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No. S 323

COVID-19 (TEMPORARY MEASURES) ACT 2020 (ACT 14 OF 2020)

COVID-19 (TEMPORARY MEASURES) (ALTERNATIVE ARRANGEMENTS FOR MEETINGS FOR TRADE UNIONS) ORDER 2020

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement
 2. Definitions
 3. [Deleted]
 4. Application
 5. Alternative arrangements for meetings of trade unions,
executives and branches
The Schedule
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In exercise of the powers conferred by section 27 of the COVID-19 (Temporary Measures) Act 2020, the Minister for Law makes the following Order:

Citation and commencement

1. This Order is the COVID-19 (Temporary Measures) (Alternative Arrangements for Meetings for Trade Unions) Order 2020 and is deemed to have come into operation on 27 March 2020.

Definitions

2. In this Order, unless the context otherwise requires —

“branch” means a branch of a trade union;

“delegate”, “executive”, “federation” and “trade union” have the meanings given by section 2 of the Trade Unions Act (Cap. 333);

“electronic means” means electronic communication, video conferencing, tele-conferencing or other electronic means;

“meeting” means —

- (a) a meeting of a trade union (including a meeting of a federation);
- (b) a meeting of an executive; or
- (c) a meeting of a branch;

“member” means —

- (a) in the case of a meeting of a trade union (including a meeting of a federation) — a member of the trade union;
- (b) in the case of a meeting of an executive — a member of the executive;
- (c) in the case of a meeting of a branch — a member of the branch.

3. [*Deleted by S 823/2020 wef 29/09/2020*]

Application

4. This Order sets out the alternative arrangements to personal attendance in respect of the following classes of meetings:

- (a) meetings of trade unions (including meetings of federations);
- (b) meetings of executives;
- (c) meetings of branches.

Alternative arrangements for meetings of trade unions, executives and branches

5.—(1) The alternative arrangements for the convening, holding, conducting or deferral of a meeting of a trade union (including a meeting of a federation), a meeting of an executive or a meeting of a branch set out in the second column of the Schedule apply in respect of the provisions of the written law or legal instrument relating to such a meeting set out in the first column of that Schedule.

(2) [*Deleted by S 248/2021 wef 06/04/2021*]

THE SCHEDULE

Paragraph 5(1)

ALTERNATIVE ARRANGEMENTS FOR MEETINGS OF TRADE UNIONS, EXECUTIVES AND BRANCHES

<i>First column</i>	<i>Second column</i>
<i>Provision of Trade Unions Act or rules of the trade union</i>	<i>Alternative arrangement</i>
<p>1. Provision for convening, holding, conducting or deferral of a meeting of a trade union, a meeting of an executive or a meeting of a branch</p>	<p>A meeting of a trade union, a meeting of an executive or a meeting of a branch may be convened, held or conducted, whether wholly or partly, by electronic means.</p> <p>A meeting of a trade union, a meeting of an executive or a meeting of a branch may be deferred to a date no later than 31 December 2020.</p>
<p>2. Provision for attendance at a meeting of a trade union, a meeting of an executive or a meeting of a branch</p>	<p>A trade union may provide that a member or delegate may only attend a meeting of the trade union or a meeting of a branch —</p>

THE SCHEDULE — *continued*

<i>First column</i>	<i>Second column</i>
<i>Provision of Trade Unions Act or rules of the trade union</i>	<i>Alternative arrangement</i>
	<p>(a) by observing and listening to the proceedings of the meeting by electronic means, if access to both an audio broadcast and audio-visual broadcast is provided to the member or delegate; or</p> <p>(b) by appointing the chairman of the meeting as the member's proxy or delegate's proxy to attend, speak and vote at the meeting.</p> <p>A member of an executive may attend a meeting of the executive by electronic means.</p>
3. Provision for right or entitlement to be heard or to require representations to be read out at a meeting of a trade union or a meeting of a branch	<p>A trade union may provide that a member or delegate may only be heard at a meeting by electronic means in the manner provided in item 4.</p> <p>A representation may be read out at a meeting by electronic means.</p>
4. Provision for right or entitlement to speak on a resolution at a meeting of a trade union or a meeting of a branch	<p>A trade union may require a member or delegate, before the meeting, to send to the chairman of the meeting, by post or electronic mail, the matters which the member or delegate wishes to raise at the meeting, and each such matter, if substantial and relevant and sent within a reasonable time before the meeting, is to be responded to at or before the meeting by electronic means.</p> <p>In addition to (but not in place of) post and electronic mail, a trade union may</p>

 THE SCHEDULE — *continued*

<i>First column</i>	<i>Second column</i>
<i>Provision of Trade Unions Act or rules of the trade union</i>	<i>Alternative arrangement</i>
	<p>also provide for a member or delegate, before the meeting, to send to the chairman of the meeting the matters which the member or delegate wishes to raise at the meeting by such other electronic means as the trade union considers appropriate, and each such matter, if substantial and relevant and sent within a reasonable time before the meeting, is to be responded to at or before the meeting by electronic means.</p> <p>To avoid doubt, in addition to (but not in place of) post and electronic mail, a trade union may provide for any matter to be raised by a member or delegate at a meeting and for the matter to be responded to at the meeting through real-time electronic communication such as video conferencing, tele-conferencing or live chat.</p>
5. Provision for quorum at a meeting of a trade union, a meeting of an executive or a meeting of a branch	A quorum may be formed by members or delegates personally or electronically present.

