



Decree No. 26

[16th October 1996]

Commencement

THE FEDERAL MILITARY GOVERNMENT hereby decrees

1. The Trade Unions Act (in this Decree referred to as the "Act") as amended is hereby further amended as set out

Amendment of Cap. 437 LFN 1996 No. 4

2. Section 5 of the principal Act is amended in subsection (1) by substituting the following new paragraph, that is -

Amendment of section 5

(1) any official or member of the union may, within the period of thirty days beginning with the date so specified, appeal to the Minister against the refusal.

Amendment of section 7

3. Section 7 of the principal Act is amended -

(a) the words "any official or member of the trade union may, within the period of thirty days beginning with that date appeal to the High Court against the proposed cancellation," are substituted for the words "any official or member of the trade union may within the period of thirty days beginning with that date appeal to the Minister against the proposed cancellation";

(b) by inserting immediately after subsection (8) in effect the following new subsection, that is -

(9) Notwithstanding anything to the contrary contained in this section, the Minister may due to overriding public interest, revoke the certificate of

registration of any trade union specified in
of the Third Schedule to this Act.

4. Section 8 of the principal Act is amended -

- (a) in subsection (1) by substituting for the words "Court" the word "Minister";
- (b) by deleting subsections (2), (3) and (4) respectively.

5. Section 16A of the principal Act is amended by

- (a) substituting for the full stop appearing in paragraph thereof a colon;
- (b) inserting immediately thereafter the following provisions:

that is "Provided that compliance with the provisions of this section of this Decree shall be subject to the insertion of a 'No strike' clause in the Collective Bargaining Agreements between workers and their employers."

6. Section 17 of the principal Act is amended by inserting immediately after subsection (3) thereof the following subsection, that is -

- (4) The system of automatic check-off dues as contained herein shall, in respect of any particular union, continue to operate forth with on

- (a) the dissolution of the union; or
- (b) the revocation of the certificate of registration of the union by the Minister; or
- (c) the cancellation of the registration of the union by the Registrar; or
- (d) a strike action embarked upon by a union in breach of the Collective Bargaining Agreement between the workers union and the employer.

Amendment of section 8

Amendment of section 16

Amendment of section 17

7. Section 33 of the principal Act is amended by inserting the following new subsections (7) and (8) thereof:

(7) A person shall be unlawful for any person, not being a card-carrying member of any of the trade unions, to participate and assume a functional role in any of the policy or decision-making organs, committees, or formations (by whatever names called) within the union or the Central Labour Organisation except if the function is strictly limited to administrative duties only.

(8) Any person who contravenes any of the provisions of this section of this Decree shall be guilty of an offence and liable on conviction to a fine of ₦100,000 or to imprisonment for a term of five years or to both such fine and imprisonment.

(9) Where an offence under this section of this Decree is committed by a union or association, its certificate of registration shall be liable to be revoked by the Minister in accordance with the provisions of this Act.

(10) A provision for the appointment and removal of the general committee of management (by whatever name called) and other officials, provided that, for administrative purposes only, non-members holding the post of secretary, deputy secretary, assistant secretary or similar posts shall be capable of being members of the general committee of management.

8. The First Schedule to the principal Act is amended by adding for paragraphs 7, 8 and 9 thereof the following new provisions, that is -

7. The qualifications for membership of the trade union shall include a provision to the effect that a person shall not be eligible for membership unless he is normally engaged in the trade or industry which the trade union represents.

Amendment of the First Schedule

Amendment of section 33

9. Subject to the provisions of this Schedule, a provision which protects the exclusive rights of membership of all policy making organs of the union.

