

## **ARTICLE 4    Affiliation:**

- (i) (a) Any registered trade union of workers whose objects are not incompatible with those of the Congress shall be eligible for affiliation to the Congress provided that two or more trade unions representing workers of the same class or category or in the same establishment or industry may be grouped together by the Central Committee at its absolute discretion and shall be deemed to be one single affiliate for the purpose of affiliation to the Congress and provided further that the term “affiliate” shall in this Constitution include jointly and severally every constituent trade union of an affiliate unless the context otherwise requires.
  
- (b) Application for affiliation shall be made in the prescribed form and submitted through the Secretary-General for approval by the Central Committee. The applicant shall also forward such number of copies of its rules or constitution and such other particulars as may be required by the Central Committee.

- (c) The Central Committee may reject any application without assigning any reason whatsoever therefor or direct any applicant to be grouped together with another applicant or other applicants or an existing affiliate under clause (i)(a) of this Article.
  - (d) The Central Committee may require a successful applicant to pay such entrance fee as the Central Committee may from time to time determine and to fulfil such conditions as set out in Schedule II hereto before registering the applicant as an affiliate of the Congress.
- (ii) (a) Every affiliate of the Congress shall amend its rules or constitution in accordance with any resolution of the Delegates' Conference.
  - (b) Every affiliate shall notify the Congress in writing of any proposal to amend its constitution before the amendment is tabled for discussion and adoption by the supreme authority of the affiliate and the due adoption of any amendment to its rules or constitution within one month of approval thereof by the Registrar of Trade Unions.

- (c) Every affiliate shall, after every amendment of its rules or constitution, forward to the Congress such number of copies of its duly amended rules or constitution as the Secretary-General may specify.
- (iii) Every affiliate of the Congress shall furnish promptly such reports and data as are required by the Central Committee.
- (iv) (a) Affiliates may disaffiliate by tendering one month's notice to the Central Committee, provided that any affiliate which seeks to disaffiliate while it is enjoying the benefit of any check-off system effected by the Congress for and on behalf of its affiliates shall give six calendar months' notice of disaffiliation from the Congress.  
  
(b) All affiliation fees and levies shall be paid up to the effective date of disaffiliation.
- (v) Affiliates shall not be entitled to any assistance financial or otherwise on any matter unless such matter has been referred to and action has been sanctioned thereon by the Central Committee.
- (vi) Affiliates and associate affiliates may only be members of or be associated with such trade

union bodies or other organisations in Singapore or abroad and may only conduct activities for or on behalf of such trade union bodies or organisations or participate in the activities sponsored by such trade union bodies or organisations in Singapore or abroad as are approved by the Central Committee and no affiliate shall have representatives at or make representations to international or regional bodies without the formal sanction of the Central Committee. An affiliate or an associate affiliate shall cease to be a member of or to be associated in any manner with a trade union body or any other organisation in Singapore or abroad as soon as it is required to do so by the Central Committee.

- (vii) All affiliates shall obtain whatever legal advice and assistance they may require from the following:-
  - (a) The department of the Administration and Research Unit of the Congress providing legal services; or
  - (b) The panel of Legal Advisers to be appointed from time to time by the Central Committee for this purpose.

Any affiliate may make nominations or raise objections in respect of the inclusion or omission of any particular person or firm in the panel, provided that the decision of the Central Committee thereon shall be final and further provided that the Central Committee shall have power to remove any Legal Adviser from the panel without assigning any reason whatsoever therefor; and provided further an affiliate may, with the prior consent of the Central Committee, consult any legal practitioner who specialises in the matter on which consultation is to be sought.

- (viii) An affiliate may appoint, whether as paid staff or otherwise, only persons who have been duly certified by the Secretary-General of the Congress to be suitable for the relevant appointment to be advisers, industrial relations officers or to any such other post or in any such other capacity as the Central Committee deems necessary and advisable, provided always that any appointment so made shall be deemed to cease upon the revocation by the Secretary-General of the certification for any reason whatsoever.

