

»CONSTITUTION

National Trades Union Congress

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CONSTITUTION OF THE NATIONAL TRADES UNION CONGRESS

ARTICLE 1 Name:

The name of this organisation, as constituted hereunder, shall be the NATIONAL TRADES UNION CONGRESS (hereinafter referred to as "the Congress").

ARTICLE 2 Registered Address:

The Registered Address of the Congress shall be 1 Marina Boulevard #11-01 One Marina Boulevard, Singapore 018989, or such other place as may be determined by the Central Committee.

ARTICLE 3 Objects:

- (i) The principal object of the Congress shall be:
 - (a) to improve the working conditions of workers and enhance their economic and social status, and
 - (b) to achieve the raising of productivity for the benefit of workers, the employers, the platform operators, and the economy of Singapore through the promotion of good industrial relations between workers and their employers or platform operators, as the case may be.

- (ii) The other objects of the Congress shall be:
 - (a) to serve as the national centre of the democratic, non-communist, patriotic and progressive Labour Movement which includes trade unions as core, together with platform work associations, and a network of associations and partners across all sectors, representing the working people in Singapore;
 - (b) to maintain and uphold the right of labour to freedom of association;
 - (c) to strive for the abolition of workplace discrimination;
 - (d) to promote and assist in the formation of trade unions and platform work associations and to secure the effective and complete organisation of all workers;
 - (e) to encourage the regrouping or restructuring of unions and/or platform work associations with a view to setting up one union and/or one platform work association for one industry or establishment, as the case may be;
 - (f) to promote a democratic, socialist society and to resist anywhere and everywhere the economic and social exploitation of man by man;

- (g) to assist and to represent affiliate unions and/or platform work associations in any or all of their respective functions;
- (h) to promote, organise and operate co-operative enterprises or commercial and industrial undertakings on a co-operative basis or otherwise, provided that such enterprises or undertakings are affected in accordance with the relevant provisions of the laws of the Republic;
- (i) to promote and organise cultural, educational, industrial, recreational, social, benevolent and other activities for the benefit and welfare of workers and their dependents and to establish such trust funds and other schemes as the Central Committee deems necessary and expedient for this purpose; and
- (j) generally, to do all that is necessary, incidental or conducive, to the attainment of any of the foregoing objects as the Delegates' Conference or the Central Committee may from time to time decide upon.

ARTICLE 4 Affiliation:

- (i) (a) Any registered trade union of workers or registered platform work association of platform 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 and/or platform work association(s) 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 and/or platform work association 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 an 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 or the Registrar of Platform Work Associations (as the case may be).
 - (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, platform work associations or other organisations in Singapore or abroad and may only conduct activities for or on behalf of such trade union and/or platform work association bodies or organisations or participate in the activities sponsored by such trade union and/or platform work association 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, platform work association 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 advisors, 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, platform work association of platform workers, other 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 or platform work association of platform 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 or the platform operator (as the case may be), the Secretary-General may, pending the settlement of the dispute and with the consent of the employer or the platform operator (as the case may be), 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 or the platform operator (as the case may be) 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 or the platform operator (as the case may be) 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.

ARTICLE 5 Associate Affiliates:

- (i)
 - (a) Organisations which are duly registered or incorporated in Singapore, excluding trade unions and platform work associations but including registered co-operative societies and associations, and whose objects are aligned with the Labour Movement's objectives to reach out, serve and represent working people, may apply to be Associate Affiliates. The form of affiliation with its attendant responsibilities shall be determined by the Central Committee in accordance with the provisions of Article 4.
 - (b) Trade unions and platform work associations may not be admitted as associate affiliates of the Congress unless the Central Committee unanimously agrees by reason of extenuating circumstances to approve any such application on such terms and under such conditions as it may impose in its absolute discretion.
- (ii) Every associate affiliate shall be required to:
 - (a) pay an annual affiliation fee as the Central Committee may determine from time to time;
 - (b) pay such other levies, contributions or fees, as the Central Committee may determine from time to time to be payable by any associate affiliate or class of associate affiliates.
 - (c) obtain the prior formal sanction of the Central Committee in respect of affiliation to any international organisation or participation in the activities and programmes of any such organisations in the Republic.
- (iii) Every associate affiliate which is not in arrears of any affiliation fees, levies or contributions for longer than two quarters shall be eligible to send 2 representatives to any Delegates' Conference and be entitled to be heard but shall have no vote at such Conference;
- (iv) Every associate affiliate which is a co-operative society shall be required to be a member of the Singapore Labour Foundation and to pay such entrance fee, such affiliation fee and such other contribution as shall be decided upon by the Singapore Labour Foundation in consultation with the Central Committee and the relevant affiliates.

