

Statutes 2022

Hotell- och restaurangfacket



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Please note that interpretation of statutes is always based on
the Swedish version

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SECTION 1 NAME AND REGISTERED OFFICE OF THE FEDERATION

The name of the federation is the Swedish Hotel and Restaurant Workers' Union. The registered office of the federation board is in Stockholm, where the federation office will also be located.

SECTION 2 PURPOSE OF THE FEDERATION

Subsection 1 Organisational area

Subsection 2 Role

Subsection 1 Organisational area

The federation is an association of all workers employed in hotels, restaurants, casinos, cafés, patisseries, tourist resorts, bingo halls and other types of entertainment businesses in Sweden.

Subsection 2 Duties

The role of the federation is to represent the interests of its members in the labour market and in matters of industrial policy within the organisational area of the federation. In this and other ways, the federation shall promote the development of society on the basis of political, social and economic democracy, characterised by equality, gender equality and a feminist outlook. In order to fulfil this role, the federation shall;

- organise workers in the federation's field of activity in accordance with the organisational plan set out by the congress of the Swedish Trade Union Confederation,
- promote the trade union, political and cultural development of its members through study, information and advocacy,
- strive to conclude collective agreements with all employers in the federation's field of activity, as determined in the Swedish Trade Union Confederation's organisational plan
- represent the interests of its members in legal matters,
- represent the interests of its members in socio-political matters,

- cooperate with other federations affiliated to the Swedish Trade Union Confederation by joining the Swedish Trade Union Confederation and ensure that the federation's local organisations cooperate in organised inter-union activities in the Swedish Trade Union Confederation districts,
- maintain contact with other trade unions and non-profit organisations,
- cooperate through membership in international professional communities and maintain relations with workers and their trade union organisations in other countries.

SECTION 3 ORGANISATION OF THE FEDERATION

The federation's decision-making bodies are

1. Congress
2. The general assembly of the federation board
3. The federation board

The local activities of the federation are conducted by divisions and clubs.

SECTION 4 ADMISSION

Subsection 1 Membership

Subsection 2 Decision on admission

Subsection 3 Rejection of appeals

Subsection 1 Membership

Every worker in the field of activity of the federation has the right to join the federation. However, the right of admission does not apply if there are grounds for expulsion. Anyone undergoing sector-specific vocational **training** is also entitled to admission, subject to the restriction set out in the first paragraph.

Subsection 2 Decision on admission

The matter of admission is examined and decided by the federation board or by the person appointed by the board. If the application is accepted, membership shall be deemed to have been acquired on the first day of the month in which the application was submitted. If the application is rejected, the applicant shall be notified of this decision immediately.

Subsection 3 Rejection of appeals

In cases where the application for admission has been rejected, the applicant may request a review.

Requests for review of the federation board's decision are sent to the general assembly of the federation board.

SECTION 5 MEMBERSHIP FEES

Subsection 1 Fees and fee classes

Subsection 2 Charging of membership fees

Subsection 1 Fees, fee classes

Fees shall be paid in accordance with the rules and procedures set out by the federation board as of the calendar month in which membership of the federation is obtained. Monthly fees and the division into fee classes are set by the federation board.

Subsection 2 Charging of membership fees

Fees are paid monthly, except in the cases provided for in Section 7.

SECTION 6 INCREASED FEE

The federation board may decide on an increased fee

- in the event of a threatened or ongoing dispute which the federation is obliged to

- support,
- in the case of levies imposed by the Swedish Trade Union Confederation,
- if the federation board is of the opinion that the federation's capital in hand is such that the federation's dispute preparedness is unsatisfactory.

SECTION 7 EXEMPTION FROM FEES

Subsection 1 Grounds for exemption from fees

Subsection 2 Special reasons

Subsection 1 Grounds for exemption from fees

A member without taxable remuneration or income shall be exempted from the membership fee on request when the member

- is undergoing vocational training in the federation's field of activity,
- is serving under the Total Defence Service Act,
- is participating in a dispute sanctioned by the federation board.

Subsection 2 Special reasons

The federation board may grant a member a reduction in the fee or exempt the member from the obligation to pay the fee for special reasons.

SECTION 8 TRANSFERS BETWEEN DIVISIONS AND FEDERATIONS

Subsection 1 Transfer within the federation

Subsection 2 Right and obligation to transfer between federations

Subsection 3 Transfer of membership from an organisation in another country

Subsection 1 Transfer within the federation

Members who relocate or change their place of work must notify the

federation immediately.