- (ix) In the event of any check-off system being affected by the Congress for and on behalf of all or any of its affiliates, every affiliate participating in such scheme shall appoint its external auditors from a panel of accountants or auditors to be set up by the Central Committee. Any affiliate may make nominations or raise objections in respect of the inclusion or omission of any particular person or firm in the panel, provided that the decision of the Central Committee thereon shall be final.
  
- (x) Any affiliate which is deemed by the Central Committee to:
  - (a) have acted in contravention of the Constitution or lent themselves to activities prejudicial to any of the objects, resolutions and general policies of the Congress; or
  - (b) have failed to execute or comply with any resolution of the Congress or any directive of the Central Committee thereof; or
  - (c) have revealed grave deficiencies, mismanagement or improprieties in the conduct of its internal affairs;

may be immediately expelled or suspended from the Congress, fined, or penalised in any way as the Central Committee may determine at its absolute discretion. The period of suspension or the conditions for the lifting thereof, the amount of fine or the nature of penalty shall be determined by the Central Committee. During the period of suspension, the affiliates concerned shall not enjoy any of the rights or privileges of affiliation. The suspended affiliate which fails to make adequate redress to the satisfaction of the Central Committee during the first six months or any other prescribed period of suspension, which shall not exceed a total of one year, may be expelled from the Congress. The affiliate concerned which fails to pay the fine or penalty so imposed may be suspended from the Congress. Notice of Appeal to the National or Ordinary Delegates' Conference against expulsion or suspension from the Congress or any fine or penalty shall be made in writing to the Secretary-General within six months of the decision of the Central Committee thereon.

- (xi) (a) If a trade union of workers, registered association or any other organisation which has previously disaffiliated itself from the Congress under Clause (iv) hereof or which

has been struck off from the Affiliation Register of the Congress under Article 6(iii) applies for re-affiliation, the Central Committee shall have power to impose any condition whatsoever for re-affiliation or reject the application without assigning any reason whatsoever therefor.

- (b) A trade union of workers which has been expelled from the Congress may apply for re-affiliation stating the reasons in support thereof to the Central Committee which shall place such application before the next Ordinary or National Delegates' Conference.
  
- (xii) Every affiliate shall, unless the Central Committee shall have decided in its absolute discretion to exempt an affiliate from affiliation or reduce the quantum of affiliation fee by reason of the exceptional circumstances of the affiliate, be required to be affiliated to the Singapore Labour Foundation and to pay an annual affiliation fee of \$1/- or such other amount as shall be determined by the Central Committee from time to time for every member who is listed in the membership register of the affiliate.



- (xiii) (a) If any dispute arises between two or more affiliates over the right to organise and represent a group of workers, the Secretary-General shall have the power to inquire into and make a decision on the matter.
- (b) Where one or more of the affiliates involved in such dispute has or had been accorded recognition by the employer, the Secretary-General may, pending the settlement of the dispute and with the consent of the employer, appoint one or more persons or any specialised agency of the Congress for the purpose of providing any services which may be necessary in the interests of the workers represented by such affiliate, and the person(s) or specialised agency so appointed by the Secretary-General, may also negotiate with the employer for and on behalf of the affiliate concerned.
- (c) When the Secretary-General has intervened in any dispute pursuant to Article 4(xiii)(a), the affiliates involved in the dispute shall comply with such directions as may be given by the Secretary-General from time to time.

- (d) When any of the affiliates involved in a dispute over the right to organise and represent a group of workers has been accorded recognition by the employer and the Secretary-General has pursuant to Article 4(xiii)(b) appointed one or more persons or any specialised agency of the Congress to provide services to such affiliates, the Central Committee may require the affiliates to assign to the Congress any monies due and payable to the affiliates by way of subscription, levy or contribution under a check-off or any other arrangement. Any monies so received by the Congress less any affiliation fees payable to the Congress and the Singapore Labour Foundation shall be refunded to the affiliates as soon as practicable after the settlement of the dispute.
- (e) The period during which the Secretary-General and/or the Central Committee shall exercise any of the powers under the foregoing provisions may not exceed six months, provided that such period may with the consent of the affiliates concerned be extended to a further period not exceeding six months.