9. The Third Schedule to the principal Act is amended by substituting therefor the following new Schedule, that is—

Amendment of the Third Schedule

THIRD SCHEDULE

PART A

LIST OF 29 RE-STRUCTURED TRADE UNIONS AFFILIATED TO THE CENTRAL LABOUR ORGANISATION

1. Agricultural and Allied Workers Union of Nigeria
2. Amalgamated Union of Public Corporations, Civil Servants and Recreational Services Employees
3. Maritime Workers Union of Nigeria
4. Medical and Health Workers Union of Nigeria
5. National Association of Nigeria Nurses and Midwives
6. National Union of Air Transport Employees
7. National Union of Banks, Insurance and Financial Institutions Employees
8. National Union of Chemical, Footwear, Rubber, Leather and Non-metallic Workers
9. National Union of Civil Engineering Constructors and Wood Workers
10. National Union of Electricity Workers
11. National Union of Food, Beverage and Tobacco Employees
12. National Union of Hotel and Personal Services Workers
13. National Union of Petroleum and Natural Gas Workers
14. National Union of Postal and Telecommunication Employees
15. National Union of Printing, Publishing and Paper Products
16. National Union of Road Transport Workers
17. National Union of Shop and Distributive Employees
18. National Union of Textiles, Garment and Tailoring Workers
19. Nigeria Civil Service Union

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Nigeria Union of Civil Service Secretarial and Stenographic Workers;
Nigeria Union of Journalists;
Nigeria Union of Local Government Employees;
Nigeria Union of Mine Workers;
Nigeria Union of Pensioners;
Nigeria Union of Railway Men;
Nigeria Union of Teachers;
Non-Academic Staff Union of Educational and Associated Institutions;
Radio, Television and Theatre Workers Union;
Steel and Engineering Workers Union of Nigeria.

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THIRD SCHEDULE

PART B

THE JURISDICTIONAL SCOPE OF EACH OF THE 29 RE-STRUCTURED TRADE UNIONS

No.	Trade Unions	Area of Jurisdiction
1	AGRICULTURAL AND ALLIED WORKERS	Workers in all private and Commercial plantations. Agricultural and livestock production, agricultural services including animal husbandry, fishing and horticulture, veterinary services, pest control, irrigation services (River Basin Services). Private and commercial forestry, logging and game reserves. Non-public Agricultural Research Institutions.
2	AMALGAMATED UNION OF PUBLIC CORPORATIONS, CIVIL SERVICE TECHNICAL AND RECREATIONAL SERVICES EMPLOYEES	<p>All non-professional workers and administrative staff in the Federal and State Corporations. Civil Service Employees classified as Technical Workers of Sports Commissions and Arts Councils. Workers in Stadium, Public Recreation Clubs, by whatever name called, swimming pools, amusement centres including carnivals, circuses, zoological gardens and services similarly classified. Excluding Radio, Television, NITEL, NIPOST, Railways, Nigeria Airways and any other Corporation Workers already unionized.</p> <p>Components:</p> <ul style="list-style-type: none"> (1) Civil Service Technical Workers Union of Nigeria. (2) National Union of Public Corporation Employees. (3) Recreational Services Employees Union.

Handing of Ocean going ships, including crew, to and from ports, and cleaning and forwarding agencies, but excluding managerial, professional and administrative staff.

Components of (1) Dock Workers Union of Nigeria

cleaning and forwarding agencies, but excluding managerial, professional and administrative staff.

Components: (1) Dock Workers Union of Nigeria

(2) Nigeria Ports Workers Union

(3) National Union of Seamen and Water Transport Workers

(4) Union of Shipping, Clearing and Forwarding Agencies Workers of Nigeria

MEDICAL AND HEALTH WORKERS UNION OF NIGERIA

MEMBERSHIP LIST
MEMBERSHIP REGISTER
MEMBERSHIP LIST OF MEMBERS

NATIONAL ASSOCIATION OF NIGERIA NURSES AND MIDWIVES

All workers and those classified as para-medical engaged in Health Care Institutions, General Hospitals, Health Management Boards, Corporately owned Medical and Health Institutions in University Teaching Hospitals, Local Government Health Institutions covering the following para-medical staff only: Nurses, Pharmacist, Radiographers, Laboratory Technologists, Physiotherapist, Optometrist, Dental Technologists and Hygienists, Limb Makers, Instrument Engineers (or Crafters of Instruments), Blood Donor Organisers, Catering Officers (Medical), Leprosy Control Officers and Inspectors, Dispensing Assistants, Nutritionists, Medical Illustrators, Midwives, Medical Entomologists, Medical Social Workers, X-Ray Technicians, Medical Statistical Assistants, Assistant Physiotherapists, Physiotherapy Technicians, but excluding Pharmacists, Nurses and Midwives, Radiographers, Medical Laboratory Technologists, Dental Technologists.

