## 更改會名 - 填寫第 8 款表格須知 ·

- (1) 《職工會條例》第 23(3)(a)條規定,所擬更改的名稱不能與現有或已不再存在的職工會登記所用或曾用的名稱相同或相類似,以免引起公眾混淆。
- (2) 根據《職工會條例》第 23(1)條的規定,職工會如要改變其名稱,必須獲得 出席會員大會的大多數有表決權會員或會員代表(如會章容許)以不記 名投票方式通過。
- (3) 召開及進行大會的程序必須按職工會的章程進行,例如:會議通知書須按 會章規定的期限前發出、會議有足夠的法定人數、更改名稱的議決須按《職 工會條例》及職工會會章進行等。
- (4) 根據《職工會條例》第 23(2)條的規定,凡職工會更改名稱,必須在通過後 十四日內向職工會登記局局長申請登記。職工會新名稱於登記後,方能生 效。
- (5) 主席/理事長及另一名理事會成員須<u>親筆簽署</u>「已登記職工會改變名稱登記申請書」第8款表格,並連同下列所需的文件送交職工會登記局:
  - (a) 由七位有表決權會員<u>親筆簽署</u>大會通知書及議程: <u>改變名稱</u>的動議應詳列於大會<u>議程</u>內。若該議程並非併入表格第 4 (甲)項所指的<u>大會通知書</u>內,則必須與該通知書一併呈交。大會通知 書必須列明發出的日期。如屬延期大會,則必須一併呈交會員大會 及延期大會的通知書。
  - (b) 由七位有表決權會員<u>親筆簽署</u>的會議紀錄(即表格第 4 (乙)項所指的 決議案副本)。內容應包括下列各點:
    - (i) 會議日期及時間;
    - (ii) 會議地點;
    - (iii) 會議主席;
    - (iv) 截至會議時有表決權的會員(或會員代表)總數;
    - (v) 出席會議有表決權的會員(或會員代表)總數;
    - (vi) 會員在會議通過更改會名的決議案詳情;
    - c vii ) 列明贊成、反對及對決議案投棄權票的會員(或會員代表)人數。
  - (c) 會章中載有職工會名稱的條文(原文及修訂之對照本)一式兩份, 並由七位有表決權會員親筆簽署(即表格第4(丙)項)。
  - (d) 載有職工會原有名稱的登記證書正本。

## Change of Trade Union Name Guidance Notes on Completion of Form 8

- Under Section 23(3)(a) of the Trade Unions Ordinance, the proposed union name cannot be identical with that under which any other trade union, whether existing or not, is or has been registered on so nearly resembles such name as to be likely to deceive the public or the members of such trade union or of any other trade union.
- Under Section 23(1) of the Trade Unions Ordinance, a registered trade union may agree to change its name by secret ballot of a majority of its voting members or a majority of members' representatives (where the union rules allow) present at a general meeting.
- The general meeting should be held in accordance with the stipulations laid down in the rules of the trade union, e.g. sufficient notice of meeting, sufficient quorum, the motion in respect of change of name is conducted in the manner specified by the Trade Unions Ordinance and the rules of the trade union, etc.
- Under Section 23(2) of the Trade Unions Ordinance, application for registration of the change of name shall be sent to the Registrar <u>within 14 days</u> of the change. No change of name of a registered trade union shall take effect until the same has been registered under the Trade Unions Ordinance.
- The Chairman and one other officer must <u>sign</u> the Form 8 "Application for Registration of Change of Name of a Registered Trade Union" <u>personally</u> before sending it to this Registry with all requisite documents listed below:
  - Notice and agenda of the general meeting <u>signed</u> by seven voting members:

    The notion(s) in respect of the change of name must be specifically set out in the agenda. If the agenda is not incorporated in the <u>notice of convening the general meeting</u> referred to in item 4(a) of the form, it must be submitted together with the notice. The said notice must indicate the <u>date</u> on which it is issued. In case of an adjourned meeting, notices of both the general meeting and the adjourned meeting must be submitted.
  - Minutes of meeting (i.e. the <u>resolution</u> referred to in item 4(b) of the form) signed by seven voting members must contain the following information:
    - (i) Date and time of the meeting;
    - (ii) Place of the meeting;
    - (iii) Chairman of the meeting;
    - Total number of voting members (or representatives) on the date of the meeting;
    - Total number of voting members (or representatives) present at the meeting;
    - Full details of the resolution (concerning alterations to name) passed by members at the meeting:
    - ( vii ) Whether the resolution is unanimously carried, if not, the number of votes in favour of/against the resolution and the number of abstentions.
  - Two copies of the text of the rules containing the names (old and new text version listed) signed by seven voting members (i.e. referred to in item 4(c) of the form).
  - d ) The original copy of the union's certificate of registration.