

EMPLOYMENT RELATIONS TRIBUNAL

ORDER

ERT/ RN 118/24

Before

Indiren Sivaramen	Acting President
Bhawantee Ramdoss	Member
Christelle Perrin D'Avrincourt	Member
Ghianeswar Gokhool	Member

In the matter of:-

Registrar of Associations (Applicant)

And

Air Services Workers Union (Respondent)

This is an application made by the Applicant under section 7(3) of the Employment Relations Act, as amended (the "Act"), for an order directing the cancellation of the registration of the Respondent union. The Applicant was assisted by Counsel whereas the Respondent was represented by its Treasurer, Mr Rumeswar Gopee. The latter informed the Tribunal that there was no objection for the cancellation of the registration of the trade union. The Tribunal thus proceeded to hear the matter.

The representative of the Applicant deposed before the Tribunal and she produced certified true copies of (1) the first page of a certificate of registration of amendment of rules of the Respondent (Doc A), the last annual returns filed on behalf of Respondent for the accounting period ending 31 December 2015 (Doc B), a letter from the Secretary of the Respondent dated 13 November 2018 informing the Applicant that the Respondent had been dormant for the past one year and that it had no member for the year 2017 and up till 13 November 2018 (Doc C), a statement made by the Secretary of the Respondent on 23 May 2019 to the effect that the Respondent had ceased to function since the end

of the year 2017 as a result of lack of interest of its members (Doc D) and the Rules of the Respondent (Doc E). The representative of the Applicant prayed for the cancellation of the registration of the Respondent.

The representative of the Respondent stated that he had no questions for the officer representing the Applicant and that he had no statement to make to the Tribunal.

The Tribunal has examined all the evidence on record. In the light of the unchallenged evidence on record and the stand of the representative of the Respondent, the Tribunal has no hesitation in finding that the registration of the Respondent should be cancelled on the ground specified under section 7(1)(a) of the Act.

Rule 25.2 of the Rules of the Respondent provides as follows:

25.2 All the debts and liabilities legally incurred on behalf of the Union shall be discharged and the remaining funds and property divided equally among the compliant members in the event of:

25.2.1 the Union being dissolved as provided in Rule 25.1

25.2.2 the registration of the union being cancelled by order of the Employment Relations Tribunal.

For the reasons given above, the Tribunal directs the Applicant to cancel the registration of the Respondent. Any assets of the Respondent shall be disposed of as provided for by Rule 25.2 of the Respondent. In case the Respondent is not wound up as per the above and section 7 of the Act, the Respondent shall be wound up by the Applicant in the prescribed manner.

(SD) Indiren Sivaramen

Acting President

(SD) Bhawantee Ramdoss

Member

(SD) Christelle Perrin D'Avrincourt

Member

(SD) Ghianeswar Gokhool

Member

7 February 2025