All Nurses and Midwives of all grades and by whatever name called, qualified to register and practice in Nigeria and who are salary earners, engaged in Local Government owned hospitals or Health Institutions; Government Health Management Boards, Specialist and General Hospitals; University Teaching Hospitals, Nursing/Maternity Homes, Corporately owned Hospitals and Private Health Institutions.

6. NATIONAL UNION OF AIR TRANSPORT EMPLOYEES. All workers in Commercial Airlines, Airport Authority, Civil Aviation Authority and Travel Agencies except those in professional and administrative cadres.

7. NATIONAL UNION OF BANKS, INSURANCE AND FINANCIAL INSTITUTIONS EMPLOYEES. Workers in Banks and closely related institutions, such as Mortgage Companies, Industrial Loan Institutions, Agricultural Credit Agencies, Co-operative Credit Societies, Investment Companies, Holding Companies, Insurance Carriers of all kinds, Insurance Agents and Brokers, Organisations Serving Insurance Carriers, Consultants for policy holders, Adjusting Agencies, other closely related institutions not otherwise mentioned. All types of dealers in Real Estate.

8. NATIONAL UNION OF CHEMICAL, FOOTWEAR, RUBBER, LEATHER AND NON-METALLIC WORKERS. Workers in manufacture of basic industrial organic and inorganic chemicals, except products of petroleum and coal but including fertilizers, explosives and fireworks, synthetic fibre and rubber, resins, plastics, elastomers and vegetable and animal oils and fats, including the production of cake and meal by crushing or extractions from oil seeds and nuts. Manufacture of medicinal and pharmaceutical preparations, perfumes, cosmetics and other toilet preparations. Soaps and other washing and cleaning compounds including detergents, Polishes, inks, matches, candles and insecticides. Manufacture of clay products such as bricks, tiles, pipes, crucibles, architectural terracotta, stove lining, chimney pipes, and tops and refractories. Manufacture of glass and glass products except the grinding of optical lenses. Pottery, china and earthenware. Manufacture of all types of hydraulic cement such as portland. Manufacture of concrete, gypsum and plaster products. Stone products and other similar chemical and non-metallic products. Manufacture of all kinds of footwear, leggings and gaiters from leather, fabrics, plastic, wood and other materials. Tanning, currying, finishing, embossing and japanning of all kinds of hides and skins and the manufacture of leather products such as luggage handbags, pocket-books, saddlery, harness, whip and other articles made of leather and leather products. Manufacture from natural or synthetic rubber of all kinds of rubber products, such as tubes and hoses, rollers, mats, etc.

Components: (1) National Union of Chemicals and Non-Metallic Products Workers

(2) Footwear, Leather and Rubber Products Workers

9 NATIONAL UNION OF CIVIL ENGINEERING CONSTRUCTION, FURNITURE AND WOOD WORKERS.

- Components:* (1) National Union of Chemicals and Non-Metallic Products Workers.
(2) Footwear, Leather and Rubber Products Workers Unions of Nigeria.

Workers in construction, repair and demolition of buildings, highways, street and culverts. Heavy construction of such projects as sewers and water mains, railroads, piers, tunnels, subways, bridges, viaducts, dams, drainage projects, irrigation flood control projects, hydro-electrical plants, gas mains and pipe-lines, marine constructions such as dredging, land drainage, reclamation and harbours, and waterways and airports. All other construction works. Manufacture of household, office, public building, professional and restaurant furniture. Office and stores fixtures, window and door screens and shades, regardless of materials used. Sawmills and planing mills. Manufacture of lath, shingles, co-apogee stock, veneers, plywood and excelsior. Wood preserving and manufacture of finished articles made entirely or mainly of wood, bamboo, cane and cork. Manufacture of lumber, wooden building materials and prefabricated parts and structures. Manufacture of boxes, crates, drums, barrels and other wooden containers. Manufacture of baskets and other rattan feed or wiff/w containers.

- Components:* (1) Nigeria Union of Construction and Civil Engineering Workers.
(2) National Union of Furniture, Fixture and Wood Workers.

