

Application for Cancellation of Registration of a Trade Union — Guidance Notes for Completion of Form 4 —

- [1] According to section 10(1)(a) of the Trade Unions Ordinance, the Registrar of Trade Unions (“the Registrar”) may cancel the registration of a trade union at its request, after performing the necessary verification.
- [2] Requesting cancellation of a trade union’s registration is a major decision. Hence, the trade union has the responsibility to notify all members to attend a general meeting through various methods and channels, and to resolve on the cancellation of registration of the trade union in accordance with the provisions of its registered rules (i.e. constitution). The trade union can request the Registrar to cancel its registration if it can provide proof that no members object to the cancellation of its registration.
- [3] Before applying for cancellation of registration, the trade union must liquidate all properties, settle all debts, and resolve on the disposal of any remaining funds in accordance with the provisions of the constitution of the trade union. Moreover, after handling all assets, the trade union must close all bank accounts opened in its name.
- [4] The procedures for convening and conducting the general meeting must adhere to the provisions of the constitution of the trade union, such as: the meeting notice must be sent out within the timeframe as stipulated in the constitution, a sufficient quorum must be present for the meeting, and the resolution for cancellation of registration must be passed by voting.
- [5] The Chairperson / President and one officer (i.e. member of the executive committee) must sign the “Application for Cancellation of Registration of a Trade Union” (Form 4) and submit it to the Registry of Trade Unions along with the following required documents:
 - [a] A notice and an agenda of the general meeting signed by the Chairperson / President and an executive committee member: The motion requesting cancellation of the trade union’s registration must be clearly listed in the agenda. If the agenda is not included in the meeting notice as referred to in item 2(a) of the form, it must be submitted together with that notice. The meeting notice must specify the date of issue
 - [b] The meeting minutes signed by the Chairperson / President and an executive committee member (i.e. a copy of the resolution referred to in item 2(b) of the form). The content should include the following points:

- [i] Date and time of the meeting;
 - [ii] Venue of the meeting;
 - [iii] Chairperson of the meeting;
 - [iv] Total number of voting members (or members' representatives);
 - [v] Total number of voting members (or members' representatives) present at the meeting;
 - [vi] Details of the passage of the resolution for cancellation of the trade union's registration and the handling of its assets by voting members (or members' representatives) at the meeting; and
 - [vii] Number of members (or members' representatives) who voted for, voted against and/or abstained from the resolution.
- [c] Original Certificate of Registration of a Trade Union (Form 3).
- [d] Final statement of account of the trade union (Form 13)
Upon completing the handling of remaining funds and assets, the trade union should submit a final statement of account, which should show a zero balance. Relevant vouchers, donation receipts and proof of bank account closure, etc. should be submitted together.