

自行解散職工會
— 填寫第 9 款表格須知 —

- [1] 解散職工會是一項重大決定，因此職工會有責任盡辦法透過不同方式及途徑通知所有會員出席大會，並以不記名投票方式通過解散的決議。
- [2] 職工會在解散前，必須變賣所有物業，清還一切債項，及按職工會章程的規定議決處置剩餘經費的方法，並在處理所有資產後，取消所有以職工會名義開設的銀行戶口。
- [3] 召開及進行大會的程序必須按會章的規定進行，例如：會議通知書須按會章規定的期限前發出、有足夠的法定人數召開會議和議決解散。
- [4] 根據《職工會條例》第 32(1)條的規定，凡職工會解散，必須在解散後十四日內將通知書（即第 9 款表格）送交職工會登記局局長。
- [5] 秘書及七位有表決權會員須親筆簽署「職工會解散通知書」第 9 款表格，並連同下列所需的文件送交本局：
- [a] 由秘書及七位有表決權會員親筆簽署的大會通知書及議程：解散的動議應詳列於大會議程內。若該議程並非併入表格第 2(甲)項所指的大會通知書內，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。
- [b] 由秘書及七位有表決權會員親筆簽署的會議紀錄（即表格第 2(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] 在解散當日仍有表決權的會員(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] 會員在會議通過解散工會及資產處理的決議案詳情；
 - [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] 職工會登記證書正本。
- [d] 職工會的終結帳表（表格 13）。
於完成處理剩餘經費及資產後，職工會應填報一份終結帳表，該帳表應顯示零結餘，有關的單據、捐款收據及取消銀行戶口記錄等證明亦應一併呈交。

Dissolution of Trade Union Guidance Notes on Completion of Form 9



- [1] Dissolving a trade union is an important decision. The trade union should make use of every possible means to inform all members of the holding of such resolution, and the resolution should be conducted by secret ballot.
- [2] Before dissolution, the trade union should sell all its assets, settle all debts and liabilities, and dispose the remaining funds in the manner specified by the rules of the trade union.
- [3] The general meeting shall be held in accordance with the stipulations laid down in the rules of the trade union, e.g. sufficient notice, sufficient quorum, the motion in respect of dissolution.
- [4] Under Section 32(1) of the Trade Unions Ordinance, when a trade union is dissolved, notice of the dissolution (i.e. Form 9) shall be sent to the Registrar **within 14 days** after the dissolution.
- [5] Secretary and seven voting members must sign the Form 9 “Notice of Dissolution of a Trade Union” personally before sending it to this Registry with all requisite documents listed below:
 - [a] Notice and agenda of the general meeting signed by the Secretary and seven voting members:

The motion in respect of the dissolution must be specifically set out in the agenda. If the agenda is not incorporated in the notice of convening the general meeting referred to in item 2(a) of the form, it must be submitted together with the notice. The said notice must indicate the date on which it is issued.
 - [b] Minutes of meeting (i.e. the resolution referred to in item 2(b) of the form) signed by the Secretary and 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;
 - [iv] Total number of voting members (or representatives) on the date of the dissolution;
 - [v] Total number of voting members (or representatives) present at the meeting;
 - [vi] Full details of the resolution (concerning dissolution and disposal of the funds and assets) 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.
 - [c] The original copy of the union’s certificate of registration.
 - [d] The final statement of account of the trade union (Form 13).

After disposal of any surplus assets and remaining funds, the trade union should send to this Registry a final statement of account, on which the balance of the account should be zero. Any voucher, receipt of donation and record of cancellation of bank account, etc. should also be submitted.