ARTICLE 6 Affiliation and Other Fees:

- (i)
 - (a) All payments shall be made monthly and shall be paid to the Treasurer not later than 3 weeks after the month for which payments are to be made;
 - (b) Any sums outstanding shall be deemed to be arrears and all arrears shall carry a penalty equal to one percent of the arrears for every month or part thereof, subject to a minimum of S\$1/- per month or part thereof;
 - (c) If the arrears and/or the penalty thereon have not been paid for longer than six months, the defaulting affiliate may be struck off from the Affiliation Register of the Congress at the absolute discretion of the Central Committee;
 - (d) The Central Committee may, where hardship or extenuating circumstances are proved, extend the time for payment or waive all or part of the arrears and penalties;
 - (e) The standard rate of affiliation fee shall be determined by the Delegates' Conference and shall be set out in Schedule I to this Constitution, provided that the Central Committee may at its absolute discretion approve a special rate of affiliation fee in accordance therewith;
 - (f) Every affiliate shall pay to the NTUC a levy equivalent to one month's membership subscription fee which shall be collected from the Ordinary and Ordinary (General) Members of the affiliate and this levy shall be utilized to provide such benefits to affiliates' members which the NTUC Central Committee deems fit. Provided that the payment of this annual levy by an affiliate shall commence from such date as the Central Committee shall fix and shall be reviewed from time to time by the Central Committee;
 - (g) An affiliation fee and annual levy shall continue to be payable by an affiliate during the period of suspension of an affiliate from the Congress unless the Central Committee expressly decides otherwise.
- (ii) The Central Committee shall have power to impose such amount or rate of fees over such period of time as it may deem fit in its absolute discretion for the payment of services rendered or to be rendered by any subsidiary organisation or specialised agency of the Congress to the affiliates of the Congress.
- (iii) The Central Committee shall have power to suspend an affiliate which fails to pay its affiliation fee or its stipulated fee under paragraph (ii) hereof for 3 months or more and during such period of suspension the affiliate shall not be entitled to be represented in a Delegates' Conference or to be serviced in any way by the Congress or its subsidiary organisations or specialised agencies unless the Central Committee expressly decides otherwise.

ARTICLE 7 Levies:

The Delegates' Conference shall have power to impose a levy on the affiliates and any such levy shall be paid within a period specified by the Central Committee. Any levies unpaid shall be deemed as arrears under the provision of Article 6. The recovery or waiver of outstanding levies shall be in accordance therewith.

ARTICLE 8 Representation:

- (i) (a) All ordinary affiliates which are paying the standard rate of affiliation fee and which are not suspended from affiliation under clause (x) of Article 4 shall be entitled to representation (as set out in Table 1 below) at any Delegates' Conference.
- (b) "Paid-up members" shall include the Ordinary Members and the Ordinary (General) Members of the affiliate union(s) and platform work association(s). In addition, in the case of an affiliate which is a platform work association, the reference to "paid-up members" in Table 1 shall mean individuals who have been members of the said platform work association for a period of at least twelve (12) continuous months up to and including the month in which the number of paid up members is determined for purposes of representation.