THE SCHEDULE — *continued*

<i>First column</i>	<i>Second column</i>
<i>Provision of Trade Unions Act or rules of the trade union</i>	<i>Alternative arrangement</i>
	<p>A member or delegate is deemed to be present at a meeting if the member or delegate has appointed the chairman of the meeting as the member's proxy or delegate's proxy to attend, speak and vote at the meeting, and the relevant quorum requirements are to be determined by the voting instructions and proxies submitted by the members or delegates prior to the commencement of the meeting.</p> <p>A member or delegate is electronically present at a meeting if the member or delegate —</p> <ul style="list-style-type: none"> (a) attends the meeting in the manner provided in item 2; (b) is verified by the general secretary of the trade union, or a person appointed by the executive of the trade union, as attending the meeting in the manner provided in item 2; and (c) is acknowledged by electronic means by the chairman of the meeting as present at the meeting.
6. Provision for a member or delegate of a trade union to vote on a secret ballot at a meeting of a trade union, a meeting of an executive or a meeting of a branch	A member or delegate may be required to submit his or her vote by post.
7. Provision for a member or delegate of a trade union to vote, other than on a secret	A trade union may require a member or delegate to vote at a meeting of a

 THE SCHEDULE — *continued*

<i>First column</i>	<i>Second column</i>
<i>Provision of Trade Unions Act or rules of the trade union</i>	<i>Alternative arrangement</i>
<p>ballot, at a meeting of a trade union, a meeting of an executive or a meeting of a branch</p>	<p>trade union or a meeting of a branch —</p> <p>(a) by submitting his or her vote by electronic mail to an electronic mail address provided by the trade union or by any other electronic means provided by the trade union; or</p> <p>(b) by appointing the chairman of the meeting as the member's proxy or delegate's proxy to vote at a meeting of the trade union or a meeting of a branch by depositing with the trade union an instrument of appointment by post, or by electronic mail to an electronic mail address stated in the notice of the meeting.</p> <p>A member of an executive may vote at a meeting of the executive by electronic means.</p>
<p>8. Provision for laying and production of documents at a meeting of a trade union, a meeting of an executive or a meeting of a branch</p>	<p>A document required to be laid or produced before a meeting of a trade union or a meeting of a branch may be so laid or produced by being —</p> <p>(a) sent or published in the manner provided in item 9 with the notice of the meeting; or</p> <p>(b) published at an online location, the address of which is provided with the notice of the meeting, or on the website of the trade union.</p> <p>A document required to be laid or produced before a meeting of an executive may be so laid or</p>

THE SCHEDULE — *continued*

<i>First column</i>	<i>Second column</i>
<i>Provision of Trade Unions Act or rules of the trade union</i>	<i>Alternative arrangement</i>
9. Provision for giving of notice of a meeting of a trade union, a meeting of an executive or a meeting of a branch	<p>produced by being sent in the manner provided in item 9.</p> <p>A notice of a meeting of a trade union, a meeting of an executive or a meeting of a branch —</p> <p>(a) in the case of a meeting of a trade union or a meeting of a branch — must be sent by electronic mail to each member or delegate who has notified the trade union of his or her electronic mail address;</p> <p>(b) in the case of a meeting of a trade union or a meeting of a branch — must be published on the website of the trade union (if available);</p> <p>(c) in the case of a meeting of an executive — must be sent by electronic mail to all the members of the executive, to the electronic mail address of each member of the executive notified by the member of the executive to the executive;</p> <p>(d) must describe the means by which the meeting can be electronically accessed (including the online location, if the meeting is held at an online location);</p> <p>(e) must set out how a member or delegate may vote at the meeting;</p> <p>(f) in the case of a meeting of a trade union or a meeting of a branch — must state how a member or delegate may send to the</p>

THE SCHEDULE — *continued*

<i>First column</i>	<i>Second column</i>
<i>Provision of Trade Unions Act or rules of the trade union</i>	<i>Alternative arrangement</i> chairman of the meeting the substantial and relevant matters which the member or delegate wishes to raise; and (g) may be accompanied by any other documents relevant to the meeting.

[S 823/2020 wef 29/09/2020]

Made on 27 April 2020.

LOH KHUM YEAN
*Permanent Secretary,
Ministry of Law,
Singapore.*

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