

**EMPLOYMENT RELATIONS TRIBUNAL**

**ORDER**

**ERT/ RN 121/24**

**Before**

<b>Indiren Sivaramen</b>	<b>Acting President</b>
<b>Greetanand Beelattoo</b>	<b>Member</b>
<b>Christelle Perrin D'Avrincourt</b>	<b>Member</b>
<b>Venussha Autar</b>	<b>Member</b>

**In the matter of:-**

**Registrar of Associations (Applicant)**

**And**

**Union Syndicale Des Employes De Presse (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 President, Mr Patrick Yvon. 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 certificate of registration of the Respondent (Doc A), a notice under section 7(1)(d) of the Act dated 13 January 2023 served on the Respondent (Doc B), the Rules of the Respondent (Doc C) and the last annual return filed on behalf of the Respondent for the period ending 31 December 2012 (Doc D). She stated that the Respondent was required under section 25 of the Act to submit its annual returns and the Respondent failed to do so for the periods ending 31 December 2013 up to now. She added that despite the notice (Doc B) sent to the Respondent (and copied to relevant

office bearers), the Respondent did not take any action in relation to the annual returns which had not been submitted for several years. 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.

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)(d) 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) Greetanand Beelattoo**

**Member**

**(SD) Christelle Perrin D'Avrincourt**

**Member**

**(SD) Venusha Autar**

**Member**

**7 March 2025**