Table 1

<u>Total No of Paid-up Members</u>	<u>Total No of Delegates</u>
Up to 749	2
750 to 1,249	3
1,250 to 1,749	4
1,750 to 2,249	5
2,250 to 2,749	6
2,750 to 3,999	7
4,000 to 5,999	8
6,000 to 7,999	9
8,000 to 11,249	10
11,250 to 16,249	11
16,250 to 21,249	12
21,250 to 28,999	13
29,000 to 38,999	14
39,000 to 48,999	15
(For every 10,000 members or part thereof beyond this number, 1 additional delegate)	(16 or more)

- (c) All ordinary affiliates which are paying less than the standard rate of affiliation fee with the approval of the Central Committee and which are not suspended from affiliation under clause (x) of Article 4 shall be entitled to be represented at any Delegates' Conference by not more than half the total number of elected delegates the respective affiliates would have if they had been so entitled to have under paragraph (a) of this clause.

- (ii) An affiliate which fails to pay the standard rate of affiliation fee on the expiry of one year of such reduced representation as determined under clause (i)(b) of this Article may have its affiliation to the Congress suspended for such period of not more than six months as the Central Committee may decide at its absolute discretion and thereafter shall be liable to expulsion from the Congress unless the Central Committee expressly decides otherwise at its absolute discretion.
- (iii) If the Central Committee is satisfied with the extenuating circumstances for the inability of an ordinary affiliate to pay the standard rate of affiliation fee, the Central Committee may at its absolute discretion accord to an ordinary affiliate the right of full or partial representation at any Delegates' Conference without the payment of the standard rate of affiliation fee notwithstanding any other provisions in this rule to the contrary.

ARTICLE 9 Delegates' Conference:

- (i) The supreme authority of the Congress shall be the Delegates' Conference which shall take the form of a National, Ordinary or Extraordinary Conference. A National Delegates' Conference shall be held once every four years by the 31st December of the particular year. In between the National Delegates' Conference there shall be held an Ordinary Delegates' Conference which shall be held two years after the last preceding National Delegates' Conference. All Extraordinary Delegates' Conferences may be convened on the written request of not less than 50 percent of the affiliates or on the direction of the Central Committee. The Extraordinary Conference shall be held not later than one month from the date of the decision of the Central Committee to hold such a Conference or two months from the date of the receipt by the Central Committee of the requisition for such a Conference. Thirty days' notice with agenda, shall be given for the National Delegates' Conference and seven days' notice, with agenda, shall be given for the Ordinary Delegates' Conference or the Extraordinary Delegates' Conference.
- (ii) Every Delegates' Conference shall consist of:
 - (a) the members of the Central Committee, provided that any serving Central Committee Member who is elected under Article 12(i)(a) and who has ceased to be an elected delegate shall be entitled to participate but not to vote at any Delegates' Conference and provided that any outgoing Central Committee Member who is not re-elected shall not participate in the National Delegates' Conference after the election of the new Central Committee, unless he is so entitled to as an elected delegate or a cadre delegate;
 - (b) Elected delegates, whether elected or appointed by the affiliates in accordance with their respective rules or constitutions, whose names have been notified in writing to the Secretary-General at least 21 days before the National Delegates' Conference or seven days before the Ordinary Delegates' Conference or Extraordinary Delegates' Conference, as the case may be, provided that the Central Committee may waive this requirement; and

- (c) Cadre delegates appointed from time to time and at any time by the Central Committee on the recommendation of the Secretary-General in consultation with the President under Article 14(xiii).

ARTICLE 10 Quorum:

At all meetings of the Congress and its organs, no less than 50% (fifty percent) of affiliates shall constitute a quorum. Wherever a quorum is lacking, the meeting shall stand adjourned for seven clear days, at which meeting those present shall constitute the quorum. No new matters may be added to the agenda during adjournment.

