

Change of Name and Alteration of Relevant Rule(s) of a Trade Union Federation Guidance Notes for Completion of Form 8F

[1] According to section 23(3)(a) of the Trade Unions Ordinance (Cap. 332), the proposed new name of a trade union federation cannot be a name which:

- (i) is identical with that by which any other trade union federation, whether existing or having ceased to exist, is or has been registered;
- (ii) so resembles the name mentioned in subparagraph (i) as to be likely to deceive or mislead the public, the component trade unions of the trade union federation or the component trade unions of any other existing trade union federation;
- (iii) is likely to deceive or mislead, as to the nature and purposes of the trade union federation, the public, the component trade unions of the trade union federation or the component trade unions of any other existing trade union federation; or
- (iv) is inconsistent with the objects or rules of the trade union federation.

[2] According to section 23(1) of the Trade Unions Ordinance, if a trade union federation has to change its name, the resolution for the change must be passed **by secret ballot of a majority of its voting representatives (elected or appointed by component trade unions) present at a general meeting.**

[3] The procedures for convening and conducting the general meeting must adhere to the provisions of the constitution of the trade union federation, 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 the change of name must be passed by secret ballot.

[4] According to section 23(2) of the Trade Unions Ordinance, where a trade union federation has passed a resolution for the change of its name at a general meeting, the trade union federation must make an application for registration of the change of name to the Registrar of Trade Unions **within 14 days** beginning on the date on which the trade union federation has agreed to the change. The new name of the trade union federation shall only take effect after the registration. The trade union federation must also apply for registration of the alteration of the relevant rule(s) containing the trade union federation's name in accordance with section 18(4) of the Trade Unions Ordinance.

[5] The Chairperson / President and one other officer (i.e. member of the executive committee) must sign the “Application for Registration of Change of Name and Alteration(s) of Relevant Rule(s) of a Registered Trade Union Federation” (Form 8F) before sending it to the Registry of Trade Unions with all requisite documents listed below:

- [a] Notice and agenda of the general meeting signed by the Chairperson / President and one other executive committee member:
The motion(s) in respect of the change of name 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 4(a) of the form, it must be submitted together with the notice. The said notice must indicate the date on which it is issued. In case of an adjourned meeting, notices of both the general meeting and the adjourned meeting must be submitted.
- [b] Minutes of meeting (i.e. the resolution referred to in item 4(b) of the form) signed by the Chairperson / President and one other executive committee member must contain the following information:

- [i] Date and time of the meeting;
- [ii] Venue of the meeting;
- [iii] Chairperson of the meeting;
- [iv] Total number of voting representatives (elected or appointed by component trade unions) as at the date of the meeting;
- [v] Total number of voting representatives present at the meeting;
- [vi] Details of the passage of the resolution for changing the trade union federation's name by voting representatives at the meeting; and
- [vii] The number of voting representatives who voted for, voted against and/or abstained from the resolution.

[c] A copy of the relevant rule(s) containing the name of the trade union federation, which has/have been marked to indicate the alteration(s) and has/have been signed by the Chairperson / President and one other executive committee member (i.e. referred to in item 4(c) of the form).

[d] The original copy of the trade union federation's Certificate of Registration which contains its present name.