

NO. 14 OF 2007

LABOUR RELATIONS ACT

SUBSIDIARY LEGISLATION

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**Regulations under section 54**

**TRADE UNIONS REGULATIONS**

[G.N. 778/1952, G.N. 754/1953, L.N. 6/1961, L.N. 328/1964, L.N. 133/1975.]

1. These Regulations may be cited as the Trade Unions Regulations.

**FORM OF REGISTER, CERTIFICATES, APPLICATIONS AND NOTICES**

2. (1) Every register, certificate, order, application and notice under the Act shall be kept, issued, made or given in the appropriate form set out in the First Schedule.

(2) The number of copies to be submitted of any such application or notice, if more than one, shall be as stated in the form of such application or notice set out in the First Schedule.

(3) Any authority or person having power to issue any certificate under the Act shall, on it being proved to his satisfaction that such certificate has been lost or destroyed and on payment of the prescribed fee, issue a duplicate of the certificate to the person entitled thereto.

**REGISTER OF TRADE UNIONS**

3. The particulars to be recorded in the register shall be those specified in Form A in the First Schedule.

4. (1) The manner of registering a trade union shall be by entering in the register the name of the trade union, the situation and postal address of its registered office, the titles and names of its officers, and the date of the registration.

(2) The manner of registering a change of name of a trade union shall be by deleting the name under which such trade union has been registered in the register and by substituting therefor the new name of the trade union.

5. (1) The register and any documents in connection therewith shall be open to inspection by the public, during the hours in which the office of the Registrar is open to the public, upon payment of the prescribed fee.

(2) Copies of or extracts from the register or documents in the custody of the Registrar may be obtained by any person giving reasonable notice and upon payment of the prescribed fees.

**ANNUAL RETURNS**

6. (1) The general statement referred to in subsection (1) of section 47 of the Act shall be furnished to the Registrar on or before the first day of April in each year.

(2) The general statement shall be in the form, and comprise the particulars specified, in the Second Schedule and shall be audited in the manner shown in the form of Auditor's Report contained in that Schedule.

**AMALGAMATION OF TRADE UNIONS**

7. A registered trade union, when proposing to amalgamate with one or more other trade unions in the manner provided by section 32 of the Act, shall take steps fully to inform, in a suitable manner, all members concerned as to—

- (a) the reasons for the proposed amalgamation;
- (b) the proposed conditions under which the amalgamation will take place; and
- (c) the time and place at which the secret ballot will be held.

8. A notice, giving the particulars specified in regulation 7, shall be posted in the registered office of the trade union and in every branch office thereof at least two weeks before the secret ballot is held, and shall remain so posted until the secret ballot has been concluded.

[Subsidiary]

9. The procedure to be followed in taking the secret ballot shall be as follows—

- (a) the ballot shall be conducted jointly by an officer of the trade union and a representative chosen by the members;
- (b) the persons responsible for conducting the ballot shall be furnished with—
  - (i) a list of the members entitled to vote thereat;
  - (ii) an adequate supply of ballot papers in the form in the Third Schedule and not marked in any way whatsoever so as to identify the person voting; and
  - (iii) a suitable ballot box fitted with lock and key;
- (c) arrangements shall be made to enable each member concerned, at places adjacent to the ballot box, to obtain a ballot paper and to mark it, screened from observation, before depositing it in the box;
- (d) the name of each member to whom a ballot paper is handed out shall be marked off on the list of members concerned by the person handing out the ballot papers;
- (e) the member shall, after marking the paper, fold it so as to cover the marking and deposit it in the ballot box;
- (f) the ballot papers shall be examined and the votes shall be counted by the persons conducting the ballot, and

certificates of the result of the ballot, in the form in the Third Schedule shall be signed jointly by them; and a signed copy of the certificate shall—

- (i) be posted in the registered office of the trade union and in every branch office thereof for a period of not less than one week after the conclusion of the secret ballot;
- (ii) be attached to the notice of amalgamation sent to the Registrar under subsection (1) of section 33 of the Act, which notice shall be in Form K in the First Schedule.

10. In the event of disagreement as regards the interpretation or application of the above provisions relating to amalgamation or the procedure for taking a secret ballot, the matter shall be referred to the Registrar, who may, if he thinks fit, conduct the secret ballot himself.

#### NOTICE OF CHANGE OF RULES

11. Whenever a trade union changes its rules, notice of that change in Form M in the First Schedule, signed by the secretary and by seven members of the trade union authorised in that behalf by resolution passed at a general meeting of the trade union, shall be sent to the Registrar within seven days of the change, and shall be accompanied by a copy of the minutes of the meeting at which the change was made, certified as a true copy by the chairman of the meeting.

#### FEES

12. The fees set out in the Fourth Schedule shall be payable to the Registrar in respect of the several matters specified therein.

#### TRADE UNION TO KEEP REGISTER OF MEMBERS

13. (1) Every registered trade union shall keep a register of its members, in which shall be entered—

- (a) the name, address and occupation of each member;
- (b) the date on which each member was admitted to membership;
- (c) the payments made by each member in respect of entrance fee, subscriptions or any other matter, and the dates of such payments; and
- (d) the date on which any member ceases to be a member.

*Labour Relations*

[Subsidiary]

(2) If any registered trade union fails to keep a register of its members in accordance with the provisions of paragraph (1), the trade union and every officer or person acting or purporting to act as an officer thereof shall be guilty of an offence and liable to a fine not exceeding five hundred shillings.

FIRST SCHEDULE

[Regulation 2.]

FORM A

(r. 3)

REGISTER

Registry No .....

File Ref .....

Name of Trade Union .....

Situation of Registered Office .....

Postal Address of Registered Office .....

<i>Date of formation</i>	<i>Date of registration</i>	<i>Date of cancellation of registration</i>	<i>Date of suspension of registration</i>	<i>Period of suspension</i>	<i>Date of registration of dissolution</i>

*Officers, Executive Committee and Trustees*

<i>Title</i>	<i>Full name</i>	<i>Date of appointment</i>

*Voting Membership as at 31st December of Each Year*

Year	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970
Males	.		.		.		.		.	
Females		.		.		.		.		.
Total	.		.		.		.		.	

Labour Relations

[Subsidiary]

FORM B

APPLICATION FOR REGISTRATION OF TRADE UNION

[Section 10.]

To: The Registrar of Trade Unions, Nairobi.

1. We, the several persons whose names are subscribed below, being members of a trade union known as ....., make application for the registration of the trade union.
2. The trade union was established on the ....., 20 .....
3. The name under which it is proposed that the trade union shall be registered is .....
4. (1) The situation of the registered office of the trade union is at .....
- (2) The postal address of the trade union, to which all communications and notices may be addressed, is .....
5. Accompanying this application are sent—
  - (a) a copy, marked A, of the rules of the trade union;
  - (b) a list, marked B, of the names, identity certificate numbers, addresses and occupations of the members making this application; and
  - (c) a list, marked C, of the titles, names, identity certificate numbers, ages, addresses and occupations of the officers of the trade union.
6. We have been duly authorised by the trade union to make this application on its behalf, such authorisation consisting of\* .....

Dated the ....., 20 .....

- [Signed]
1. ....
  2. ....
  3. ....
  4. ....
  5. ....
  6. ....
  7. ....

NOTES.—(a) This application, to which must be affixed uncanceled stamps to the value of Sh. 2.50, must be signed by at least seven members of the trade union.

(b) The enclosures referred to in paragraph 5 should be typewritten or printed.

\* In paragraph 6 it must be stated whether the authority to make this application was given by a "resolution of a general meeting of the trade union" or, if not, in what other way it was given.

\_\_\_\_\_

FIRST SCHEDULE—continued

FORM B1

APPLICATION FOR REGISTRATION OF A BRANCH OF A TRADE UNION

[Section 20A.]

To: The Registrar of Trade Unions,  
P.O. Box 30031,  
Nairobi.

1. I, the Secretary of the .....  
make application for the registration of the ..... Branch.
2. The Branch was established on the, .....20 .....
3. (1) The situation of the registered office of the Branch is at .....
- (2) The postal address of the Branch to which all direct communications and notices may be addressed is .....
4. Accompanying this application is sent a list marked "A" of the titles, names in full, ages, addresses and occupations of the officers of the Branch.
5. I have been duly authorized by my executive committee to make this application.

Dated the ....., 20 .....

Signed .....

Secretary of ..... Trade Union.

\_\_\_\_\_

FORM C

CERTIFICATE OF REGISTRATION

[Section 13.]

It is notified that the ..... has been registered under the Trade Unions Act.

Dated the ....., 20 .....

.....

Registrar of Trade Unions

\_\_\_\_\_

FORM D

NOTIFICATION OF DEFERMENT OF REGISTRATION

[Section 11.]

It is notified that the registration of ..... as a trade union under the Trade Unions Act is deferred, and that by reason of that deferment the trade union has become a probationary trade union.

Dated the ....., 20 .....

.....

Registrar of Trade Unions

Labour Relations

[Subsidiary]

FIRST SCHEDULE—continued

NOTE.—After the expiration of three months and before the expiration of twelve months from the date of this notice, the Registrar (either on the application of the probationary trade union or of his own motion) must, if satisfied that grounds for withholding registration no longer exist, register the probationary trade union as a trade union.

If, at the expiration of twelve months from the date of this notice, the Registrar is of the opinion that there still exist grounds for withholding registration, the probationary trade union will be sent formal notice of refusal to register, together with a statement of the grounds of such refusal. The provisions of subsection (2) of section 16 of the Trade Unions Act will then have effect.

FORM E

[Section 16.]

NOTIFICATION OF REFUSAL OF REGISTRATION

It is notified that the registration of ..... as a trade union under the Trade Unions Act is refused. The grounds of the refusal are as follows—

.....  
.....  
.....

Dated the ....., 20.....

.....

Registrar of Trade Unions

NOTE.—Upon receipt of this notice, reference should be made to section 16 of the Trade Unions Act. Subsection (2) of that section sets out the provisions which have effect upon the refusal of the Registrar to register a trade union.

FORM F

NOTICE OF INTENTION TO CANCEL REGISTRATION OF A TRADE UNION

[Section 17.]

To: .....  
.....

I give you notice, pursuant to section 17 of the Trade Unions Act, that on the expiry of two months from the date hereof I propose to cancel the registration of ..... as a trade union under the Act unless, before the expiration of that period, cause is shown to my satisfaction why the registration should not be cancelled. The grounds on which I propose to cancel the registration are—

.....  
.....  
.....

Dated the ....., 20.....

.....

Registrar of Trade Unions

FIRST SCHEDULE—continued

FORM G

ORDER OF CANCELLATION OF REGISTRATION

[Section 17.]

It is notified that the registration of ..... as a trade union under the Trade Unions Act be and is suspended. The grounds of the suspension are as follows—

.....

Dated the ....., 20.....

.....

Registrar of Trade Unions

NOTE.—Upon service of this order, reference should be made to section 20 of the Trade Unions Act, which sets out the provisions which have effect upon the cancellation of registration of a trade union.

\_\_\_\_\_

FORM H

NOTICE OF INTENTION TO SUSPEND REGISTRATION OF A TRADE UNION

[Section 17.]

To: .....

.....

I give you notice, pursuant to section 17 of the Trade Unions Act, that on the expiry of one month from the date hereof I propose to suspend the registration of .....

as a trade union under the Act unless, before the expiration of that period, cause is shown to my satisfaction why the registration should not be suspended. The grounds on which I propose to suspend the registration are—

.....

Dated the ....., 20.....

.....

Registrar of Trade Unions

\_\_\_\_\_

FORM I

[Section 17.]

ORDER OF SUSPENSION OF REGISTRATION

It is ordered that the registration of ..... as a trade union under the Trade Unions Act be and is cancelled, the grounds of the cancellation are as follows—

.....

Dated the ....., 20.....

.....

Registrar of Trade Unions

NOTE.—Upon service of this order, reference should be made to section 21 of the Trade Unions Act, which sets out the provisions which have effect upon the suspension of registration of a trade union.

\_\_\_\_\_

Labour Relations

[Subsidiary]

FIRST SCHEDULE—continued

FORM J

NOTICE OF CHANGE OF NAME

[Section 33.]