ARTICLE 11 Voting:

- (i) Where secret ballot is not required by legislation, the Chairman of any meeting shall decide on the form. Except for amendments to the Constitution which can only be carried by a majority of two-thirds of the elected and cadre delegates, all decisions shall be carried by a simple majority of those present.
- (ii) Voting shall be by secret ballot in respect of election of the Central Committee, amendment to the Constitution, dissolution of the Congress and any other matters affecting the affiliates of the Congress generally.
- (iii) In any voting by a show of hands or by secret ballot, every elected delegate and every cadre delegate shall be entitled to one vote each.

ARTICLE 12 Central Committee:

- (i) The Central Committee shall be made up as follows:
 - (a) 21 members to be elected by secret ballot by the elected and cadre delegates at or before a Delegates' Conference from among the candidates nominated by the elected and cadre delegates, provided that not more than two persons so elected to the Central Committee shall be delegates of the same ordinary affiliate;
 - (b) A Secretary-General, if the holder of the office thereof is not one of the 21 elected members; and
 - (c) Such number of members as may be appointed from time to time and at any time by the Central Committee on the recommendation of the Secretary-General; provided that any Deputy Secretaries-General who are not elected to the Central Committee shall be so appointed thereto and provided further that all Assistant Secretaries-General, who are not elected or appointed to the Central Committee, and other assigned staff of the Congress may attend and participate in any proceedings of the Central Committee but shall have no voting rights.
- (ii) The elected members of the Central Committee shall after their election vote for one Secretary-General from among themselves and the cadre delegates.

- (iii) The elected members of the Central Committee together with the Secretary-General shall vote from among themselves 1 President, 3 Vice-Presidents, and 1 Secretary for Financial Affairs.
- (iv) The number of cadre delegates elected or appointed to the Central Committee shall, in no circumstances, be more than one-half of the total number of persons constituting the Central Committee, irrespective of whether the cadre delegates are also eligible to be elected delegates.
- (v) The Central Committee may from time to time in its absolute discretion invite such representative of such ordinary or associate affiliate or such subsidiary organisation of the Congress to participate in such proceedings of the Central Committee but without having the power to vote as the Central Committee may approve on the recommendation of the Secretary-General.

ARTICLE 13 Secretariat:

- (i) The Secretariat shall consist of the Secretary-General, such number of Deputy Secretaries-General and Assistant Secretaries-General not exceeding 8, provided that there shall be no more than 3 Deputy Secretaries-General, the Secretary for Financial Affairs and such number of other Secretaries with such designations, duties and powers as the Central Committee shall from time to time and at any time decide on the recommendation of the Secretary-General. Other than the Secretary-General and the Secretary for Financial Affairs, the members of the Secretariat shall be appointed by the Central Committee on the recommendation of the Secretary-General from among the elected members of the Central Committee, the cadre delegates of the Congress, and the staff of the Congress or its affiliates or any subsidiary organisation of the Congress. The Secretary-General or, in his absence, one of the Deputy Secretaries-General shall preside at all meetings of the Secretariat and sign the minutes of meeting confirmed thereat.
- (ii) The designations, duties and powers of the members of the Secretariat other than the Secretary-General may be changed from time to time and at any time by the Central Committee on the recommendation of the Secretary-General; provided always that the designations, duties and powers of the Secretary for Financial Affairs shall not be so changed as to conflict in any manner with any provision in the Trade Unions Act or the Regulations made thereunder governing the functions of a Treasurer of a trade union or an analogous officer thereof. Any such change in designations, duties and powers shall be notified in writing to all affiliates.
- (iii) Any member of the administrative or executive staff of any department or subsidiary organisation of the Congress may attend and participate in any meeting of the Secretariat at the invitation thereof but shall have no vote.

ARTICLE 14 Tenure and power of the Central Committee:

- (i) The Central Committee is the planning, policy and executive organ of the Congress. It shall take all such decisions and actions as it thinks fit to further the objects of the

Congress and subject to the overriding authority of the Delegates' Conference, have all the powers of the Conference.