Subsection 2 Transfer between federations

A member of the federation has the right and obligation to transfer their membership from one Swedish Trade Union Confederation federation to another without paying a special fee, if the member has either taken up employment in the new federation's field of activity or is otherwise to belong to the new federation due to a decision by the board of the Swedish Trade Union Confederation.

Subsection 3 Transfer of membership from an organization in another country

The federation board may authorise workers who are working temporarily or permanently in Sweden and who are members of an organisation in another country to transfer their membership to the federation.

For the federation board to be able to grant such a request, it is necessary for

- the organisation of which the worker is a member to belong to a central organisation affiliated to the International Trade Union Confederation (ITUC) or is a member of the international [organisation] of which the federation is a member,
- the worker to have fulfilled their statutory obligations to that federation,
- the other conditions for membership according to Section 4 (1) to have been fulfilled.

SECTION 9 MEMBER RIGHTS AND BENEFITS

Subsection 1 General rights

Subsection 2 Negotiation assistance

Subsection 3 Dispute resolution

Subsection 4 Legal aid

Subsection 1 General rights

Members have the right to submit proposals and motions, to nominate candidates and to hold positions of trust. Gainfully occupied members are also entitled to hold positions on the federation board.

Subsection 2 Negotiation assistance and other benefits

Members are entitled to advice and other benefits after paying the membership fee. In addition, after three months of membership, members may be granted negotiation assistance in disputes with their employer arising after the member's entry into the federation.

The federation board may decide that a member shall receive assistance without the requirement for three months of membership being met.

Subsection 3 Dispute resolution

Members have the right to apply for an allowance in the event of a dispute in the manner set out in Section 13.

Subsection 4 Legal aid

Members have the right to apply for legal aid in the manner set out in Section 15.

SECTION 10 OBLIGATIONS OF MEMBERS

Subsection 1 Duty of loyalty

Subsection 2 Membership fees

Subsection 3 Duty to provide information

Subsection 1 Duty of loyalty

Members shall work for the cohesion and development of the federation, comply with the Statutes and the decisions made in accordance with the Statutes and be loyal to the federation and its sub-organisations.

Subsection 2 Membership fees

Members must pay membership fees from the calendar month in which they are admitted to the federation.

Subsection 3 Duty to provide information

Members shall provide statistical and other information on working conditions and employment circumstances upon request. Before taking up work at a new workplace, members shall obtain information from the relevant division concerning the working conditions and circumstances at the workplace.

SECTION 11 WITHDRAWAL

Subsection 1 Withdrawal

Subsection 2 Application for withdrawal

Subsection 3 Sharing of assets

Subsection 1 Withdrawal

Members who have transferred to an activity outside the field of activity of the federation or another federation affiliated to the Swedish Trade Union Confederation has the right to withdraw from the federation after giving notice and paying any fees due. Otherwise, members have the right to withdraw from the federation in the month following the request for withdrawal. Members are obliged to pay fees until the month in which the withdrawal is requested.

Subsection 2 Application for withdrawal

A written application for withdrawal must be addressed to the federation board. Notice of withdrawal shall be given to the member.

Subsection 3 Sharing of assets

Anyone who has withdrawn from the federation shall not be entitled to receive any part of the federation's assets.

SECTION 12 EXPULSION

Subsection 1 Non-payment

Subsection 2 Other grounds for expulsion

Subsection 3 Suspension

Subsection 4 Handling of certain expulsion cases

Subsection 5 Notification of decisions

Subsection 6 Appeals

Subsection 7 Sharing of assets

Subsection 1 Non-payment

Any member who has not paid the statutory fee for a given month may be expelled from the federation after two months of non-payment. The same shall apply to any member exempt from fees who, without valid reason, has neglected their obligation to register for the corresponding period.

Subsection 2 Other grounds for expulsion

Expulsion may also occur when a member

- a) has obtained membership by deliberately making false statements.
- b) has received financial compensation from the federation through improper conduct or misappropriated federation funds.
- c) has acted as a strikebreaker or blockade breaker.
- d) is also a member of a trade union outside the Swedish Trade Union Confederation without the consent of the federation board.
- e) has wilfully infringed the Statutes or has refused to comply with regulations based on statutes or congress decisions in a manner other than those referred to in clauses (a) to (d).
- f) engages in or supports activities that are incompatible with the purposes of the organisation, or otherwise behaves disloyally.

Expulsion on the basis of this subsection is decided and executed by the federation board.

Subsection 3 Suspension

If the grounds for expulsion referred to in subsections 2 (e) to (f) exist, instead of expulsion, the federation board may revoke the right of a member to receive and hold office on the board or any other office for or within the federation or its divisions, for a fixed period or indefinitely.