To: The Registrar of Trade Unions, Nairobi.

1. We, the several persons whose names are subscribed below, being the secretary and seven members of the trade union registered under the name of ..... give you notice pursuant to section 33 of the Trade Unions Act that it is proposed to change the name of the trade union to .....

2. The proposed change of name has the consent of not less than two-thirds of the total number of voting members of the trade union, such consent having been obtained by secret ballot taken in accordance with the rules of the trade union on the ....., 20.....

Dated the ....., 20.....

[Signed] ..... Secretary

- 1. ....
2. ....
3. ....
4. ....
5. ....
6. ....
7. ....

Members

NOTES.— (a) A trade union may not change its name without the consent of at least two-thirds of the total number of its voting members, and such consent must be obtained by secret ballot conducted in accordance with the rules of the union.

- (b) This notice must be signed by the secretary and by seven members of the trade union.
(c) The change of name will not have effect until registered by the Registrar.

FORM K

[Section 33.]

(r. 9)

NOTICE OF AMALGAMATION

To: The Registrar of Trade Unions, Nairobi,

1. We, the several persons whose names are subscribed below, being the secretaries and members of the trade unions registered under the names of—

- (1) .....
(2) .....
(3) .....

FIRST SCHEDULE, FORM K—continued

Give you notice pursuant to section 33 of the Trade Unions Act that it proposed to amalgamate together the trade unions as one trade union under the name of .....

- 2. Each trade union which is a party to this amalgamation has taken a secret ballot among its voting members in the manner prescribed by the Trade Unions Regulations. Signed copies of the certificates of the results of the ballots are attached hereto.

Dated the ....., 20 .....

..... (Trade Union) ..... (Trade Union) ..... (Trade Union)

(Signed) ..... Secretary ..... Secretary ..... Secretary

1. ....

2. ....

3. ....

Members.

4. ....

5. ....

6. ....

7. ....

1. ....

2. ....

3. ....

Members.

4. ....

5. ....

6. ....

7. ....

1. ....

2. ....

3. ....

Members.

4. ....

5. ....

6. ....

7. ....

Labour Relations

[Subsidiary]

FIRST SCHEDULE, FORM K—continued

NOTE. — (a) The certificates referred to in paragraph 2 must be in the prescribed form—see Third Schedule to the Trade Unions Regulations. Under section 32 of the Trade Unions Act, the amalgamation cannot be proceeded with unless, in the case of each trade union, the votes of at least 50 percent of the members entitled to vote are recorded at the ballot and, of the votes recorded, those in favour of the proposal exceed by 20 percent or more the votes against the proposal.

(b) The notice must be signed by the secretary and seven members of each trade union which is party to the amalgamation.

(c) The amalgamation will not have effect until the Registrar has registered the trade union formed thereby in the prescribed manner.

FORM L

[Section 35.]

NOTICE OF CHANGE OF SITUATION OF REGISTERED OFFICE OR OF POSTAL ADDRESS

To: The Registrar of Trade Unions, Nairobi.

The\* ..... gives you notice that—

† the situation of the registered office of the trade union has been changed from ..... to .....

† the postal address of the trade union has been changed from changed from ..... to .....

Dated the ....., 20 .....

[Signed] ..... Secretary

\* Enter name of trade union.

† Delete whichever is inapplicable.

NOTE.— (a) It is an offence, under section 35 of the Trade Unions Act for any trade union (i) to operate at any place to which its registered office may have been removed without having given notice of the change in the situation thereof to the Registrar; or (ii) to fail to give notice of any change of its postal address.

(b) This notice should be signed by the secretary of the trade union.

FORM M

(r. 11)

NOTICE OF ALTERATION OF RULES

[Section 36.]

To: The Registrar of Trade Unions, Nairobi.

1. We, the several persons whose names are subscribed below, being the secretary and seven members of the trade union registered under the name of ..... give you notice of alteration of the rules of the aforesaid trade union.

2. With this application are sent—

(a) a copy of the registered rules of the union, marked to show where and in what way they are altered;

Labour Relations

[Subsidiary]

FIRST SCHEDULE, FORM M—continued

- (b) a copy, marked A, of the alteration[s], signed by the person giving this notice;
- (c) a copy of the minutes of the meeting at which the alteration[s] was [were] made, certified as true by the chairman of that meeting.

3. We have been duly authorized by the trade union to give this notice on its behalf, such authorization consisting of a resolution passed at a general meeting of the trade union on the ....., 20.....

Dated the ....., 20.....

[Signed] ..... Secretary

1. ....

2. ....

3. ....

Members

4. ....

5. ....

6. ....

7. ....

CERTIFICATE OF REGISTRY (For Official Use)

It is certified that the foregoing alteration[s] of the rules of the ..... has [have] been registered pursuant to section 36 of the Trade Unions.

Dated the ....., 20.....

[Signed] .....

.....

Registrar of Trade Unions

NOTE.—(a) Two copies of this notice (with enclosures) must be sent to the Registrar within seven days of any alteration of rules or of the making of any new rule.

(b) This notice must be accompanied by the prescribed registration fee.

(c) Alterations in the rules of a trade union have effect from the date of registration thereof by the Registrar unless some later date is specified in the rules.

FORM N

NOTICE OF CHANGE OF NAMES OR TITLES OF OFFICERS

[Section 38.]

To: The Registrar of Trade Unions,  
Nairobi.

The\* ..... gives you notice that the names [titles] of the officers of the trade union specified in the first column hereunder have been altered to those specified in the second column, with effect from the date specified in the third column.

Labour Relations

[Subsidiary]

FIRST SCHEDULE, FORM N—continued

Old name and title	New name and title	Effective date of alteration

Dated the ....., 20 .....

[Signed] .....

Secretary

\* Enter name of trade union.

NOTE. — (a) Notice of all changes of officers or of the title of any officer must be sent to the Registrar within seven days after such change.

(b) This notice must be signed by the secretary of the trade union and must be accompanied by the prescribed registration fee.

FORM O

NOTICE OF DISSOLUTION

[Section 39.]

To: The Registrar of Trade Unions,  
Nairobi.

Notice is given that the \*..... was dissolved in pursuance of the rules thereof on the ....., 20 .....

Dated the ....., 20 .....

[Signed] ..... Secretary

1. ....
2. ....
3. ....
4. ....
5. ....
6. ....
7. ....

Members

Name and address to which registered copy is to be returned .....

\* Enter name of trade union.

Labour Relations

[Subsidiary]

FIRST SCHEDULE, FORM O—continued

CERTIFICATE OF REGISTRY (For Official Use)

It is certified that the dissolution of the ..... has this day been registered pursuant to section 39 of the Trade Unions Act.

Dated the ....., 20 .....

[Signed] ..... Registrar of Trade Unions

NOTE.— (a) Two copies of this notice, signed by the secretary and by seven members of the trade union, must be sent to the Registrar within fourteen days of the dissolution.

(b) The dissolution of a trade union has effect from the date of its registration by the Registrar.

SECOND SCHEDULE

[Rule 6, Section 47.]

GENERAL STATEMENT OF RECEIPTS AND EXPENDITURE

Annual Return of the\* ..... for the year ended 31st December, 20.....

Particulars of the Trade Union

- 1. Situation of registered office .....
2. Postal address .....
3. Has the trade union any branches? If so, state situation of, and number of members in, each branch .....
4. In what trade or calling are the members of the union chiefly employed? .....
5. Total number of male voting members at 31st December, 20 .....
Total number of female voting members at 31st December, 20 .....
Total .....

\* Enter name of trade union.

PARTICULARS OF THE OFFICERS AND EXECUTIVE COMMITTEE OF THE TRADE UNION AS AT 31ST DECEMBER, 20.....

Table with 4 columns: Title of officer, Name in full, Address, Date of appointment. It contains three empty rows for data entry.

It is certified as follows—

- (a) none of the above-mentioned officers has been convicted of any crime involving fraud or dishonesty;
(b) none of the above-mentioned officers is an officer of any other trade union;
(c) all the above-mentioned officers (except the secretary and ..... ) are actually engaged in the industry or occupation of ..... with which this trade union is directly concerned, the said ..... having become office bearers on the ....., 20..... with the permission of the Registrar pursuant to section 29(1)(b) of the Act.

Labour Relations

[Subsidiary]

SECOND SCHEDULE—continued

PARTICULARS OF TRUSTEES

<i>Name in full</i>	<i>Date of appointment</i>	<i>Address</i>

INCOME AND EXPENDITURE ACCOUNT FOR THE YEAR ENDED 31ST DECEMBER, 20

	INCOME		EXPENDITURE
	<i>Sh. cts.</i>		<i>Sh. cts.</i>
(1) Members' contributions (including those of branch members):		(1) Benefits paid to members	
(a) subscriptions .....		(2) Working expenses:	
(b) entrance fees .....		(a) head office .....	
(c) other contributions from members (to be specified):		(b) branches .....	
.....		(3) Other expenditure (to be specified):	
.....		.....	
.....		.....	
(2) Bank interest:		(4) Balance of general funds at the end of the year .....	
(3) Miscellaneous income (to be shown in detail):			
.....			
.....			
TOTAL .....		TOTAL .....	
Balance brought forward from previous year .....			
TOTAL .....			

BALANCE SHEET AS AT 31ST DECEMBER, 20 .....

	LIABILITIES		ASSETS
	<i>Sh. cts.</i>		<i>Sh. cts.</i>
(1) Total amount of general funds as shown above .....		Cash in hands of treasurer	
(2) Amount of any separate funds maintained as follows [details of each separate fund to be given]:		Cash in hands of secretary .....	
.....		Cash in hands of branch officers .....	
.....		Cash at .....	
.....		Bank .....	
.....		Other assets [to be specified]:	
.....		.....	
.....		.....	
.....		.....	



Labour Relations

[Subsidiary]

THIRD SCHEDULE—continued

CERTIFICATE OF RESULT OF BALLOT

Name of trade union .....  
 Situation and postal address of registered office .....  
 We, the undersigned, representing respectively the officers and members concerned of the above-named trade union, certify that on the ....., 20....., a ballot was duly taken in compliance with the requirements of the Trade Union Regulations on the question of the amalgamation of the trade union with the registered trade union[s] named hereunder—  
 .....  
 and that the result was—  
 Number of papers in ballot box .....  
 Number voting in favour of the amalgamation .....  
 Number voting against the amalgamation .....  
 The total number of members entitled to vote was .....  
 Dated the ....., 20.....

[Signed] 1. ....  
 2. ....

NOTE.—A signed copy of this certificate must be posted in the registered office of the trade union and in every branch office thereof. A further signed copy must accompany the notice of amalgamation which is required to be sent to the Registrar under subsection (1) of section 33 of the Trade Unions Act.

FOURTH SCHEDULE

[L.N. 246/1988, L.N. 88/1997, L.N. 88/2003, Rule 12.]

FEES

The following fees shall be paid to the Registrar—

	<i>KShs.</i>
(a) on application for registration of a trade union .....	15,000
(b) on application for registration of branch of a trade union .....	3,000
(c) on registration of new rules or alteration of rules .....	750
(d) on registration of change of officers .....	3,000
(e) on registration of change of name of a trade union .....	1,500
(f) on registration of amalgamation of trade union .....	1,000
(g) for a copy of a certificate of registration .....	200
(h) for a certified copy of/or a certificate extract .....	500
(i) for a certified copy of or extract from documents searchable under the custody of the Registrar—	
(i) for the first page thereof .....	500
(ii) for every other page .....	100
(j) for carrying out such on records .....	200
(k) for filling annual returns .....	2,200
(l) penalty of Kshs. 100 per month after 1st April .....	100
(m) on filling notice of change of situation of the office or postal .....	600

## Rules of Court under Section 18(2)

**TRADE UNIONS (APPEALS) RULES**

[G.N. 858/1952, L.N. 118/1973.]