- (ii) Subject to the overriding authority of the Delegates' Conference, the Central Committee shall be responsible for drawing up all Standing Orders and Regulations to govern the conduct and proceedings of the Delegates' Conference. The Standing Orders and Regulations may be amended or altered at any time by the Delegates' Conference. In the absence of any amendment or alteration, the Standing Orders and Regulations for any Delegates' Conference shall be the same as the Standing Orders and Regulations which have been applied at the last preceding Delegates' Conference, provided that any Delegates' Conference may suspend any of the Standing Orders and Regulations with the approval of not less than two-thirds of the Delegates present at the Conference.
- (iii)
 - (a) The Central Committee may, in its absolute discretion, invite any prominent person to preside at a Delegates' Conference but such person shall have no voting rights. If no person is so invited, the President or a Vice-President shall preside at the Delegates' Conference.
 - (b) Whoever presides at a Delegates' Conference shall conduct the Delegates' Conference in accordance with the Standing Orders and Regulations applicable to that Conference and shall countersign the minutes of meeting confirmed thereat.
- (iv)
 - (a) The President shall, unless he expressly declines to do so, preside at any meeting of the Central Committee he attends and shall countersign the minutes of meeting confirmed thereat. In the absence of the President, one of the Vice-Presidents shall preside over the Central Committee.
 - (b) In any event, a copy of all minutes of the Central Committee and of all notices, circulars, documents and publications issued by the Central Committee for any purpose whatsoever shall be given to the President.
- (v) The Secretary-General is the chief executive of the Congress and shall be responsible to the Delegates' Conference. He shall recommend the appointment and replacement of members of the Secretariat other than the Secretary for Financial Affairs. He shall recommend, in consultation with the President, to the Central Committee the appointment and removal of cadre delegates. He may also recommend to the Central Committee the appointment and replacement of Consultants and Advisors.
- (vi) The Secretary for Financial Affairs shall be responsible for all monies of the Congress and shall present financial reports to the Congress.
- (vii) The Central Committee shall have power to remove from office any officer or Trustee who in its opinion has been guilty of injuring or attempting to injure the Congress or acting contrary to its interests. An appeal on such removal lies to the Delegates' Conference.

- (viii) The Central Committee shall hold office for a period of four years and notwithstanding any provisions in this constitution to the contrary the NTUC Central Committee which is elected for the period 2000 to 2003 shall be entitled to hold office until 31st December 2003. Any vacancy during the intervening period shall be filled by the Central Committee.
- (ix) In between Delegates' Conferences, the Central Committee shall have power to interpret the Constitution and decide any matter on which the Constitution is silent and to make Regulations for the proper and orderly exercise of any of its powers conferred under the Constitution.
- (x) The Central Committee shall have the power to set up any Committee to assist in the conduct of the business and affairs, including the election of office-bearers of an affiliate at the latter's own request or, in respect of an affiliate constituted of more than one trade union (or platform work association, as the case may be), to regulate the relations between the Congress and such constituent trade unions and/or platform work associations and among themselves at the absolute discretion of the Central Committee.
- (xi) The Central Committee shall have the power to arrange any scheme for the deduction of union subscriptions, contributions and levies from the salaries or wages of the members of any affiliate union by their respective employers for and on behalf of the union concerned, and for the deduction of platform work association subscriptions, contributions and levies from monies payable to the members of any affiliate platform work association by the respective platform operators (which these members have agreements with) for and on behalf of the platform work association concerned. The Central Committee may impose such conditions as it deems fit for the participation by any affiliates in such scheme and may refuse or revoke any participation by any affiliate in such scheme.
- (xii) The Central Committee shall have power to buy or sell, borrow or lend, lease, rent, hire, mortgage, develop or otherwise acquire, deal with or dispose of such movable or immovable property as may be required for the purpose of giving effect to all or any of the objects of the Congress.
- (xiii) The Central Committee shall have power to appoint any persons who have been recommended by the Secretary-General in consultation with the President and who have contributed or are able to contribute in any capacity to the organisation and representation of workers by the Congress or its affiliates to be cadre delegates with the right to attend and vote at any Delegates' Conference and to hold any office in the Congress, irrespective of whether such persons are eligible for the membership of any affiliate of the Congress. Provided always that the total number of cadre delegates shall not be more than one-third of the total number of elected delegates at any time. The appointment of any cadre delegates shall subsist until and unless revoked by the Central Committee with the prior consent of the Secretary-General acting in consultation with the President.