Workers in generation, transmission and distribution of electric light and other forms of energy, excluding gas for public consumption, professionals and administrative cadres.

10 NATIONAL UNION OF ELECTRICITY WORKERS.

11. NATIONAL UNION OF FOOD, BEVERAGE AND TOBACCO EMPLOYEES.

Workers engaged in manufacture of food for human consumption and of related products such as chewing gum, spices, prepared foods for animals and fowls. Slaughtering, preparation and preservation of meat. Manufacture of dairy products. Canning and preserving of fish and other sea foods. Manufacture of grain mill products. Manufacture of bakery products. Sugar factories and refineries. Manufacture of cocoa, chocolates and sugar confectionery and miscellaneous food preparations. Distilling, rectifying and blending of spirits. Wine industries. Beverages and manufacture of malt. Manufacture of non-alcoholic beverages such as soft drinks and carbonated mineral waters. Manufacture of tobacco products. Stemming, red-ying and their operations connected with preparing raw tobacco leaf for manufacturing.

12. NATIONAL UNION OF HOTELS AND PERSONAL SERVICES WORKERS.

Workers in services involving the care of the person or his apparel. Hotels, restaurants, cafes, taverns and other drinking and eating places. Laundries and laundry services, cleaning and dyeing. Barber and beauty shops, domestic services, portrait and commercial photographic studios, shops, offices and cleaning. Security services, recreational and tourist organisations in the private sector and related services.

13. NATIONAL UNION OF PETROLEUM AND NATURAL GAS WORKERS.

Workers in oil well and natural gas well operations including prospecting, drilling, crude oil and natural gas extraction, oil and natural gas pipelines. Refining, distribution and marketing of natural gas and petroleum products including petrol filling stations, petroleum tanker drivers, but excluding the construction of oil and gas pipelines.

14. NATIONAL UNION OF POSTAL AND TELECOMMUNICATION EMPLOYEES.

Workers engaged in communication services rendered to the public whether by post, telegraph, telephone or radio including the installation and maintenance of such services. But excluding professional and administrative cadres.

15. NATIONAL UNION OF PRINTING, PUBLISHING AND PAPER PRODUCTS.

Workers in private and public printing works, lithographing and publishing newspapers, periodicals, books, brochures, leaflets, forms, labels, etc. and in the manufacture of printing materials, such as type, galleys, and stationery, wall paper, roller paper, straws and other articles made of wood, rags, paper and paper board.

Components: (1) National Union of Paper Products Workers

21. NIGERIA UNION OF JOURNALISTS
 All registered journalists in paid employment in media houses, except proprietors and the self-employed.

22. NIGERIA UNION OF LOCAL GOVERNMENT EMPLOYEES
 All workers in the Local Government Councils with the exclusion of Teachers and the following para-medical staff in the Local Government Health Institutions: Nurses, Pharmacists, Radiographers, Laboratory Technologists, Physiotherapists, Occupational Therapists, Speech Therapists, Optometrists, Audiometrists, Limbfitters, Diabeticans, Dental Technologists and Hygienists, Lamb Makers, Instrument Engineers (or Curators of Instruments), Blood Donor Organisers, Caring Officers (Medical), Health Superintendents, Store Officers (Medical), Leprosy Control Officers and Inspectors, Dispensing Assistants, Nutritionists, Medical Illustrators, Midwives, Medical Entomologists, Medical Statistical Assistants, Assistant Physiotherapists, Physiotherapy Technicians.

23. NIGERIA UNION OF MINE WORKERS.
 Workers engaged in extraction of coal, metalliferous and non-metalliferous ores excluding petroleum but including prospecting and preparing sites for the extraction of these ores. Also included are all supplemental operations for dressing and beneficiating ores and other crude minerals, such as breaking, milling, grinding pulverizing, washing, cleaning, grading, quarrying as an enterprise, Salt mining, Chemical and fertilizer, mineral mining enterprises, etc. also included.

24. NIGERIA UNION OF PENSIONERS
 Components: (1) Metallic and Non-Metallic Mines Workers Union.
 (2) Nigeria Coal Miners Workers Union.

