof.

Application for registration.

(2) Every application for registration shall be accompanied by the prescribed fee.

(3) Every application for registration shall be accompanied by two copies of the rules of the trade union signed by the applicants, a list of members showing the trade or calling and the age and address of each, and a statement of the following particulars, namely—

- (a) the names, occupations and addresses of the members making the application ;
- (b) the name of the trade union and the address of its head office and of the office of any branch thereof ; and
- (c) the titles, names, ages, addresses and occupations of the officers of the trade union.

10. The Registrar, if he is satisfied that the applicants have been duly authorized to apply for registration and that the trade union applying for registration has complied with the provisions of this Law and of the regulations made thereunder, and that the objects, rules and constitution of the union do not conflict with any of such provisions and are not unlawful, shall, subject to the provisions of section 14 of this Law, register the trade union and rules, together with any branch thereof, in the prescribed manner :

Registration.

Provided that if any one of the objects of such trade union is unlawful, the registration of the trade union shall be void.

11. The Registrar, on registering a trade union under section 10 of this Law, shall issue to the trade union a certificate of registration in the prescribed form, and such certificate, unless proved to have been cancelled or withdrawn, shall be conclusive evidence for all purposes that the trade union has been duly registered under this Law.

Certificate of registration.

12. The Registrar may investigate or call for further information for the purpose of satisfying himself that any application complies with the provisions of this Law or that the trade union is entitled to registration under this Law.

Power of Registrar to call for further particulars.