

2005 No. 713

TRADE UNIONS

**The Certification Officer (Amendment of Fees) Regulations
2005**

<i>Made</i> - - - -	<i>15th March 2005</i>
<i>Laid before Parliament</i>	<i>16th March 2005</i>
<i>Coming into force</i> - -	<i>6th April 2005</i>

The Secretary of State, in exercise of the powers conferred upon her by section 108 and section 293 of the Trade Union and Labour Relations (Consolidation) Act 1992(a), and as respects regulations 2, 3, 4 and 8 with the approval of the Treasury, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Certification Officer (Amendment of Fees) Regulations 2005 and shall come into force on 6th April 2005.

(2) In these Regulations, —

“the Principal Regulations” means the Trade Unions and Employers’ Associations (Amalgamations, etc.) Regulations 1975(b).

“the 1992 Act” means the Trade Union and Labour Relations (Consolidation) Act 1992.

Amendment of fees payable to the Certification Officer

2. In paragraph (1) of regulation 11 of the Principal Regulations (fee to accompany an application for approval of a proposed instrument of amalgamation or transfer), for “£1950” substitute “£1850”.

3. In paragraph (2) of regulation 11 of the Principal Regulations for “£87” substitute “£96” (fee on an application for approval of a change of name) and for “£46” substitute “£19” (fee for every inspection on the same day of documents kept by the Certification Officer under Chapter VII of Part I of the 1992 Act relating to one and the same organisation).

4. In regulation 12 of the Principal Regulations (fee for the entry of the name of an amalgamated organisation in the lists maintained by the Certification Officer where the name of each of the amalgamating organisations is already so entered) for “£54” substitute “£41”.

5. The fee of £150 is prescribed for the purposes of section 3(2) of the 1992 Act (fee on application by an organisation of workers to have its name entered in the list of trade unions).

(a) 1992 c.52.

(b) S.I. 1975/536, amended by S.I. 1978/1344, 1981/1631, 1988/310, 1989/205, 1990/339, 1991/484, 1992/461, 1993/936, 1994/546, 1995/483, 1996/651 and 1997/677.

6. The fee of £150 is prescribed for the purposes of section 124(2) of the 1992 Act (fee on application by an organisation of employers to have its name entered in the list of employers' associations).

7. The fee of £4066 is prescribed for the purposes of section 6(1) of the 1992 Act (fee on application by a trade union for a certificate of independence).

8. The fee of £41 is prescribed for the purposes of section 101B(2) of the 1992 Act in circumstances where, at the time the instrument of amalgamation was registered by the Certification Officer, the condition in section 101A(3) of the 1992 Act was satisfied and the Certification Officer was, accordingly, under the duty in subsection (4) of that section to issue a certificate of independence to the amalgamated union(a).

9. The Certification Officer (Amendment of Fees) Regulations 1997(b) are hereby revoked.

14th March 2005

Gerry Sutcliffe
Parliamentary Under Secretary of State for Employment Relations,
Competition and Consumers
Department of Trade and Industry

We approve regulations 2, 3, 4 and 8.

15th March 2005

Nick Ainger
Gillian Merron
Two of the Lords Commissioners of Her Majesty's Treasury

(a) Sections 101A and 101B were inserted by the Employment Relations Act 2004 (c.24), section 50(2).
(b) S.I. 1997/677.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which come into force on 6th April 2005, prescribe the fees payable to the Certification Officer in respect of his functions in relation to trade unions and employers' associations. The fees are varied or set as follows:—

- (a) the fee payable on application for approval of a proposed instrument of amalgamation or transfer of engagement is reduced from £1950 to £1850;
- (b) the fee payable on an application for approval of a change of name is increased from £87 to £96;
- (c) the fee for an inspection of documents kept by the Certification Officer in respect of amalgamations or transfers of engagements is reduced from £46 to £19;
- (d) the fee for the entry of the name of an amalgamated organisation in the lists maintained by the Certification Officer where the name of each of the amalgamating organisations is already entered is reduced from £54 to £41;
- (e) the fee on application by an organisation of workers to have its name entered in the list of trade unions maintained by the Certification Officer is increased from £139 to £150;
- (f) the fee on application by an organisation of employers to have its name entered in the list of employers' associations maintained by the Certification Officer is increased from £139 to £150;
- (g) the fee payable on an application by a trade union for a certificate of independence is increased from £3891 to £4066;
- (h) the fee payable by an amalgamated trade union for the issue of a certificate of independence where each amalgamating union had such a certificate is set at £41.

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