ARTICLE 15 Delegates' Conference Business:

The business of the National Delegates' Conference shall be to consider and decide all questions of policy pertaining to the trade union movement and/or the platform work association sphere, to receive and review reports from the Central Committee and Secretariat, to elect the Central Committee and to consider and decide all other matters included in the agenda. The business of the Ordinary Delegates' Conference shall be the same as that of the National Delegates' Conference with the exception of election of members to the Central Committee. The business of an Extraordinary Delegates' Conference shall be to consider and decide only the matters for which it is convened.

ARTICLE 16 Finance:

- (i) The Secretary for Financial Affairs shall account for all the funds of the Congress. He may retain up to \$5,000 with him to meet petty expenses. All other cash must be deposited in banks approved by the Central Committee.
- (ii)
 - (a) The Secretary-General shall approve any item of expenditure not exceeding \$50,000.
 - (b) Any item of expenditure exceeding \$50,000 shall be approved by the Central Committee.
- (iii) All cheques of the Congress must be signed by the President or in his absence, a Vice-President and the Secretary for Financial Affairs or in his absence, the Secretary-General.
- (iv) Funds of the Congress may be expended only to further the objects of the Congress in accordance with the provisions of the Trade Unions Act in respect of the application of trade union funds.
- (v) The financial year of the Congress shall be from 1st January to 31st December.

ARTICLE 17 Auditors

A firm of certified public accountants shall be appointed by the Central Committee to perform internal audit work for the Congress. The Central Committee shall also appoint an external auditor from a different firm of certified public accountants and the Central Committee must ensure that the firm of certified public accountants shall not be appointed as the external auditor for more than five continuous years. The financial statements presented to the Delegates' Conference shall be certified by the external auditor. All auditors shall have full and free access to all accounting documents of the Congress.

ARTICLE 18 Trustees:

- (i) A minimum of three (3) and a maximum of four (4) Trustees shall be appointed by the Central Committee for a term of four (4) years and the appointed Trustees shall not hold office for more than three (3) consecutive terms. Trustees shall be appointed 24 months (but no later than 30 months) after the National Delegates' Conference. The

years of service of appointed Trustees shall only accrue from an appointment after this amended Article 18(i) takes effect.

- (ii) The Trustees shall have vested in them as joint tenants all the movable and immovable property whatsoever belonging to the Congress for the use and benefit of the Congress and the affiliates thereof. They shall discharge their duties in accordance with the directives of the Central Committee.
- (iii) In the event of the death, bankruptcy, incapacity, resignation, or removal from office of any Trustee by the Central Committee, the Central Committee shall appoint a suitable person to fill the vacancy in the ranks of the Trustees so that there shall always be at least three (3) Trustees in office. In such an event, the appointed Trustee's term of office shall end on the same day as the term of the Trustee he had been appointed to replace. Any appointment or removal of Trustees must be endorsed by at least two-thirds of the Central Committee members.
- (iv) The Central Committee shall ensure that a person who is not a Singapore citizen or who is holding the office of the President, Secretary-General or the Financial Secretary or any other similar office shall not continue to be or be appointed a Trustee except with the prior approval in writing of the Minister.

ARTICLE 19 Membership Register and Account Book:

All affiliation registers and account books shall be open to inspection to any accredited representative of an affiliate provided due notice has been given.

ARTICLE 20 Dissolution:

The Congress may only be dissolved if more than three-quarters of affiliates vote to do so. Upon dissolution all remaining assets shall be divided amongst the affiliates in proportion to the amounts subscribed in fees and levies.

