

CIVIL SERVICE ARBITRATION TRIBUNAL

R.N. 74

Mr. H. Balgobin - President
Mr. M.N. Deerpalsing - Assessor
Dr. F. Hemraj - Assessor

Parties:

The Nursing Association

and

The Registrar of Associations

JUDGMENT

This is an appeal against a decision of the Registrar of Associations dated 19th December, 1994 refusing to register alterations which had been voted at a General Meeting at which no ballot was taken.

The grounds of appeal are as follows:-

1. The Registrar of Associations errs in deciding that the alteration of the rules of the trade union required:

- (a) the taking of a ballot; or and
- (b) the approval of a majority of all the members of the trade union.

2. The alteration of the rules in the instant case was duly approved by the general meeting..

- (a) which was convened, inter alia, for the purpose of considering the alteration of the rules; and
 - (b) which was held in accordance with the rules of the trade union,
- and, accordingly, complies with all the requirements of the Industrial Relations Act.

We agree with the Judgment delivered on the 24th April, 1984, by the Civil Service Arbitration Tribunal under the Chairmanship of Mr. Jacques Vallet that nothing prevents a Trade Union from having on its .set of Rules a condition more stringent than what is stipulated in the Law which requires certain minimum criteria to be satisfied in such cases.

The appeal is therefore rejected.

H. Balgobin
President

M.N. Deerpalsing
Assessor

Dr. F. Hemraj
Assessor

27th October, 1995