25. NIGERIA UNION OF RAILWAY MEN
 All pensioners from the Civil Service of the Federation including Local Government, Statutory Corporations, Government owned companies, educational institutions for which the Government of the Federation is responsible. All such similar establishments. Also private sector pensioners.
 Workers in Nigeria Railway Corporation, including all employees of the Corporation.

27. NON-ACADEMIC STAFF UNION OF EDUCATIONAL AND ASSOCIATED
 All non-academic workers employed in publicly and privately owned educational, research and associated institutions including Universities, Institutes, etc.

27. NON-ACADEMIC STAFF UNION OF EDUCATIONAL AND ASSOCIATED INSTITUTIONS.

All non-academic workers employed in publicly and privately owned educational, research and associated institutions including University Teaching Hospitals except professional, administrative, medical and para-medical staff such as Nurses, Pharmacists, Radiographers, Laboratory Technologists, Physiotherapists, Occupational Therapists, Speech Therapists, Optometrists, Audiometrists, Limb-Fitters, Dietitians, Dental Technologists and Hygienists, Limb Makers, Instrument Engineers (or Curators of Instruments), Blood Donor Organisers, Catering Officers (Medical), Health Superintendents, Stores Officers (Medical), Leprosy Control Officers and Inspectors, Dispensing Assistants, Nutritionists, Medical Illustrators, Midwives, Medical Entomologists, Medical Social Workers, X-Ray Technicians, Medical Statistical Assistants, Assistant Physiotherapists, Physiotherapy Technicians.

28. RADIO, TELEVISION AND THEATRE WORKERS UNION.

Workers engaged in Radio, Television, Theatre, Motion Picture Production, Distribution and Projection, Operation of Cinemas and Services allied to the foregoing including workers in the Music Industry.

29. STEEL AND ENGINEERING WORKERS UNION OF NIGERIA.

Workers engaged in manufacture, assembly, sale and service of electronic, precision and electrical equipment and appliances, measuring, controlling, laboratory and scientific instruments, surgical, medical and dental instruments, optical and photographic goods, watches, clocks and horological equipment, musical instruments, security equipments. Manufacture of basic metal form into finished products such as tin cans and other tin ware, hand tools, cutlery and hardware, hollow ware, metal stampings, lighting fixtures, fabricated wire products, metal shipping containers, safes and vaults, steel springs, bolts, nuts, washers, rivets, collapsible tubes, ordnance including small and arms and accessories. Fabrication of steel works including the erection of steel works such as welding for bridges, industrial ware houses, tanks and motor lorry bodies. Industries engaged in enameling, japanning and

laquering, galvanizing, plating and polishing metal products, blacksmithing and welding. The manufacture of basic iron and steel products. The manufacture of basic non-ferrous metal products, consisting of all processes from smelting, alloying, refining, rolling, drawing, founding and casting.

The manufacture and assembly of complete motor vehicles such as passenger automobiles, commercial cars and buses, trucks and truck trailers, universal carriers, and special purpose motor vehicles such as ambulances, taxi cabs, etc). Manufacture of motor vehicle parts and accessories such as engines, brakes, clutches, axles, gears, transmissions, wheel and frame but excluding tires and tubes. Repair of motor vehicles. Manufacture of motor-cycles, scooters, bicycles, tricycles, pedicabs and parts including animal-drawn and hand drawn vehicles. Shipyards and boatyards engaged in building and repair work. Specialized marine and ship parts manufacture and assembly. Ship braking yards. Manufacture and assembly of other types of transport equipment. Sales and servicing of vehicles.

Components: (1) Metal Producers Workers Union of Nigeria.

(2) Iron and Steel Workers Union of Nigeria.

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- (3) Automobile, Boatyards, Transport and Equipment and Allied Workers Union of Nigeria.
- (4) Precision Electrical and Related Equipment Workers Union (PEREWU)."

11. This Decree may be cited as the Trade Unions (Amendment) Decree 1996.

MADE at Abuja this 16th day of October 1996.

GENERAL SANI ABACHA,
Head of State, Commander-in-Chief
of the Armed Forces,
Federal Republic of Nigeria.

EXPLANATORY NOTE

(This note does not form part of the above Decree but is intended to explain its purport)

The Decree amends the Trade Unions Act, as amended, to provide among other things, the new jurisdictional scope of the re-structured trade unions.