1. These Rules may be cited as the Trade Unions (Appeals) Rules.
2. Any appeal to the High Court under subsection (1) of section 18, subsection (5) of section 33 or subsection (8) of section 38 the Act, as the case may be, against—
  - (a) a refusal of the Registrar to register a trade union as a trade union under the Act; or
  - (b) an order by the Registrar cancelling or suspending the registration of any trade union under the Act; or
  - (c) a refusal of the Registrar to register either a change of name of a registered trade union or the trade union formed by the amalgamation of any two or more registered trade unions; or
  - (d) a refusal of the Registrar either to register a change of officers or to correct the register with respect to any trade union registered under the Act,

shall be filed within one month from the date of the refusal or order, as the case may be:

Provided that High Court may for good and sufficient cause grant any applicant leave to appeal out of time, and, in such event, shall specify the period with which the appeal shall be filed.

3. (1) Every appeal to the High Court shall be preferred in the form of a memorandum signed by the applicant or his advocate, and shall be filed in triplicate in the Registry of the High Court.

(2) The memorandum shall be supported by one or more affidavits as to facts only, and shall be accompanied by the original of the written notification of the refusal, or of the order, appealed from, or by a certified copy thereof.

(3) The memorandum shall set forth concisely and under distinct heads the grounds of objection to the refusal or order appealed from, without any argument or narrative; and the grounds shall be numbered consecutively.

4. When a memorandum is lodged, the High Court shall forthwith cause notice of the appeal to be served on the Registrar, who shall be the respondent in the appeal.

5. (1) A copy of the memorandum of appeal and of the affidavit or affidavits in support shall be served on the respondent together with the notice referred to in rule 4.

(2) The respondent may, within twenty-one days of service, file affidavits in reply:

Provided that the High Court may for good and sufficient cause extend the period for filing affidavits in reply, and, in such event, shall specify the period within which the affidavits shall be filed.

6. Notice of the day fixed for the hearing of the appeal shall be served on the respondent in the manner provided by the Civil Procedure Rules, for the service on the defendant of a summons to enter appearance; and all the provisions applicable to such summons, and to proceedings with reference to the service thereof, shall apply to the service of that notice.

7. The notice to the respondent referred to in rule 6 shall state that if he does not appear before the High Court on the day fixed for the hearing the appeal may be heard *ex parte*.

8. (1) The parties to an appeal shall not be entitled to adduce additional evidence, whether oral or documentary, at the hearing of the appeal:

Provided that the High Court may allow any such evidence to be adduced—

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- (i) if the respondent, in considering the application, has refused or neglected to take into account matters which ought to have been taken into account; or
- (ii) if the High Court requires any such evidence to be adduced to enable it to pronounce judgment; or
- (iii) for any other substantial cause.

(2) Whenever the High Court allows any additional evidence to be adduced before it, the Court shall record its reasons for so doing.

**9.** The High Court may make such order as to the costs of an appeal as to the Court seems just.

**10.** Order XLI of the Civil Procedure Rules, in so far as it is not inconsistent with the provisions of these Rules, shall apply to every such appeal.

**11.** (1) On lodging an appeal under these Rules, there shall be paid a fee of twenty shillings.

(2) The scale of fees usually payable in the High Court shall apply to all subsequent acts, applications or proceedings.

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**TRADE UNIONS (ACCOUNTS) REGULATIONS**

[L.N. 128/1961, L.N. 299/1964.]

*Revoked by L.N. 65/2014, r. 15.*

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**TRADE UNIONS TRIBUNAL (PROCEDURE) REGULATIONS**

[L.N. 327/1964.]

1. These Regulations may be cited as the Trade Unions Tribunal (Procedure) Regulations.
2. In these Regulations, except where the context otherwise requires—
  - “**chairman**” means the chairman of a Tribunal;
  - “**Secretary**” means the Secretary of Tribunals appointed under regulation 5(1);
  - “**Tribunal**” means a Trade Unions Tribunal appointed by the Minister under section 20A or section 38 of the Act.
3. (1) Where the Minister appoints a Tribunal, he shall appoint one of its members to be chairman.
  - (2) If the chairman of a Tribunal is prevented by sickness or any other reason from attending any hearing of the Tribunal, the members shall appoint one of their number to act as chairman of the Tribunal in his absence.
4. A member of a Tribunal shall hold office for such period as may be specified in his appointment, and he shall be eligible for reappointment.
5. (1) The Minister shall appoint an officer of his Ministry to be Secretary of Tribunals, who shall act as Secretary to every Tribunal.
  - (2) The Secretary shall, in relation to any matters referred to a Tribunal, comply with the general and special directions of the chairman of the Tribunal.
  - (3) The address of the Secretary for the purpose of the presentation or service of documents under these Regulations is Attorney-General’s Chambers, Nairobi.
6. Interested parties may, with the permission of the Tribunal concerned, be represented by counsel in proceedings before the Tribunal.
7. Where the Registrar is not satisfied as to the validity or propriety of any application for registration under section 20A of the Act or of any application to register a change of officers or to correct the register under section 38(4) of the Act, or has reason to believe that a branch of a trade union has been dissolved or has ceased to function in terms of section 20A(5) of the Act, he may request the Minister to appoint a Tribunal and shall thereupon refer the matter to that Tribunal, setting forth briefly the reasons for his dissatisfaction or belief, as the case may be.
8. On receipt of a reference from the Registrar, the chairman of the Tribunal concerned shall appoint a time, date and place for a sitting of such Tribunal for the purpose of hearing the matter referred to it, and the Secretary shall cause a copy of the notice of hearing to be served on—
  - (a) each member of the Tribunal;
  - (b) the Registrar;
  - (c) any party who, in the opinion of the Secretary is an interested party; and
  - (d) the registered president and general secretary of the trade union concerned at the headquarters of the union.
9. (1) At the hearing of the matter referred, the following procedure shall be observed—
  - (a) the Registrar shall detail the matter in dispute and the reasons for his dissatisfaction or belief as the case may be;
  - (b) any party who, in the opinion of the Tribunal, is an interested party may appear and make submissions and produce such evidence as may be relevant;

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- (c) at the conclusion of the evidence of any such interested party, the registered president and general secretary of the trade union concerned may make submissions concerning the matter in dispute and may, with the permission of the chairman, call any relevant evidence;
- (d) any such interested party shall be entitled to reply but may not rely on any evidence other than that adduced at the hearing;
- (e) the chairman or any member of the Tribunal shall be entitled at any stage of the hearing to ask any questions of any party to the proceedings or any witness examined at the hearing, as he considers necessary to the determination of the matter referred;
- (f) the parties shall notify the Secretary before the hearing of any witness they propose calling in support of their submissions, and shall at the same time notify any other party on whom notice has been served, but the parties shall be at liberty to call further witnesses with the permission of the Tribunal;
- (g) a witness called and examined by any party shall give his evidence on oath and may be cross-examined by any other party to the proceedings, and if so cross-examined may be re-examined;
- (h) the Tribunal may, if it thinks necessary, call and examine any witness, and thereafter any such witness may be cross-examined by any party to the proceedings;
- (i) the Tribunal may adjourn the hearing of the matter for the production of further evidence or for other good cause, as it considers necessary, on such terms as the Tribunal may determine;
- (j) before the Tribunal reaches its decision, the parties to the proceedings shall withdraw from the hearing, whereupon the Tribunal shall, without any unnecessary delay, consider and determine the matter referred;
- (k) the decision of the Tribunal shall be determined by a majority of the members present and voting at the hearing, and in the case of an equality of votes the chairman shall have a casting vote in addition to his deliberative vote;
- (l) minutes of the hearing shall be kept and the decision of the Tribunal recorded therein.

(2) In this regulation, “**Registrar**” includes any person authorised by the Registrar to appear on his behalf.

**10.** In matters of procedure not governed by these Regulations or the Act, the Tribunal may regulate its own procedure.

**11.** Save where the Tribunal in any particular case otherwise directs or where any party to the proceedings objects, copies of documents shall be admissible in evidence:

Provided that the Tribunal may at any time direct that the original shall be produced notwithstanding that a copy has already been admitted in evidence.

**12.** All parties to the proceedings shall bear their own costs:

Provided that, where it is the opinion of the Tribunal that in any case the original application to the Registrar was frivolous or vexatious, the Tribunal may require the party making such application appearing before it to bear such costs of the Tribunal and any other party, which shall be such sum as the Tribunal assesses having regard to the nature of the proceedings and the work involved.

**13.** The chairman shall cause the recommendations of the Tribunal to be communicated without delay to the Registrar in accordance with the Act.

## Regulations under Section 51

**TRADE DISPUTES (LEVIES AND SUBSCRIPTIONS  
OTHER THAN TRADE UNION DUES) REGULATIONS**

[L.N. 280/1974.]

1. These Regulations may be cited as the Trade Disputes (Levies and Subscriptions other than Trade Union Dues) Regulations.

2. (1) The Minister may, in accordance with these Regulations, by order, authorise the collection from trade union members of—

- (a) levies (other than trade union dues); or
- (b) subscriptions (other than trade union dues), for purposes or objects approved by him and specified in such order.

(2) An employer who employs not less than ten members of a particular trade union or a branch thereof may be required by an order under this regulation to deduct a specified sum from the wages of members of that union or branch thereof, employed by him, and to make payment of the total sum so collected to that trade union.

3. Subject to the provisions of its registered constitution or rules, any trade union may make written application to the Minister for an order under regulation 2, and every such application shall be signed by the general-secretary of the trade union so applying and contain the following particulars—

- (a) purposes and objects of the collection for which the approval of the Minister is desired;
- (b) the number or category of members, or branch of the trade union, to be affected by the proposed collection;
- (c) the total sum sought to be collected;
- (d) the exact sum sought to be deducted from the wages of the members concerned;
- (e) the date on which, or the period during which and the intervals at the end of which, the deductions are sought to be made;
- (f) the name and address (and account number, if any) of the bank of the trade union concerned to which payment is to be required to be made;
- (g) the authority pursuant to which and the manner in which the proposed collection purports to have been authorised by the membership of the trade union or branch to be affected by such collection.

4. (1) Subject to the provisions of regulation (2) of this regulation, the Minister may approve or reject an application under regulation 3 for an order.

(2) The Minister shall refuse any such application in respect of a collection which has, or appears to him to have or to be likely to have, as any of its purposes or objects—

- (a) the payment of expenses of or in connection with the administration of any trade union or branch;
- (b) the payment of salaries, allowances or expenses of any of the officers of any trade union or branch;
- (c) the prosecution or defence of any legal proceedings to which a trade union or any member thereof is a party, whether such legal proceeding concerns the rights of a member arising from his relationship with his employer or with another member or otherwise;
- (d) the conduct or furtherance of any trade dispute on behalf of a trade union or any member thereof;
- (e) the payment of compensation for loss arising from a trade dispute to any member of a trade union;

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- (f) the payment of allowances to members of a trade union or their dependants on account of any unemployment, accident, sickness, old age or death;
- (g) the payment of any subscription or fee to any federation to which the union making the application may be affiliated;
- (h) the payment of any fine or penalty imposed on any person by a court;
- (i) any other purpose or object which the Minister may, by notice in the *Gazette*, declare to be a purpose or object in respect of which a collection shall not be made pursuant to these Regulations.

5. The Minister may at any time in writing revoke, vary or suspend any order made under these Regulations in which event written notice thereof shall be given forthwith to the general-secretary of the trade union concerned.

6. The general-secretary of a trade union in respect of which the Minister has made an order under these Regulations may at any time serve on an employer who employs not less than ten members of that trade union a notice in writing requiring the employer to comply with the Minister's order in respect of the employees who are named in any such notice and who have acknowledged by their signatures therein that they are members of that trade union and, as the case may be, of a branch thereof specified in the order.

7. Every employer on whom a notice is served under regulation 6 shall comply with the Minister's order referred to therein subject as follows—

- (a) Where an employee notifies the employer in writing that he is not a member of the trade union or, as the case may be, of the branch concerned, no deduction or payment shall be made in respect of the wages earned by that employee in any month following the month in which such notice was given, unless or until such notification is withdrawn;
- (b) a deduction or payment shall only be made from the wages due to any employee where those wages, after all deductions required or permitted to be made by or under any other law have been made, exceed the sum which is required by the order to be deducted;
- (c) the first deductions and payments made in pursuance of the notice shall be made in respect of the wages earned in the month following the month in which the notice is served;
- (d) no deduction or payment shall be made in respect of any wages earned in any month if before the twentieth day of that month the Minister's order has been revoked or suspended and that revocation or suspension has been published in the *Gazette* or communicated by the Minister directly to the employer;
- (e) where any order made by the Minister is varied before the twentieth day in any month and the order making the variation has been published in the *Gazette* or communicated by the Minister directly to the employer, any deduction or payment made in respect of wages earned in that month shall be made in accordance with the terms of the order as so varied;
- (f) no deduction or payment shall be made by an employer in respect of or during any month in which any of his employees, who is a member of trade union or branch concerned, takes part in any strike, unless and to such extent as the Minister otherwise directs by notice in writing to the employer.