(Article 6 - Affiliation Fee)

1.
 - (i) The standard rate of affiliation fee payable by an Ordinary affiliate or a Constituent trade union and/or platform work association thereof shall be 25 percent of the subscription fee collected or checked off by the affiliate or union or platform work association from each member each month. The subscription fee payable by union members and platform work association members shall be equivalent to 0.5 per cent of the median wage of workers in Singapore. The actual quantum and effective date of implementation shall be determined from time to time by the NTUC Central Committee based on the prevailing median wage of workers. Any change to the rate shall be notified to all affiliates before its implementation thereof.
 - (ii) An affiliate may require its members to pay subscription fees at higher rates than the minimum rates for the corresponding salary ranges as stated in subsection (i) hereof, provided that the affiliation fee payable to NTUC shall be computed in accordance with the standard rate of affiliation fee in subsection (i) hereof on the basis of subscription fees collected or checked-off by the affiliate from its members.
2. Every affiliate or constituent trade union/constituent platform work association thereof shall pay in addition to the 12 monthly affiliation fees per year, a levy as set out in Article 6(i) which the affiliate or constituent trade union/constituent platform work association thereof shall collect from its Ordinary and Ordinary (General) Members, and which shall be paid by the said members in addition to the subscription fee referred to in paragraph 1(i) above.
3. The provisions of paragraphs 1 and 2 above shall apply only in respect of Ordinary Members and Ordinary (General) Members of an affiliate or constituent trade union and/or platform work association. In the event that an affiliate or constituent trade union and/or platform work association has associate members, the affiliate or constituent trade union and/or platform work association shall pay to NTUC 25% of any fee or subscription collected from each associate member each month.
4. The Central Committee may at its absolute discretion and in accordance with such regulations as may from time to time be made by the Central Committee approve, with or without reduced representation, such special rate of affiliation fee as the Central Committee may deem necessary and expedient by reason of an ordinary affiliate's inability to implement the prescribed rates of membership subscription fees as set out in section (1) of this Schedule or the supplementary affiliation fee as set out in section (2) of this Schedule or a check-off arrangement in respect of not less than 60 percent of its membership.

5. The Central Committee may at its absolute discretion and in accordance with such regulations as may from time to time be made provide for the manner of verifying the correctness of amounts declared as affiliation fees by affiliates or constituent trade unions and/or platform work associations.

SCHEDULE II

Conditions of Affiliation (Article 4(i)(d))

1. The Central Committee may require as a condition precedent to registration such successful applicants for individual affiliation to the Congress as the Central Committee deems necessary at its absolute discretion to amend their respective constitutions to include the provisions as hereinafter set out in this Schedule.
2. An applicant shall not disaffiliate or cause itself to be disaffiliated from the Congress except by a special resolution with the support of 75 percent of the total membership of the applicant.
3. The principal executive body of an applicant shall not be empowered or permitted to so act or so omit to act as the cause the applicant to be expelled, suspended or otherwise disciplined by the Congress in accordance with this Constitution for so long as the applicant is affiliated to the Congress.
4. An applicant shall entrust the conduct of the business and affairs of the applicant pertaining to industrial relations and disputes, union/platform work association finance, welfare of members and such other matters as the Central Committee may deem necessary to such Council or Committee as the Central Committee may establish at its absolute discretion in accordance with the Regulations made from time to time by the Central Committee for the purpose thereof.
5. An applicant shall make such financial contribution as the Central Committee deems necessary and reasonable towards the administrative expenses of whatever Councils or Committees are entrusted with the conduct of all or part of the business and affairs of the applicant.
6. An applicant shall appoint such number of its members who are current delegates to the Congress as the Central Committee may deem necessary to represent the applicant on such Council or Committee as the Central Committee may from time to time set up provided always that the Chairman, Secretary or Treasurer of any Council or Committee shall be appointed by the Congress and that the members of the Secretariat of the Congress shall be ex-officio members of such Council or Committee.
7. An applicant shall not amend in any manner its constitutional provisions relating to the matters set out herein before in this Schedule without the prior approval of the Central Committee for so long as the applicant is affiliated to the Congress.