Subsection 4 Handling of certain expulsion cases

- a) Notification which may lead to expulsion according to subsection 2 must be submitted to the federation board or the divisional board in writing.
- b) If the notification is submitted to the divisional board, the latter shall forward the notification to the federation board together with its opinion on the matter.
- c) The federation board shall notify the member. The member has the opportunity to submit an explanation to the federation board within two weeks of notification.
- d) Before deciding on the matter, the federation board may then refer the matter to the divisional board, which shall approve or reject expulsion.
- e) The federation board may request a member who is clearly guilty of a breach of these Statutes, of a decision of the congress or of regulations made in accordance with the Statutes to change their mind within a period of time prescribed by the federation board. Clauses (a) to (d) of this subsection shall not apply if the member does not comply with the decision of the federation board.

Subsection 5 Notification of decisions

The member shall be notified of any decision of the federation board in cases relating to expulsion according to subsection 4 by sending an extract from the minutes to the member's last known address.

In the cases referred to in subsection 4(e), a decision to expel several members on the same grounds shall be deemed to have been notified by written communication to the relevant division or by public announcement.

The date of notification shall then be deemed to be the date on which the notification was received by the division or made public.

Subsection 6 Appeals

Any person who has been expelled from the federation or who has been subjected to sanction in accordance with subsection 3 has the right to refer the dispute to the general assembly of the federation board if they are of the opinion that the decision is not in accordance with the statutes. The notice of appeal must be submitted to the federation board within thirty days of notification of the decision.

Subsection 7 Sharing of assets

Anyone expelled from the federation shall not be entitled to receive any part of the federation's assets.

SECTION 13 ALLOWANCE IN THE EVENT OF DISPUTE

Subsection 1 Right to an allowance

Subsection 2 Amount of the allowance

Subsection 3 Obligation to seek work

Subsection 4 Loss of allowance in certain cases

Subsection 5 Control and instructions

Subsection 6 Payment

Subsection 1 Right to an allowance

In the event of any dispute lasting more than five days, the federation will pay a dispute allowance from the first day in the following cases:

1. In the event of industrial action decided by the federation board.

2. In the event of lockout.
3. Where members are involved in industrial action in another federation's field of activity through no fault of their own.

However, the right to an allowance under clauses 2 and 3 requires a decision by the federation board in each individual dispute.

The federation board has the right to decide that a dispute allowance shall be paid even if the dispute has lasted five days or less.

Anyone who has been a member of the federation for at least three consecutive months before the outbreak of the dispute is entitled to a dispute allowance.

Anyone who has transferred from another federation pursuant to Section 8(2) may count the time as a member of that federation.

The requirement of three months' continuous membership does not apply in the case of disputes relating to right of association.

The federation board may grant an exemption from the requirement for three months' continuous membership.

Subsection 2 Amount of the allowance

A dispute allowance is paid to eligible members at a rate per day that is determined by the federation board.

The federation board may reconsider previous decisions if there are special reasons for doing so.

Subsection 3 Obligation to seek work

Any member who is involved in a dispute under subsection 1 is obliged to seek work. If a member refuses to accept an offer of suitable work, they shall forfeit the right to the allowance for the period of the dispute for which the work offered is expected to last.

A person who obtains work elsewhere may, by decision of the federation board, receive a travel allowance of an amount not exceeding three weeks' dispute allowance.

Such a member may not claim the dispute allowance again until after the end of the period covered by the travel allowance at the earliest.

Subsection 4 Loss of allowance in certain cases

Any member who is unable to work due to illness or accident and who is receiving an allowance under the General Insurance Act, or who is prevented from doing so for any other reason, such as service under the Total Defence Service Act or school attendance, may not receive the dispute allowance.

Subsection 5 Control and instructions

Any remaining membership fees shall be deducted from the payment of the allowance. Necessary regulations on control measures for obtaining a dispute allowance and instructions for payment are issued by the federation board.

Subsection 6 Payment

The board of the division is responsible for the payment of allowances in accordance with the provisions of the Statutes.

SECTION 14 COMPENSATION IN THE EVENT OF HARASSMENT

Subsection 1 Right to compensation

Subsection 2 Assessment of entitlement to compensation

Subsection 3 Amount and scope of compensation

Subsection 4 Repayment obligation

Subsection 1 Right to compensation

Any member who is dismissed, made redundant or forced to terminate their employment due to their membership, trade union activities or position of trust and who subsequently becomes unemployed may receive compensation following a decision by the federation board.

The same applies to any unemployed member who refuses to accept a job offer from an employer who has harassed the member because of their membership of the federation.