8. No sum deducted from the wages of any employee by the employer under these Regulations shall in any event be recoverable from that employer by his employee.

9. Every trade union authorised to collect levies under these Regulations shall keep written records of income and expenditure accounts in respect of the total sums collected and shall submit its return to the Registrar within sixty days after the 31st December in every year or after the expiry date of the Minister's order as the case may be.

**10.** (1) The sums collected by a trade union in respect of levies or subscriptions under these Regulations shall not be used for purposes or objects other than those approved by the Minister's order.

(2) Any person who contravenes this regulation shall be guilty of an offence and liable to the penalty prescribed under subsection (2).

**11.** (1) No employer shall make deductions from the wages of any employee who is not a member of a trade union authorised to collect levies or subscriptions by an order under these Regulations.

(2) Any employer who contravenes this regulation shall be guilty of an offence and liable to the penalty prescribed under subsection (2) of section 52 of the Act.

Orders under regulation 2 of the above Regulations are not reproduced as they are transitory in effect.

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**COLLECTION OF SUBSCRIPTION (KENYA LOCAL  
GOVERNMENT WORKERS' UNION) ORDER, 1992**

[L.N. 74/1992.]

1. This Order may be cited as the Collection of Subscriptions (Kenya Local Government Workers' Union) Order, 1992.
  2. The Kenya Local Government Workers' Union (herein after referred to as "the union") is authorized to collect subscriptions (other than trade union dues) from its members for the approved purpose of the expansion of the union headquarters premises.
  3. Every employer who employs at least ten members of the union and upon whom a notice shall have been served by the General Secretary of the union pursuant to regulation 6 of the Trade Disputes (Levies and Subscriptions other than Trade Union Dues) Regulations, is required to deduct from the wages of each of his employees, who in the notice acknowledges that he is a member of the Union, the monthly sum of twenty shillings from the member's basic salary for a period of sixty consecutive months with effect from the 31st January, 1992, making a total of one thousand, two hundred shillings from each member.
  4. The employer shall make payment of the sum so collected into the Union's Bank Account No. 1816037 maintained at the Barclays Bank, of Kenya, Queensway Branch, Nairobi, P.O. Box 30011, Nairobi.
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**KENYA UNION OF KENYA CIVIL SERVANTS**

COLLECTION OF TRADE UNION DUES

IN Exercise of the powers conferred by section 45 of the Trade Disputes Act, the Minister for Labour and Human Resource Development orders every employer who employs not less than five members of the Union of Kenya Civil Servants to—

- (a) deduct, every month the sum specified in the Schedule in respect of trade union dues from the wages of his employees who are members of that trade union;
- (b) pay, within ten days of the date of deduction, the total sums deducted under item 1 of the schedule by crossed cheque made payable to the Union of Kenya Civil Servants into that Union's account No. 010-210-320-8800 at the national Bank of Kenya, Harambee Avenue, Nairobi;
- (c) notify that trade union in writing and within one month, of the payment; and
- (d) make written returns to the registrar of Trade unions within one month of making all payments of the trade union.

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SCHEDULE  
DEDUCTIONS

1. The sum of one hundred shillings from the wages of every employee.
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**TRADE UNIONS ELECTIONS (ELECTION PETITION) RULES, 2014**

ARRANGEMENT OF RULES

*Rules*

1. Citation.
  2. Interpretation.
  3. Filing of petition.
  4. Presentation of election petition.
  5. Contents and form of election petition.
  6. Claim of seat by an unsuccessful candidate.
  7. Complaint of improper return.
  8. Appointment of advocate by petitioner.
  9. Appointment of advocate by respondent.
  10. Security for costs.
  11. Affidavit to form part of the record.
  12. Presiding officer to deliver documents to the Registrar.
  13. Limitation of time within which a case must be completed.
  14. Postponement of trial of a case.
  15. Adjournment of a case.
  16. Withdrawal of petition.
  17. Application for leave to withdraw.
  18. Costs to be taxed by the Registrar.
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[Subsidiary]

**TRADE UNIONS ELECTIONS (ELECTION PETITION) RULES, 2014**

[L.N. 64/2014.]

**1. Citation**

These rules may be cited as the Trade Unions Elections (Election Petition) Rules, 2014.

**2. Interpretation.**

In these Regulations, unless the context otherwise requires—

“**Act**” means the Labour Relations Act;

“**petitioner**” in relation to an election petition, means the person who files or lodges an election petition arising from an election process;

“**Registrar**” means the Registrar of the Industrial Court and includes a deputy registrar;

“**respondent**” in relation to an election petition, means the person whose election is complained of, or if the petitioner complains of the conduct of a presiding officer.

**3. Filing of petition**

A petition to question the validity of an election under the Act shall be filed within seven days after the date of the declaration of the results of the election.

**4. Presentation of election petition**

(1) The presentation of an election petition shall be made by delivering it at the office of the Registrar, and the Registrar or the officer of that department to whom the petition is delivered shall issue a receipt in Form 1 set out in the Schedule.

**5. Contents and form of election petition**

(1) An election petition shall—

(a) state whether the petitioner is entitled to petition under section 34(4) of the Act; and

(b) state when the election was held and results of the election, and shall briefly state the facts and grounds relied on in support of the petition.

(2) The petition shall be divided into paragraphs, each of which shall be confined, as nearly as is practicable, to a distinct portion of the subject, and every paragraph shall be numbered consecutively, and no costs shall be allowed for drawing or copying any petition not substantially in compliance with these Regulations, unless otherwise ordered by the Industrial Court.

(3) The petition shall conclude with a prayer that a specified person should be declared duly elected or that the election should be declared void, and shall be signed by all the petitioners.

(4) A petition filed under paragraph (1) shall be in Form 2 set out in the Schedule.

(5) Evidence need not be stated in the petition, but the Industrial Court may, upon application in writing by a respondent, order such particulars as may be necessary to prevent surprise and unnecessary expenses and to ensure a fair and effectual trial, upon such terms as to costs and otherwise as may be ordered.

(6) Where more than one petition is presented relating to the same election, all such petitions shall be dealt with as one petition, so far as the inquiry into the election is concerned.

**6. Claim of seat by an unsuccessful candidate**

(1) Where a petitioner claims the seat for an unsuccessful candidate alleging that he had a majority of lawful votes, the party complaining of or defending the election shall, within fourteen days before the day appointed for trial, deliver to the Registrar, and at the address given by the petitioner and respondent, as the case may be, a list of the votes intended to be objected to, and of the heads of objection to each such vote.

(2) The Registrar shall allow inspection of copies of the lists to all parties concerned, and no evidence shall be given against the validity of any vote, or upon any head of objection not specified in the list, except by leave of the Industrial Court, granted for special reasons to be recorded, upon such terms as to amendment of the list, postponement of the inquiry and payment of costs as may be ordered.

### **7. Complaint of improper return**

(1) The respondent in a petition complaining of an improper return and claiming the elective position for another person may lead evidence to prove that the election of that person was improper, and in that case the respondent shall, within seven days before the day appointed for trial, deliver to the Registrar, and at the address, if any, given by the petitioner, a list of the objections to the election upon which he intends to rely.

(2) The Registrar shall allow inspection of copies of the lists to all parties concerned, and no evidence shall be given by a respondent of any objection to the election not specified in the list except by leave of the Industrial Court, granted for special reasons to be recorded, and upon such terms as to amendment of the list, postponement of the inquiry and payment of costs as may be ordered.

### **8. Appointment of advocate by petitioner**

The petitioner or petitioners shall submit to the office of the Registrar, the petition together with a notice in writing, signed by him or them, giving the name of an advocate whom he or they authorize to appear on his or their behalf or stating that he or they act for himself or themselves, as the case may be and in either case giving an address in Kenya at which notices may be left, and if no such notice is given all notices may be given by submitting them at the office of the Registrar.

### **9. Appointment of advocate by respondent**

A person who is elected may, at any time after he is elected, send or submit to the office of the Registrar, a notice in writing signed by him or on his behalf, appointing an advocate to act as his advocate in case there is a petition against him, or stating that he intends to act for himself and in either case giving an address in Kenya at which notices addressed to him may be submitted or if no such notice is given, all notices and proceedings may be given or served by submitting them at the office of the Registrar.

### **10. Security for costs**

(1) A petitioner shall deposit security for the payment of costs that may become payable by the petitioner not more than ten days after the presentation of a petition under these Regulations.

(2) The security to be deposited under paragraph (1) shall be determined by the Industrial Court.

### **11. Affidavit to form part of the record**

(1) An affidavit which is filed in a petition shall be read by or on behalf of the witness and shall form part of the record of the trial and a deponent may be cross-examined by the respondents and re-examined by the petitioner.

(2) Subject to regulation 4(5), a witness shall not be permitted to give evidence for the respondent unless an affidavit sworn by him, setting out the substance of his evidence, together with sufficient certified true copies of the affidavit are submitted to the Industrial Court and the petitioner during the trial.

(3) An affidavit recorded in a language other than English shall be accompanied by a translation in English, with sufficient copies for the judges and other parties, certified by the person translating it as having been translated to the best of his knowledge and ability.

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[Subsidiary]

(4) A witness for the petitioner or the respondent who fails to deliver the affidavit under paragraph (2) or (3) shall not be permitted to give evidence without the leave of the Industrial Court, and the Industrial Court shall not grant such leave unless sufficient reason is given for the failure.

## **12. Presiding officer to deliver documents to the Registrar**

The presiding officer shall deliver the following documents to the Registrar not less than forty-eight hours before the date fixed for the trial —

- (a) a written complaint of a candidate and the representatives of the candidate;
- (b) the packets of spoilt papers;
- (c) the marked copy register;
- (d) the packets of counterfoils of used ballot papers;
- (e) the packets of counted ballot papers;
- (f) the packets of rejected ballot papers;
- (g) the statements showing the number of rejected ballot papers;
- (h) the minutes relating to the election process; and
- (i) the election report.

## **13. Limitation of time within which a case must be completed**

The Industrial Court may, on application by a party or of its own motion, for sufficient reasons limit the time within which a petitioner or respondent shall complete his case.

## **14. Postponement of trial of a case**

The Industrial Court may, on the application of a party or of its own motion for sufficient reasons, postpone the beginning of the trial to a date specified by the Industrial Court and an order under this regulation shall forthwith be issued by the Registrar to that effect.

## **15. Adjournment of a case**

(1) No formal adjournment of the Industrial Court during the trial of an election petition shall be necessary, but the trial shall stand adjourned, and may be continued from day to day until it is concluded.

(2) If one judge of the judges of Industrial Court is disabled by illness or otherwise during the trial, the trial may be continued and concluded by any of the other judges.

## **16. Withdrawal of petition**

(1) An election petition shall not be withdrawn without the leave of the Industrial Court, and leave may be given upon terms as to the payment of costs and otherwise as the Industrial Court may think fit.

(2) Before leave for the withdrawal of an election petition is granted, there shall be produced affidavits, as required by this regulation by all the parties to the petition and their advocates:

Provided that the Industrial Court may, on cause shown, dispense with the affidavit of any particular person if it seems to the Industrial Court on special grounds to be just so to do.

(3) An affidavit shall state that, to the best of the deponent's knowledge and belief, no agreement or terms of any kind whatsoever has or have been made, and no undertaking has been entered into, in relation to the withdrawal of the petition; but if any lawful agreement has been made with respect to the withdrawal of the petition, the affidavit shall set forth that agreement, and shall make the foregoing statement subject to what appears from the affidavit.

(4) The affidavits of the applicant and his advocate shall further state the ground on which the petition is sought to be withdrawn.

**17. Application for leave to withdraw**

(1) An application for leave to withdraw a petition shall be in writing signed by the petitioner or petitioners, his or their advocate or advocates, and shall state the grounds on which the application is supported.

