1992 No. 239

INDUSTRIAL RELATIONS

Trade Union (Nominations) Regulations (Northern Ireland) 1992

Made	*28th May 1992*
Coming into operation . .	*1st July 1992*

The Department of Economic Development, in exercise of the powers conferred on it by Article 104(1), (2) and (3) of the Industrial Relations (Northern Ireland) Order 1992(**a**), and of every other power enabling it in that behalf, hereby makes the following Regulations:

PART I

PRELIMINARY

Citation, interpretation and commencement

1.—(1) These Regulations may be cited as the Trade Union (Nominations) Regulations (Northern Ireland) 1992.

(2) Without prejudice to sections 11 and 28 of the Interpretation Act (Northern Ireland) 1954(**b**) the reference in regulation 10 to the Trade Union Act Amendment Act 1876(**c**) shall be construed as including a reference to that Act as amended or extended by the Provident Nominations and Small Intestacies Act 1883(**d**), the Friendly Societies Act (Northern Ireland) 1957(**e**) and the Administration of Estates (Small Payments) Act (Northern Ireland) 1967(**f**).

(3) These Regulations shall come into operation on 1st July 1992.

PART II

NOMINATIONS

Power to make nominations

2.—(1) Subject to the provisions of these Regulations, a member of a trade union being a person who has attained the age of sixteen years may nominate any person to receive the whole or part of any moneys not exceeding £5,000 payable on his death out of any funds of the trade union of which he is a member.

(a) S.I. 1992/807 (N.I. 5)
(b) 1954 c. 33 (N.I.)
(c) 1876 c. 22
(d) 1883 c. 47
(e) 1957 c. 1 (N.I.)
(f) 1967 c. 5 (N.I.)

(2) Every nomination shall be made in writing in a form approved by the trade union, and shall be signed by the nominator.

(3) A nomination shall be of no effect unless it is delivered at or sent to the principal office of the trade union during the lifetime of the nominator.

(4) The trade union shall register every nomination and notify the registration to the nominator.

(5) A nomination may be in favour of one person or of several persons (who shall be clearly designated in the nomination) and, where there is more than one nominee, may direct that specific sums be paid to one or more of the nominees or that the nominees shall take the money nominated in specified shares, or may give directions to both effects.

(6) A nomination shall not be valid in respect of any nominee who at the date of the nomination is an officer or employee of the trade union unless that person is the husband, wife, father, mother, child, brother, sister, nephew or niece of the nominator.

Revocation of nominations

3.—(1) A nomination shall be revoked—

(*a*) by the death of the nominee, or, where there is more than one nominee, by the death of all the nominees, in the lifetime of the nominator;

(*b*) so far as relates to the interest thereunder of any nominee (being one of two or more nominees), by the death of that nominee in the lifetime of the nominator, unless the interest of that nominee is disposed of by the nomination;

(*c*) by the subsequent marriage of the nominator;

(*d*) by written notice of revocation signed by the nominator and delivered at or sent to the principal office of the trade union during the lifetime of the nominator;

(*e*) by a subsequent nomination duly made in accordance with these Regulations by the same nominator disposing of either the whole or any part of the moneys disposed of by the earlier nomination, but so far only as respects those moneys or that part of those moneys, as the case may be;

but a nomination shall not be revoked by any will or by any other act, or means whatsoever.

(2) Notwithstanding that a nomination has been revoked by the marriage of the nominator, where the trade union has paid the money to the nominee in ignorance of that marriage, the payment shall be as valid as if the nomination had not been so revoked.

Nomination covers all funds unless otherwise stated

4. A nomination shall, subject to the provisions of these Regulations, be deemed to extend to all sums to which a nominator is entitled at the time of his death unless a contrary intention appears from the nomination.