The member shall obtain the opinion of the federation board before terminating their employment or refusing to accept an offer of employment.

Subsection 2 Assessment of entitlement to compensation

Members requesting compensation under subsection 1 shall submit their request to the federation board. The federation board has to obtain information on the matter from the division before making a decision.

Subsection 3 Amount and scope of compensation

Compensation from the federation is intended to complement other unemployment benefits. The member must therefore make themselves available to the labour market as soon as possible and register as unemployed.

Compensation shall be paid in the amount decided by the federation board, but not less than the amount paid under Section 13(2). The amount that the member has received or could have received under a redeployment contract or unemployment benefit shall be deducted from the compensation.

Compensation will be paid for such time as the federation board decides in each individual case.

Subsection 4 Repayment obligation

If any member who receives or has received compensation under this section is awarded damages for the financial loss they have suffered as a result of the action taken by the employer, they shall repay to the federation the compensation received, but not more than the amount of the damages.

SECTION 15 LEGAL AID

Subsection 1 Scope

Subsection 2 Application for legal aid

Subsection 1 Scope

Legal aid may be granted by the federation board in the following cases

- a) to members who have to take legal action in order to assert their interests against employers.
- b) to members whose employment exposes them to an incident giving rise to a legal dispute.
- c) Legal aid is not granted in matters relating to admission, withdrawal or expulsion.

Legal aid may also be granted to the legal representative of a deceased member.

Subsection 2 Application for legal aid

A member shall submit an application for legal aid to the divisional board, which shall forward the case to the federation board with its own opinion and available investigative material. Legal proceedings for which legal aid is requested may not be instituted by a member or a division until the decision of the federation board has been announced.

SECTION 16 WAGE NEGOTIATIONS AND OTHER NEGOTIATIONS

Subsection 1 Federation planning

Subsection 2 Local agreement conferences

Subsection 3 Negotiating delegations

Subsection 4 Central agreement conference

Subsection 5 Voting

Subsection 6 Settlements

Subsection 7 Proposal for a local agreement

Subsection 8 Industrial action

Subsection 9 Respected industrial action

Subsection 10 Control of industrial action

Subsection 1 Federation planning

Issues concerning national agreements and negotiations are planned by the federation board.

Contract councils shall be convened and negotiating delegations appointed as set out below.

Subsection 2 Local agreement conferences

The federation board shall convene local agreement conferences. Each member has the right to submit amendments to the local agreement conference.

Subsection 3 Negotiating delegations

The federation board appoints negotiating delegations for each agreement area at least 9 months before the expiry of the federation's largest sectoral agreement.

It is the responsibility of the negotiating delegations to participate in local agreement conferences and to compile agreement requirements for the federation board on the basis of the amendments received within the respective national agreements.

The term of office of the negotiating delegations coincides with the duration of the respective national agreements.

Subsection 4 Central agreement conference

The federation board shall ask the negotiating delegations to attend a central agreement conference convened before the federation board sets the agreement requirements.

The negotiating delegations have the right to express opinions and make proposals at the central agreement conference.

Subsection 5 Voting

Proposals for settlement may be submitted to the members concerned for a vote. If two-thirds of the members concerned vote against the proposal, this shall be deemed to constitute a request to the federation board to reject it.

Subsection 6 Settlements

The federation board shall make the final decision on matters relating to the termination of collective agreements, the adoption or rejection of proposals for such agreements and the taking of industrial action.

Subsection 7 Proposal for a local agreement

A proposal to the employer to establish, amend or terminate a local agreement is made on the initiative of the division after approval by the federation board.

A full statement of the subject matter of the request, the applicable working conditions and the organisational conditions at the workplace must be provided when the division requests the approval of the federation board.

Subsection 8 Industrial action

A secret ballot may be held if the employer refuses to negotiate or if negotiations do not lead to a settlement and the members concerned therefore wish to take industrial action.

If this results in two-thirds of the members concerned voting in favour of industrial action, the request for such action may be submitted to the federation board, which shall decide whether and when industrial action is to be taken.

The federation board has the right to decide on and carry out industrial action regardless of the request.

The federation board has the same right with regard to sympathy measures.

Subsection 9 Respected industrial action

The members of the federation have only the right and obligation to comply with the notice of industrial action issued or approved by the federation

board.

Subsection 10 Control of industrial action

After work has been stopped or the workplace declared to be blockaded, control shall be exercised so that no one works until a settlement has been reached or the dispute has otherwise been declared over.

Anyone who starts working in such a place before then is considered a blockade breaker. Their full name and, for members, their membership number shall be communicated to the federation immediately by the division.