**18. Costs to be taxed by the Registrar**

(1) The costs of and incidental to the presentation of a petition shall be taxed by the Registrar upon the order of the Industrial Court in the same manner as costs are taxed in the High Court, but subject to such express directions whether general or specific, as the Industrial Court may give, and costs when taxed may be recovered in the same manner as the costs in civil proceedings.

(2) The Industrial Court may direct that the whole or any part of any money deposited as of security under regulation 9 may be applied in the payment of taxed costs.

(3) There shall be paid in respect of all proceedings under these Regulations the same court fees as are payable in respect of civil proceedings in the High Court in so far as the same are applicable.

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SCHEDULE

FORM 1

[Rule 3.]

Received on the ..... day of ....., 20 ..... at the Registry of the Industrial Court, a petition touching the election ..... of ..... for ..... purporting to be signed by .....  
*(insert the names of petitioners)*

*Registrar*

*(or other officer to whom the petition is delivered)*

(2) Two copies of the petition shall be delivered with the petition

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FORM 2

[Rule 5 (4).]

IN THE INDUSTRIAL COURT OF KENYA  
THE LABOUR RELATIONS ACT

The petition of .....

Your petitioner A is a person who voted (or had a right to vote) at the above election (or who claims to have had a right to be elected at the above election) or who was a candidate at the above election) and your petitioner B (state in the same manner the right of B)

And your petitioner/s state that the election was held on the ..... day of ....., 20 ....., when X, Y and Z were candidates, and the returning officer has returned X as being duly elected.

And your petitioners say that (state the facts and ground on which the petitioners rely).

Wherefore your petitioners pray that it elected and the election was void.

Date ..... 20 .....

Signed: A .....

Signed: B .....



**LABOUR RELATIONS (ACCOUNTS) REGULATIONS, 2014**

ARRANGEMENT OF REGULATIONS

*Regulation*

1. Citation.
2. Interpretation.
3. Receipts to be issued by the collectors.
4. Receipts to be issued to the collector by the treasurer.
5. Record of receipt books to be kept.
6. Payment vouchers to be made out.
7. Wages book to be kept.
8. Cash book and branch analysis cash book.
9. Branch cash book.
10. Treasurer to abide by all recognized accounting rules.
11. Special funds.
12. Preservation of documents.
13. Bank account to be maintained.
14. Penalty.
15. Revocation.

SCHEDULE

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[Subsidiary]

**LABOUR RELATIONS (ACCOUNTS) REGULATIONS, 2014**

[L.N. 65/2014.]

**1. Citation**

These Regulations may be cited as the Labour Relations (Accounts) Regulations, 2014.

**2. Interpretation**

In these Regulations, unless the context otherwise requires—

“**collector**” means a person who collects any money for or on behalf of a trade union or an employers’ organization;

“**treasurer**” includes any person for the time being acting as a treasurer.

**3. Receipts to be issued by the collectors**

(1) A person who collects or receives subscriptions, entrance fees, donations or other contributions for or on behalf of a trade union or an employers’ organisation shall issue to the person paying him an appropriate receipt from a book of printed receipt forms, the forms being each in duplicate and numbered serially.

(2) An employer shall not be required to issue a receipt to his employee for any money collected under paragraph (1) on behalf of a trade union or employers’ organisation in respect of check-off dues.

(3) A collector shall, when issuing a receipt, ensure that the particulars entered on the receipt are legibly duplicated on the printed duplicate, and shall preserve in the book the printed duplicate of every receipt issued.

(4) A collector shall hand over or remit to the treasurer of the trade union or employers’ organisation or of his branch, at intervals of not more than fifteen days, all money collected on behalf of the trade union or employers’ organisation, together with all receipt books in the collector’s possession relating to such money.

(5) A collector shall issue a receipt from the receipt books issued to him in proper sequence in accordance with their serial numbering.

(6) A collector who collects moneys for or on behalf of a trade union or employers’ organisation who contravenes this regulation commits an offence.

**4. Receipts to be issued to the collector by the treasurer**

(1) The treasurer of a trade union or employers’ organisation or branch thereof shall, when issuing a receipt, ensure that the particulars entered on the receipt form are legibly duplicated by carbon copy on the printed duplicate thereof, and shall preserve in the book the printed duplicate of every receipt issued.

(2) No treasurer of a trade union or employers’ organisation or branch shall issue a receipt from a fresh receipt book unless all receipts from receipts books already in use are completed.

(3) A treasurer of a trade union or employers’ organisation or branch thereof shall issue receipts and receipt books in proper sequence in accordance with their serial numbering.

(4) A treasurer of a trade union or employers’ organisation or branch thereof shall ensure that a collector accounts for all receipt books issued to the collector when the collector accounts for the cash collected by him.

(5) When the necessary information has been obtained from the collector’s receipt book or books, the treasurer may return to the collector for further use such receipt book or books as have not been completed.

(6) A treasurer of a trade union or employers’ organisation or ranch thereof who contravenes this regulation commits an offence.

## 5. Record of receipt books to be kept

(1) The treasurer of a trade union or employers' organisation shall be responsible for the issuance of all receipt books, whether to treasurers of branches or to collectors, and the treasurer of a branch of a trade union or employers' organisation shall be responsible for the issuance to collectors of all receipt books which received from the treasurer of the trade union or employers' organisation.

(2) The treasurer of a trade union or employers' organisation branch thereof, shall keep a record of all receipt books which he receives and issues, and the record shall show the serial numbers of all receipt books received, the dates on which he received the receipt books, the name of the person to whom each receipt book is issued, the date of issuance of the receipt book and the date when the duplicates of the receipt books were returned.

(3) Where a treasurer issues a receipt book to any person other than the treasurer of a branch, he shall not issue any book further book to such person until the duplicate of the first book has been returned.

(4) No treasurer of a branch of a trade union or employers' organisation or branch thereof shall issue to any person a receipt book other than a receipt book received from the treasurer of the trade union, or employers' organisation and no treasurer of a branch or a collector shall issue to any person a receipt from a receipt book not issued by the treasurer of the union to him.

(5) A treasurer of a trade union or employers' organisation or branch thereof who contravenes this regulation commits an offence.

## 6. Payment vouchers to be made out

(1) No person shall make a payment out of the funds of a trade union or employers' organisation unless the person has first made out a payment voucher in the form set out in the Schedule and —

- (a) obtained the signature of the person empowered to authorize such a payment:  
Provided that no person shall authorize payment to himself;
- (b) signed it;
- (c) obtained the signature of the payee, but not when payment is made by a crossed cheque;
- (d) where the payment is for travelling expenses, recorded —
  - (i) the name of the person travelling;
  - (ii) the places from which and to which the person has travelled;
  - (iii) the mode of transport;
  - (iv) the reason for the journey and the date thereof; and
- (e) recorded the name and address of the recipient of the payment and sufficient information to enable the nature of payment to be ascertained.

(2) No person shall make a payment out of the funds of a trade union or on employers' organisation for an object not authorised by the Act or rules of the trade union ore employers' organisation concerned, and no person shall authorize such payments.

## 7. Wages book to be kept

(1) Where a trade union, employers' organisation or branch thereof employs any person, or engages any person to collect money for it on commission, the treasurer of the trade union, employers' organisation or branch thereof, shall maintain a wages book in Form S set out in the Schedule, using a separate page for each person so employed or so engaged.

(2) A treasurer of a trade union, an employers' organization or branch thereof who contravenes paragraph (1) commits an offence.

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[Subsidiary]

## **8. Cash book and branch analysis cash book**

(1) The treasurer of a trade union or employers' organization shall keep a cash book in Form T set out in the Schedule, and shall record therein all money received and all money paid by the trade union or employers' organization including receipts from the payments to branches, in the appropriate columns according to the nature of the receipts and payments and according to whether out of a bank account or other deposit or savings account of the trade union or employers' organization.

(2) The treasurer shall balance the cash book at the end of every month and shall certify in the cash book that the balances agree with the actual cash in hand and cash at the bank and the treasurer shall sign the certificate.

(3) A treasurer shall keep in respect of every branch of the trade union or an employers' organization a branch analysis cash book in Form U set out in the Schedule, and shall record therein an analysis of all money received and all money paid by every branch, according to the copies of the cash book sheets received from branch treasurers under regulation 9, and the receipts and payments shall be entered in the appropriate columns as prescribed by paragraph (1).

(4) A treasurer of a trade union or employers' organization who contravenes this regulation commits an offence.

## **9. Branch cash book**

(1) The treasurer of every branch of a trade union or employers' organization shall keep a cash book in Form V set out in the Schedule with the pages thereof numbered serially, and shall record therein all money received and all money paid by the branch, including receipts from and payments to the trade union headquarters, in the appropriate columns as prescribed by paragraph (1) of regulation 8.

(2) The treasurer shall balance the cash book at the end of every month and shall certify in the cash book that the balances agree with the actual cash in hand and cash at the bank, and the treasurer shall sign such certificate and shall forward to the treasurer of the trade union within seven days after the end of the month a copy of every page of the cash book which relates to that month and particulars of the balances.

(3) A treasurer of a branch of a trade union or employers' organization who contravenes these regulations commits an offence.

## **10. Treasurer to abide by all recognized accounting rules**

The treasurer of a trade union or employers' organization or branch thereof shall abide by all recognized and practiced accounting rules and the Labour Relations Act, 2007 (No. 14 of 2007).

## **11. Special funds**

(1) The treasurer of a trade union or employers' organization or branch thereof shall maintain, in the trade union or employers' organisation accounts, separate records of any contributions or donations which it collects or receives for a specific purpose, and subject to any resolutions of the members of the trade union or employers' organisation authorizing the use of such funds and any other purpose, the treasurer shall not disburse any such funds other than for the specific purpose for which they were collected or donated.

(2) A treasurer of a trade union or employers' organization or branch thereof who contravenes this regulation commits an offence.

## **12. Preservation of documents**

(1) The treasurer of a trade union or employers' organization or branch thereof shall preserve all the books of account and documents kept or made under these Regulations, and all books of duplicate receipts and other supporting documents, for a period of at least three years after the end of the financial year of a trade union or employers' organisation to which they relate, and shall take all such precautions necessary for their safe custody.

(2) A treasurer of a trade union or employers' organisation or a branch thereof who contravenes this regulation commits an offence.

**13. Bank account to be maintained**

(1) The treasurer of a trade union or employers' organisation or branch thereof shall cause a bank account to be opened and maintained in the name of the trade union or employers' organisation or branch thereof, and shall within seven days of receipt of any money belonging to the trade union or employers' organisation, pay the money into the bank account.

(2) Where the rules of a trade union or employers' organisation or branch thereof permits the treasurer to retain in cash a sum not exceeding twenty thousand shillings, the treasurer shall pay into the bank account any cash in his possession which exceeds twenty thousand shillings.

(3) A treasurer of a trade union or employers' organisation or a branch who contravenes this regulation commits an offence.

**14. Penalty**

A person who commits of an offence under these Regulations shall be liable, on conviction, to a fine not exceeding fifty thousand shillings.

**15. Revocation**

The Trade Unions (Accounts) Regulations, 1964 are hereby revoked.

**SCHEDULE**

**FORM R**

[Reg. 6(1).]

Margin	PAYMENT VOUCHER		
	NAME OF TRADE UNION		
	Particulars	Serial No:	Date:
	Amount		
	Sh.	Cts.	
	Amount in words:		
	Authorized by .....	Paid by .....	Recipient .....
	President/Chairman/ Secretary	Treasurer	Where applicable

*Labour Relations*

[Subsidiary]

**FORM S**

[Reg. 7(1).]

**WAGES BOOK**

*Monthly Wage or Rate of Commission*

Employee's name

Date engaged

Date discharged:

Particulars of amount	Amount due		Amount paid		Payment voucher No.	Payee's receipt Signature or mark and date
	Sh.	cts.	Sh.	cts.		

\*Form "Q" receipt numbers must be specified where applicable.

**FORM T**

[Reg. 8(1).]

**HEAD OFFICE CASH BOOK**

*Dr. Cash Received*

*Cr. Cash Paid*

Date	Receipt from	Receipt No.	Entrance fees	Subscriptions	Donations	Total cash	Total bank	Date	Paid to	Voucher No.	Salaries and wages	Printing/stationery	Postage	Transport	Rent	Commissions	Entertainment	Total Cash	Total bank
<b>Totals</b>								<b>Totals</b>											

Labour Relations

[Subsidiary]

FORM U

[Reg. 8(2).]

HEAD OFFICE BRANCH ANALYSIS CASH BOOK

Name of Branch:

Year

Dr. Cash Received

Cr. Cash Paid

Date	Entrance fee	Subscription	Donations	Strike fund	Fines	Total Cash	Total bank	Date	Salaries and wages	Commissions	Printing/stationery	Postage	Transport	Rent	Entertainment	Total Cash	Total bank
						Sh. cts	Sh. cts									Sh. cts	Sh. cts

FORM V

[Reg. 9(1).]

TRADE UNIONS

Serial No.

Name of Branch:

Date:

Date:	Item	Voucher or receipt number	CASH RECEIVED		CASH PAID	
			Cash	Bank	Cash	Bank
			Sh. cts.	Sh. cts.	Sh. cts.	Sh. cts.



**LABOUR RELATIONS (GENERAL) REGULATIONS, 2014**

ARRANGEMENT OF REGULATIONS

*Regulation*

1. Citation.
2. Interpretation.
3. Trade union or employers' organizations register of members.
4. Form of register, certificates and applications.
5. Inspection of register.
6. Amalgamation of trade union or employers' organization.
7. Annual returns.
8. Recognition agreement.
9. Fees.
10. Revocation.

SCHEDULES

FIRST SCHEDULE —

EMPLOYEES IN RESPECT OF WHOM  
DEDUCTIONS FROM WAGES ARE REQUIRED  
TO BE MADE

SECOND SCHEDULE —

FORMS

THIRD SCHEDULE —

FEEs CHARGED BY THE REGISTRAR OF  
TRADE UNIONS

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[Subsidiary]

**LABOUR RELATIONS (GENERAL) REGULATIONS, 2014**

[L.N. 66/2014.]

**1. Citation**

These Regulations may be cited as the Labour Relations (General) Regulations, 2014.

**2. Interpretation**

In these Regulations unless the context otherwise requires—

“**Act**” shall mean the Labour Relations Act;

“**collector**” mean any authorised person who receives funds or monies paid to a Trade Union or Employers’ Organisation;

**3. Trade union or employers’ organizations register of members**

(1) A registered trade union or employers’ organisation shall keep a register of its members, in which shall be entered—

- (a) the name, address, place of work, and occupation of each member;
- (b) the date on which each member become a member of the trade union or employers’ organization;
- (c) the payments made by the member in respect of entrance fee, subscriptions or any other dues and the dates of such payment; and
- (d) the date on which a member ceases to be a member of a trade union or an employers’ organisation.

(2) The payments made by a member under paragraph (1)(c) shall be recorded in the form set out in the First Schedule.

(3) A registered trade union or employers’ organisation that fails to keep a register of its members in accordance with paragraph (1) commits an offence.

**4. Form of register, certificates and applications**

(1) The Registrar shall, upon payment of the prescribed fee, issue a duplicate of any certificate, order or application issued under the Act on it being satisfactorily proved that such certificate, order or application has been lost or destroyed.

**5. Inspection of register**

Any person may, during working hours and on payment of the prescribed fee, inspect and obtain copies of the register or parts thereof, maintained by the Registrar.

**6. Amalgamation of trade union or employers’ organization**

(1) A registered trade union or employers’ organisation, when proposing to amalgamate with one or more trade unions or employers’ organisations shall inform all members concerned of—

- (a) the reason for the proposed amalgamation;
- (b) the proposed conditions under which the amalgamation will take place; and
- (c) the time and place at which the secret ballot will be held.

(2) The procedure to be followed in taking the secret ballot referred to in paragraph (1) shall be as follows—

- (a) the ballot shall be conducted jointly by an independent body set up by the Minister and an officer of the employers’ organisation or trade union, as the case may be, and a representative of the members of the trade union or employers’ organisation, chosen by the members;
- (b) the persons responsible for conducting the ballot shall be furnished with —
  - (i) a list of members qualified and entitled to vote;

- (ii) an adequate supply of ballot papers in the Form 1 set out in Second Schedule and not marked in any way whatsoever so as to identify the person voting; and
- (iii) a suitable ballot box fitted with lock and key;
- (c) arrangements shall be made to enable each member concerned, at places adjacent to the ballot box, to obtain a ballot paper and to mark it, screened from observation, before depositing it in the box;
- (d) the name of each member to whom a ballot paper is handed out shall be marked off on the list of members concerned by the person handing out the ballot papers;
- (e) the member shall, after marking the ballot paper, fold it so as to cover the marking and deposit it in the ballot box;
- (f) the ballot papers shall be examined and the votes shall be counted by the persons conducting the ballot, and certificates of the result of the ballot, in the Form 2 set out in the Second Schedule shall be signed jointly by them, and the signed copy of the certificate shall—
  - (i) be posted in the registered office of the trade union or employers' organization, as the case may be, and in every branch office for a period of not less than one week after the conclusion of the secret ballot;
  - (ii) be attached to the notice of amalgamation sent to the Registrar under section 26(1) of the Act.

## **7. Annual returns**

The general statement referred to in section 43(1) of the Act shall be furnished to the Registrar before the first day of April in each year.

## **8. Recognition agreement**

A Recognition agreement under section 54 of the Act shall be signed between a trade union and an employer when—

- (a) the trade union has in its membership a simple majority of employees;
- (b) the trade union is eligible by virtue of the constitution of the trade union to recruit member in that particular undertaking or group of undertakings; or
- (c) there is no rival trade union claiming to represent such employees.

## **9. Fees**

The fees set out in the Third Schedule shall be payable to the Registrar in respect of the matters specified therein.

## **10. Revocation**

The Trade Union Regulations, 1973 are revoked.

*Labour Relations*

[Subsidiary]

FIRST SCHEDULE

[Reg. 3(2).]

EMPLOYEES IN RESPECT OF WHOM DEDUCTIONS  
FROM WAGES ARE REQUIRED TO BE MADE

We, the undersigned, hereby acknowledge that we are members of  
the ..... (Trade Union):

<i>Union Membership Number</i>	<i>Name of Members</i>	<i>Signatures</i>	<i>Date</i>

SECOND SCHEDULE

FORM 1

[Reg. 6(2) (7).]

Record your vote by a X in column 2.  
Do not sign your name

Column 1	Column 2
For Amalgamation .....	
Against Amalgamation .....	

CERTIFICATE OF RESULT OF BALLOT

FORM 2

[Reg. 7.]

Name of trade union .....

Situation and postal address of registered office .....

We, the undersigned, representing respectively the officers and members concerned of the  
above-named trade union, certify that on the ..... 20 ..... a ballot was duly taken  
in compliance with the requirements of the Trade Union Regulations on the question of the  
amalgamation of the trade union with the registered trade union(s) named hereunder—  
.....

..... and that the result was—

Number of papers in ballot box .....

Number voting in favour of the amalgamation .....

Number voting against the amalgamation .....

The total number of members entitled to vote was .....

Dated the ....., 20 .....

(Signed) 1. ....

2. ....

NOTE:— A signed copy of this certificate must be posted in the registered office of the trade  
union and in every branch office thereof. A further signed copy must accompany the notice  
of amalgamation which is required to be sent to the Registrar under subsection (1) of section  
33 of the Trade Unions Act.

## THIRD SCHEDULE

[Regulation 9.]

## FEES CHARGED BY THE REGISTRAR OF TRADE UNIONS

	<i>KSh.</i>
1. On application for registration of a Trade union .....	15,000
2. On application for registration of a branch .....	3,000
3. On registration of new rules or alteration of rules .....	750
4. On registration of change of officer .....	3,000
5. On registration of change of name of a Trade Union .....	1,500
6. On registration of amalgamation of trade Union .....	1,000
7. For a copy of a certificate of registration .....	200
8. For a certified copy of/or a certificate extract .....	500
9. For a certified copy of/or extract from documents searchable under the custody of the Registrar:	
(i) for the first page thereof .....	500
(ii) for every other page .....	100
10. For carrying out a search on records .....	200
11. For filing Annual Returns .....	2,200
12. Penalty of 1,000 per month after 1st April, of every year.	
13. On filing notice of change of situation of office or Postal address .....	600



**TEACHERS SERVICE COMMISSION  
(DEDUCTION OF AGENCY FEES) ORDER, 2014**

[L.N. 95/2014.]

*Revoked by L.N. 98/2018, o. 5.*

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**POSTAL CORPORATION OF KENYA  
(DEDUCTION OF AGENCY FEES) ORDER, 2014**

[L.N. 96/2014.]

**1. Citation**

This Order may be cited as the Postal Corporation of Kenya (Deduction of Agency Fees) order, 2014.

**2. The Postal Corporation of Kenya of P. O. Box 34567-00100 Nairobi shall—**

- (a) deduct on a monthly basis, the sum specified in the Schedule from each unionsable employee who is not a member of the Communication Workers Union of Kenya but are benefitting from terms and conditions of the Collective Bargaining Agreement (RCA 27 of 2014) signed between the union and the Postal Corporation of Kenya;
- (b) deductions to commence within thirty days of receiving this Order;
- (c) remit within ten days of the date of deduction, the total sums deducted under the Schedule by crossed cheque made payable to the Communication Workers Union of Kenya account number 110-160-3224 at Kenya Commercial Bank, Moi Avenue Branch, Nairobi;
- (d) make written returns to the Registrar of Trade Unions at P.O. Box 47606, Nairobi within one month of making all the payments to Communication Workers Union of Kenya.

**SCHEDULE**

A sum equal to 2 per centum from each unionsable employee's basic wage per month.



**UNION OF KENYA CIVIL SERVANTS  
(DEDUCTION OF AGENCY FEES) ORDER, 2015**

[L.N. 22/2015.]

1. This Order may be cited as the Union of Kenya Civil Servants (Deduction of Agency Fees) Order, 2015.
2. Every employer shall-
  - (a) deduct on a monthly basis, the sum specified in the Schedule in respect of each unionsable employee who is not a member of the Union of Kenya Civil Servants but is benefiting from the Collective Bargaining Agreement signed between the Government of Kenya and the Union of Kenya Civil Servants;
  - (b) remit within ten days of the date of deduction, the total sums deducted under item (a) by crossed cheque made payable to the Union of Kenya Civil Servants' account 01120120993000 at the Co-operative Bank of Kenya, Moi Avenue Branch, Nairobi;
  - (c) notify the Union of Kenya Civil Servants in writing within one month of all payments together with a full schedule of the paid up members; and
  - (d) make written returns to the Registrar of Trade Unions at P.O. Box 47606, Nairobi within one month of making all the payments to the Union of Kenya Civil Servants.

**SCHEDULE**

A sum equal to 1.5 per centum from each employee's basic wage per month.

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**UNION OF NATIONAL RESEARCH INSTITUTE STAFF OF  
KENYA (DEDUCTION OF AGENCY FEES) ORDER, 2015**

[L.N. 37/2015.]

1. This Order may be cited as the Union of the National Research Institute Staff of Kenya (Deduction of Agency Fees) Order, 2015.
2. The Kenya Medical Research Institute shall—
  - (a) deduction a monthly basis, the sum specified in the Schedule in respect of each unionsable employee who is not a member of the Union of the National Research Institute Staff of Kenya but is bound by the Collective Bargaining Agreement (RCA 225 of 2014) signed between the union and the company on the 17th October, 2014;
  - (b) commence deductions within thirty (30) days of receiving this Order; and
  - (c) remit within ten days, the sum deducted under item (a) by crossed cheque made payable to the Union's account number 234-793-836 at the Kenya Commercial Bank, Moi Avenue Branch, Nairobi.

**SCHEDULE**

A sum of three hundred and fifty shillings from each employee's basic wage per month.

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**UNIVERSITIES' ACADEMIC STAFF UNION  
(DEDUCTION OF UNION DUES) ORDER, 2015**

[L.N. 38/2015.]

1. This Order may be cited as the Universities' Academic Staff Union (Deduction of Union Dues) Order, 2015.
2. An employer who employs not less than five members of the Universities' Academic Staff Union shall—
  - (a) deduct on a monthly basis, the sum specified in the Schedule in respect of trade dues, from the wages of an employee who has subscribed to be a member of the trade union;
  - (b) pay within ten days of the date of deduction, the sums deducted under item (a) by crossed cheque made payable to the Universities' Academic Staff Union's account number 075-1204841 at the Barclays Bank of Kenya, Moi Avenue Branch, Nairobi;
  - (c) notify the Universities' Academic Staff Union, in writing, within one month of the payment with a full Schedule of the paid up members; and
  - (d) make written return to the Registrar of Trade Unions at P.O. Box 47606, Nairobi within one month of making all payments to the Universities' Academic Staff Union.

**SCHEDULE**

A sum equal to two per centum from each member's basic wage per month.

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**DOCK WORKERS UNION (COLLECTION  
OF UNION DUES) ORDER, 2016**

[L.N. 82/2016.]

*Revoked by L.N. 243/2018, o. 3.*

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**UNION OF NATIONAL RESEARCH AND ALLIED INSTITUTE  
STAFF OF KENYA (DEDUCTION OF AGENCY FEES) ORDER, 2016**

[L.N. 83/2016.]

1. This Order may be cited as the Union of National Research and Allied Institute Staff of Kenya (Deduction of Agency Fees) Order, 2016.
2. The M/S British Institute in East Africa shall—
  - (a) deduct on a monthly basis, the sum specified in the Schedule from each unionsable employee not subscribing to any union but is benefitting from the terms and conditions of the Collective Bargaining Agreement (RCA68 of 2015) signed between the Union of National Research and Allied Institute Staff of Kenya and the Company;
  - (b) remit within ten days of the date of deduction, the total sums deducted under the Schedule by crossed cheque made payable to Union of National Research and Allied Institute Staff of Kenya into the Union's account No. 234-793-836 at Kenya Commercial Bank Limited, Moi Avenue Branch, Nairobi;
  - (c) commence deductions within thirty days of receiving this Order.

**SCHEDULE**

A sum equal to two per centum from each unionsable employee's gross salary subject to a minimum of three hundred and fifty Kenya Shillings and a maximum of five hundred and fifty Kenya Shillings.



**KENYA AVIATION WORKERS UNION  
(DEDUCTION OF AGENCY FEES) ORDER, 2016**

[L.N. 202/2016.]

1. This Order may be cited as the Kenya Aviation Workers Union (Deduction of Agency Fees) Order, 2016.
2. The Messrs. Kenya Airways Limited shall —
  - (a) deduct on a monthly basis, the sum specified in the Schedule from each unionisable employee who is not a member of the Kenya Aviation Workers Union but is benefiting from the terms and conditions of the Collective Bargaining Agreement (RCA 04 of 2015) signed between the Kenya Aviation Workers Union and Kenya Airways Limited;
  - (b) remit within ten days of the date of deduction, the total sums deducted under the Schedule by crossed cheque made payable to the Kenya Aviation Workers into the Union's account No. 01120507625000 at Co-operative Bank of Kenya, Embakasi Junction Branch, P.O. Box 1013-00521, Nairobi;
  - (c) commence deductions within thirty (30) days of receiving this Order.

**SCHEDULE**

A sum equal to two per centum from each unionisable employee's basic salary.



**KENYA AVIATION WORKERS UNION  
(DEDUCTION OF AGENCY FEES) ORDER, 2016**

[L.N. 203/2016.]

1. This Order may be cited as the Kenya Aviation Workers Union (Deduction of Agency Fees) Order, 2016.
2. The Messrs. Bollore Transport and Logistics Kenya Limited shall—
  - (a) deduct on a monthly basis, the sum specified in the Schedule from each unionisable employee who is not a member of the Kenya Aviation Workers Union but is benefiting from the terms and conditions of the Collective Bargaining Agreement (RCA 70 of 2016) signed between the Kenya Aviation Workers Union and Bollore Transport and Logistics Kenya Limited;
  - (b) remit within ten days of the date of deduction, the total sums deducted under the Schedule by crossed cheque made payable to the Kenya Aviation Workers into the Union's account No. 01120507625000 at Co-operative Bank of Kenya, Embakasi Junction Branch, P.O. Box 1013-00521, Nairobi;
  - (c) commence deductions within thirty (30) days of receiving this Order.

**SCHEDULE**

A sum equal to two per centum from each unionisable employee's basic salary.

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**KENYA NATIONAL PRIVATE SECURITY WORKERS  
UNION (COLLECTION OF UNION DUES) ORDER, 2016**

[L.N. 7/2017.]

1. This Order may be cited as the Kenya National Private Security Workers Union (Collection of Union Dues) Order, 2016.
2. Any employer specified in the Schedule who employs not less than five members of the Kenya National Private Security Workers Union shall—
  - (a) deduct on a monthly basis, a sum equal to two per centum from the monthly basic wages of an employee who has subscribed to be a member of that union;
  - (b) pay within ten days of the date of deduction, the total sums deducted under paragraph (a) by crossed cheque payable to the Kenya National Private Security Workers' Union, Account No. 0260299415846 at Equity Bank, Kimathi Street, Nairobi;
  - (c) commence deductions within thirty days of receiving this Order;
  - (d) make written returns to the Registrar of Trade Unions at P. O. Box 40326-00100, Nairobi within one month of making all the payments to the Kenya National Private Security Workers' Union and to Central Organization of Trade Unions(K).

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SCHEDULE

*Name of Employer*

Kenya Kazi.  
Bob Morgan.  
G4S.  
Security Agencies.  
Wells Fargo.  
Radam Limited.  
Inter Security Services.  
Fidelity Limited.  
Green Hills.  
Nine One One.  
Riley Security Services.  
Robinson Limited.  
Deway Security.  
Fargo Courier.  
Meru Homes Limited.  
Lee Security.  
Crest Limited.  
Trace Limited.

[Subsidiary]

*Name of Employer*

Security Guards Services.

Solvit Limited.

Lovington Security Limited.

Hatari Security Limited.

Guard World Security Limited.

Mocam Security Limited.

Seneca Africa Limited.

All Companies Under Kenya Security Industry Association.

All Companies Under Private Security Industry Association.

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**KENYA UNION OF COMMERCIAL FOOD AND ALLIED  
WORKERS (DEDUCTION OF AGENCY FEES) ORDER, 2017**

[L.N. 25/2017.]

1. This Order may be cited as the Kenya Union of Commercial Food and Allied Workers (Deduction of Agency Fees) Order, 2017.
2. Tusker Mattresses Limited of P.O Box 54280-00200, Nairobi, shall—
  - (a) deduct on a monthly basis, the sum specified in the Schedule from each unionsable employee who is not a member of the Kenya Union of Commercial Food and Allied Workers but is covered by the Collective Bargaining Agreement registered as RCA 170 of 2016;
  - (b) remit within ten days of the date of deduction, the total sums deducted under the Schedule by crossed cheque made payable to the into the Union's account No. 094-1822290 at Barclays Bank of Kenya Limited, Queensway Branch, Nairobi;
  - (c) commence deductions within thirty days of receiving this Order;
  - (d) make written returns to the Registrar of Trade Unions at P.O. Box 40326-00100 within one month of making all the payments to Kenya Union of Commercial Food and Allied Workers.

**SCHEDULE**

A sum equal to two per centum from each unionsable employee's basic salary.

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**TRANSPORT WORKERS UNION KENYA  
(DEDUCTION OF UNION DUES) ORDER, 2017**

[L.N. 26/2017.]

1. This Order may be cited as the Transport Workers Union Kenya (Deduction of Union Dues) Order, 2017.
2. An employer who employs not less than five members of the Transport Workers Union Kenya shall—
  - (a) deduct on a monthly basis, the sums specified in the Schedule in respect of union dues from the wages of an employee who has subscribed to be a member of that union;
  - (b) pay within ten days of the date of deduction, the total sums deducted under paragraph (a) in the manner specified in the Schedule;
  - (c) notify the Transport Workers Union Kenya, in writing, within one month of all payments together with a full Schedule of the paid up members;
  - (d) make written returns to the Registrar of Trade Unions within one month of making all the payments to the Transport Workers Union Kenya.

SCHEDULE

1. A sum of two point five per centum from each member's basic wage payable to the Transport Workers Union Kenya by crossed cheque made payable to the Union's Account Number 2830238 at Barclays Bank of Kenya Limited, Mama Ngina Street, P.O. Box 30011, Nairobi.
2. A sum of Kenya Shillings one hundred and fifty from each member payable to the Central Organization of Trade Unions (K), made payable to the Trade Union's Account Number 229741204 at Kenya Commercial Bank Limited, Moi Avenue Branch, P.O Box 48400, Nairobi.



**KENYA UNION OF SUGAR PLANTATION WORKERS  
(DEDUCTION OF AGENCY FEES) ORDER, 2017**

[L.N. 90/2017.]

1. This Order may be cited as the Kenya Union of Sugar Plantation Workers (Deduction of Agency Fees) Order, 2017.
2. Butali Sugar Mills Limited of P.O. Box 1400, Webuye, shall—
  - (a) deduct on a monthly basis, the sum specified in the Schedule from each unionsable employee who is not a member of the Kenya Union of Sugar Plantation Workers but is benefitting from the terms and conditions of the Collective Bargaining Agreement (RCA No. 12 of 2014) signed between Butali Sugar Mills Limited and Kenya Union of Sugar Plantation Workers;
  - (b) remit within ten days of the date of deduction, the total sums deducted under the Schedule by crossed cheque and apportioned as follows—
    - (i) eighty per centum made payable to the Kenya Union of Sugar Plantation Workers account number 1768486, Barclays Bank, Moi Avenue, Nairobi; and
    - (ii) twenty per centum made payable to the Kenya Union of Sugar Plantation Workers Kakamega branch account number 0500199975339, Equity Bank, Kakamega;
  - (c) commence deductions within thirty days of receiving this Order;
  - (d) make written returns to the Registrar of Trade Unions within one month of making all the payments to the Kenya Union of Sugar Plantation Workers.

**SCHEDULE**

A sum of two per centum from each unionsable employee's basic salary.

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**KENYA INDEPENDENT COMMISSIONS WORKERS  
UNION (DEDUCTION OF UNION DUES) ORDER, 2017**

[L.N. 91/2017.]

1. This Order may be cited as the Kenya Independent Commissions Workers Union (Deduction of Union Dues) Order, 2017 .
2. Every independent Commission within the Republic of Kenya, except the Teachers Service Commission in respect of teachers who are members of the Kenya National Union of Teachers and the Kenya Union of Post Primary Education Teachers and the Public Service Commission in respect of an employee of the Commission who is a member of the Union of Kenya Civil Servants, shall—
  - (a) deduct, on a monthly basis, the sums specified in the Schedule in respect of trade union dues from the wages of an employee who has subscribed to be a member of the Kenya Independent Commissions Workers Union;
  - (b) pay within ten days of the date of deduction, the total sums deducted under paragraph (a) in the manner specified in the Schedule;
  - (c) notify the Kenya Independent Commissions Workers Union, in writing, within one month of all payments together with a full Schedule of the paid up members;
  - (d) make written returns to the Registrar of Trade Unions at P.O. Box 40326-00100, Nairobi, within one month of making all the payments to the Kenya Independent Commissions Workers Union.

**SCHEDULE**

A sum of five hundred from each member's basic wage payable to the Kenya Independent Commissions Workers Union by crossed cheque made payable to the Union's Account Number 0100004687177 at Stanbic Bank, Harambee Avenue Branch.

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**KENYA UNION OF POST PRIMARY EDUCATION  
TEACHERS (DEDUCTION OF UNION DUES) ORDER, 2017**

[L.N. 92/2017.]

1. This Order may be cited as the Kenya Union of Post Primary Education Teachers (Deduction of Union Dues) Order, 2017.
2. The Teachers Service Commission shall—
  - (a) deduct, on a monthly basis, the sum specified in the Schedule from the wages of an employee who has subscribed to be a member of the Kenya Union of Post Primary Education Teachers;
  - (b) pay within ten days of the date of deduction, the total sums deducted under paragraph (a) in the manner specified in the Schedule;
  - (c) commence deductions within thirty days of receiving this Order;
  - (d) make written returns to the Registrar of Trade Unions at P.O. Box 40326-00100, Nairobi, within one month of making all the payments to the Kenya Union of Post Primary Education Teachers and the organization.

SCHEDULE

A sum of one point eight per centum from each member's basic wage, payable to the Kenya Union of Post Primary Education Teachers by crossed cheque made payable to the Union's Account Number 0100002457387 at Stanbic Bank, Buruburu Branch.



**LABOUR RELATIONS (KENYA UNION OF POST PRIMARY EDUCATION TEACHERS) (DEDUCTION OF AGENCY FEES) ORDER, 2018**

[L.N. 98/2018.]

1. This Order may be cited as the Labour Relations (Kenya Union of Post Primary Education Teachers) (Deduction of Agency Fees) Order, 2018.
2. The Teachers Service Commission shall deduct, on a monthly basis, the sum specified in the Schedule from each unionisable employee in a post primary institution, who does not subscribe to any union but is covered by the Collective Bargaining Agreement signed between the Kenya Union of Post Primary Education Teachers and the Teachers Service Commission and registered with the Employment and Labour Relations Court on 19th July, 2016.
3. Despite paragraph 2, the proportion of unionisable employees in respect of whom deductions shall be made under paragraph 2, shall be equivalent to the percentage share that the union has in the total number of employees who are members of unions.
4. The Teachers Service Commission shall —
  - (a) commence deductions within thirty days of receiving this Order; and
  - (b) remit within ten days of the date of deduction the total sums deducted under the Schedule by crossed cheque made payable to the Kenya Union of Post Primary Education Teachers Account No.0100002457387 at CFC Stanbic Bank, Buru Buru Branch, Nairobi.
5. Legal Notice No. 95 of 2014 is revoked.

**SCHEDULE**

A sum equal to 1.8 per centum from each unionisable employee's basic salary.

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**KENYA EXPORT FLORICULTURE, HORTICULTURE AND ALLIED  
WORKERS UNION DEDUCTION OF UNION DUES ORDER, 2018**

[L.N. 157/2018.]

1. This Order may be cited as the Kenya Export Floriculture, Horticulture and Allied Workers Union Deduction of Union Dues Order, 2018.
2. An employer who employs more than five members of the Kenya Export Floriculture, Horticulture and Allied Workers Union shall—
  - (a) deduct, on a monthly basis, the sum specified in the Schedule in respect of trade union dues from the wages of every employee who is a member of the Kenya Export Floriculture, Horticulture and Allied Workers Union;
  - (b) pay, within ten days of the date of deduction, the total sums deducted under paragraph (a) by crossed cheque or electronic fund transfer, payable to the Kenya Export Floriculture, Horticulture and Allied Workers Union, account number 01120119455200, Co-operative Bank of Kenya, Naivasha Branch;
  - (c) notify the trade union, in writing, within one month of the payment and submit therewith a schedule of the payments; and
  - (d) file returns with the Registrar of Trade Unions at P.O. Box 40326-00100, Nairobi, within one month of making all the payments to the union.

**SCHEDULE**

A sum equal to two hundred and fifty shillings of the monthly wages of an employee who is a member of the Union.



**UNION OF NATIONAL RESEARCH AND ALLIED INSTITUTE  
STAFF OF KENYA DEDUCTION OF AGENCY FEES ORDER, 2018**

[L.N. 158/2018.]

1. This Order may be cited as the Union of National Research and Allied Institute Staff of Kenya Deduction of Agency Fees Order, 2018.
2. The Italian Space Agency (Victrociset) shall—
  - (a) deduct the sum specified in the Schedule from the wages of each employee who is not a member of the Union of National Research and Allied Institute Staff of Kenya but is covered by the Collective Bargaining Agreement registered by the Employment and Labour Relations Court as RCA No. 95 of 2017;
  - (b) pay, within ten days, the sums deducted under paragraph (a) by crossed cheque or electronic fund transfer payable to the Union of National Research and Allied Institute Staff of Kenya, account number 234793836, Kenya Commercial Bank Limited, Moi Avenue Branch, P.O. Box 30081, Nairobi; and
  - (c) commence deduction of the agency fees within thirty days of being served with this Order by the Union.

SCHEDULE

A sum equal to two percent of the gross salary of an employee but subject to a minimum of three hundred and fifty shillings and a maximum of five hundred and fifty shillings.



**KENYA MEDICAL PRACTITIONERS, PHARMACISTS AND  
DENTISTS UNION DEDUCTION OF UNION DUES ORDER, 2018**

[L.N. 159/2018.]

1. This Order may be cited as the Kenya Medical Practitioners, Pharmacists and Dentists Union Deduction of Union Dues Order, 2018.
2. An employer specified in the Schedule who employs more than five members of the Kenya Medical Practitioners, Pharmacists and Dentists Union shall—
  - (a) deduct, on a monthly basis, a sum equal to three thousand shillings in respect of trade union dues from the wages of an employee who is a member of the Kenya Medical Practitioners, Pharmacists and Dentists Union;
  - (b) pay, within ten days of the date of deduction—
    - (i) a sum of two thousand eight hundred and fifty thousand deducted under paragraph (a) by crossed cheque or Electronic Funds Transfer payable to the Kenya Medical Practitioners, Pharmacists and Dentists Union, account No. 0102019432900, Standard Chartered Bank, Harambee Avenue, Nairobi; and
    - (ii) a sum of one hundred and fifty shillings deducted under paragraph (a) by crossed cheque or Electronic Funds Transfer payable to the Central Organization of Trade Union, account No. 1108987486, Kenya Commercial Bank, Moi Avenue, Nairobi;
  - (c) notify the trade union, in writing, within one month of the payment; and
  - (d) file returns with the Registrar of Trade Unions at P.O. Box 40326-00100, Nairobi, within one month of making all the payments to the Kenya Medical Practitioners, Pharmacists and Dentists Union and Central Organization of Trade Unions.
3. Legal Notice No. 5826 of 2012 is revoked.

## SCHEDULE

1. Ministry of Health
2. Mombasa County
3. Kwale County
4. Kilifi County
5. Tana River County
6. Lamu County
7. Taita/Taveta County
8. Garissa County
9. Wajir County
10. Mandera County
11. Marsabit County
12. Isiolo County
13. Meru County
14. Tharaka-Nithi County
15. Embu County
16. Kitui County
17. Machakos County
18. Makueni County
19. Nyandarua County
20. Nyeri County

[Subsidiary]

21. Kirinyaga County
  22. Murang'a County
  23. Kiambu County
  24. Turkana County
  25. West Pokot County
  26. Samburu County
  27. Trans Nzoia County
  28. Uasin Gishu County
  29. Elgeyo/Marakwet County
  30. Nandi County
  31. Baringo County
  32. Laikipia County
  33. Nakuru County
  34. Narok County
  35. Kajiado County
  36. Kericho County
  37. Bomet County
  38. Kakamega County
  39. Vihiga County
  40. Bungoma County
  41. Busia County
  42. Siaya County
  43. Kisumu County
  44. Homa Bay County
  45. Migori County
  46. Kisii County
  47. Nyamira County
  48. Nairobi City County
  49. Kenyatta National Hospital
  50. Moi Teaching and Referral Hospital
  51. Kenya Medical Research Institute
  52. Any other private or public hospital
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**KENYA NATIONAL UNION OF NURSES  
DEDUCTION OF UNION DUES ORDER, 2018**

[L.N. 160/2018.]

1. This Order may be cited as the Kenya National Union of Nurses Deduction of Union Dues Order, 2018.
2. An employer who employs more than five employees belonging to the Kenya National Union of Nurses shall—
  - (a) deduct, on a monthly basis, the sum specified in the schedule in respect of trade union dues from the wages of an employee who is a member the Kenya National Union of Nurses;
  - (b) pay, within ten days of the date of the deduction, by crossed cheque or electronic funds transfer—
    - (i) a sum of five hundred shillings deducted under paragraph (a) payable to the Kenya National Union of Nurses, account number 01120309515200, Cooperative Bank of Kenya, Agakhan Walk, Nairobi; and
    - (ii) a sum of one hundred and fifty shillings deducted under paragraph (a) payable to the Central Organisation of Trade Unions, account number 229-741-204, Kenya Commercial Bank, Moi Avenue Branch, Nairobi;
  - (c) commence deducting the trade union dues from an employee's wages within thirty days of being served with this Order by the trade union; and
  - (d) file returns with the Registrar of Trade Unions at P.O. Box 40326-00100, Nairobi, within one month of making all the payments to the union.
3. Legal Notice No. 14611 of 2013 is revoked.

SCHEDULE

A sum equal to six hundred and fifty shillings of the employee's monthly wages.

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**KENYA UNION OF DOMESTIC, HOTELS, EDUCATIONAL  
INSTITUTIONS AND HOSPITAL WORKERS  
(DEDUCTION OF UNION DUES) ORDER, 2018**

[L.N. 195/2018.]

1. This Order may be cited as the Kenya Union of Domestic, Hotels, Educational Institutions and Hospital Workers (Deduction of Union Dues) Order, 2018.
2. An employer who employs more than five members of the Kenya Union of Domestic, Hotels, Educational Institutions and Hospital Workers shall—
  - (a) deduct on a monthly basis the sum specified in the Schedule, in respect of trade union dues, from the wages of an employee who is a member of the Union;
  - (b) remit within ten days of the date of deduction, the total sums deducted under paragraph (a) by crossed cheque or electronic funds transfer made payable to the Kenya Union of Domestic, Hotels, Educational Institutions and Hospital Workers and the Central Organization of Trade Unions as specified in the Schedule;
  - (c) notify Kenya Union of Domestic, Hotels, Educational Institutions and Hospital Workers and the Central Organization of Trade Unions, in writing and within thirty days, of all payments together with a full Schedule of the paying members; and
  - (d) file written returns to the Registrar of Trade Unions at P. O. Box 40326-00100, Nairobi within thirty days of making all the payments Kenya Union of Domestic, Hotels, Educational Institutions and Hospital Workers and the Central Organization of Trade Unions.

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SCHEDULE

1. A sum equal to two *per centum* but not exceeding Kenya shillings five hundred from the gross salary of each employee who is a member payable to the Kenya Union of Domestic, Hotels, Educational Institutions and Hospital Workers (KUDHEIHA Workers) Account No. 094-182-2215 Barclays Bank, Queensway House Branch, Nairobi; and
  2. A sum of Kenya shillings one hundred and fifty from the salary of each employee payable to the Central Organization of Trade Unions Account No. 229-741-204, Kenya Commercial Bank Limited, Moi Avenue Branch, Nairobi.
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**DOCK WORKERS UNION (DEDUCTION OF UNION DUES) ORDER, 2018**

[L.N. 243/2018.]

1. This Order may be cited as the Dock Workers Union (Deduction of Union Dues) Order, 2018.
2. An employer who employs more than five members of the Dock Workers Union shall—
  - (a) deduct on a monthly basis the sum specified in the Schedule, in respect of trade union dues, from the wages of an employee who is a member of the Dock Workers Union;
  - (b) remit within ten days of the date of deduction, the total sums deducted under paragraph (a) by crossed cheque or electronic funds transfer made payable to the Dock Workers and the Central Organization of Trade Unions as specified in the Schedule;
  - (c) notify Dock Workers Union and the Central Organization of Trade Unions, in writing and within thirty days, of all payments together with a full Schedule of the 'paying members; and
  - (d) file written returns to the Registrar of Trade Unions at P. O. Box 40326-00100, Nairobi within thirty days of making all the payments Dock Workers Union and the and the Central Organization of Trade Unions.
3. The Dock Workers Union (Collection of Union Dues) Order, 2016\* is hereby revoked.

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SCHEDULE

1. A sum equal to two *per centum* from the basic wages of each employee who is a member payable to the Dock Workers Union Account No. 16-1093-734 Barclays Bank, Nkrumah Road, Nairobi; and
2. A sum of Kenya shillings one hundred and twenty from the wages of each employee payable to the Central Organization of Trade Unions Account No. 1108987481, Kenya Commercial Bank Limited, Moi Avenue Branch Nairobi.

\* Legal Notice No. 82 of 2016

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