SECTION 17 THE FEDERATION BOARD

Subsection 1 Role

Subsection 2 Composition

Subsection 3 Termination of office

Supplementary election

Subsection 4 SUSPENSION

Subsection 5 Meetings

Subsection 6 Remuneration

Subsection 1 Role

The federation board manages the activities of the federation in accordance with the Statutes and the decisions of the congress. The federation board is the highest decision-making body of the federation during congress terms, unless this is exercised by the general assembly of the federation board according to the Statutes.

Subsection 2 Composition

The federation board consists of 11 members, of which the President, the Vice-President and the Contract Secretary of the federation are members without a separate election.

The other eight production members are elected for one congress term by the ordinary congress.

The congress elects eight deputies for these. In the event of the absence or withdrawal of a full member, a deputy shall take their place in the order decided by the congress.

Funktionärsklubben (the Officers' Club) and Handelsklubben (the Trade Club) each have the right to appoint one representative to the federation board, who, in addition to the right to attend, has the right to express opinions and make proposals.

Centrala ungdomskommittén, the Central Youth Committee, appoints a representative to the federation board. This person participates in the work of the federation board on the same terms as the members of the federation board and has the right to express opinions and make proposals. However, the representative of the Central Youth Committee does not have the right to vote.

Any member who is an employee of the federation cannot be a production member of the federation board.

Elected members of the federation board and the working committee of the federation board may not be elected by the congress for more than three consecutive terms of office.

Subsection 3 Termination of office

Supplementary election.

If a member of the federation board or a deputy resigns or is expelled from the federation, they are considered to be removed from office.

The same shall apply to a member or a deputy who is absent from two consecutive meetings without valid reason.

If a deputy has taken office or resigned during the term of office, the federation board shall have the right to appoint a deputy for the period until the next ordinary congress.

Subsection 4 Suspension

If such circumstances exist against a member of the federation board that they can be considered to have forfeited the trust required for the office of board member without grounds for expulsion from the federation, the federation board may decide on their suspension from the office for the period until the next ordinary congress.

Subsection 5 Meetings

The federation board generally meets once a month. An extraordinary meeting may be held when deemed necessary. The validity of a decision of the board requires the agreement of more than half of all its members.

In the event of a tied vote, the President in office shall have the casting vote.

Subsection 6 Remuneration

The production members of the federation board receive a fee according to guidelines set by the congress.

SECTION 18 OFFICERS OF THE FEDERATION

Subsection 1 Appointment of board officers

Subsection 2 Misconduct

Subsection 3 Supplementary election

Subsection 4 Other officers

Subsection 5 Secondary occupations

Subsection 6 Main division of labour

Subsection 1 Appointment of board officers

The President, Vice-President and Contract Secretary are elected by the ordinary congress for a period of one congress and form the working committee of the federation.

The salary and other conditions for these officers shall be determined by the outgoing federation board.

Subsection 2 Misconduct

Any officer who fails to perform their duties may be dismissed by the federation board.

The decision of the federation board in such a matter may be appealed to the congress but shall be effective from the date fixed in the decision, irrespective of any appeal.

Subsection 3 Supplementary election

In the event of the death or withdrawal of an officer elected by the congress during the congress term, the federation board shall appoint a successor for the period up to and including the next ordinary congress; the provisions of Section 22(14) shall apply mutatis mutandis to such election.

Subsection 4 Other officers

Other officers who will serve at the federation office or in the divisions are employed by the federation board on terms determined by the federation board.

Subsection 5 Secondary occupations

Officers shall devote themselves entirely to their duties with the federation and may not undertake any other assignment without the consent of the federation board.

Subsection 6 Main division of labour

The President of the federation, in consultation with the federation board, directs the day-to-day activities of the federation, presides over the negotiations of national agreements and chairs the proceedings of the meetings of the federation board, is responsible for the presentation of all matters arising and is responsible for the implementation of the decisions of the congress and the federation board.

The Vice-President assists the President in their duties and shall, in the first instance, be the deputy of the President of the federation and shall otherwise be responsible for such responsibilities as may be determined by the federation board in a specific order.

The Contract Secretary is responsible for and coordinates the negotiation activities. The Contract Secretary assists the President in their duties and shall, in the second instance, be the deputy of the President of the federation and shall otherwise be responsible for such responsibilities as may be determined by the federation board in a specific order.

SECTION 19 SIGNING ON BEHALF OF THE FEDERATION

The federation board appoints the persons who may sign on behalf of the federation.

Signing on behalf of the federation is valid only when it is signed by two persons in association, one of whom must be a member of the federation board.

The federation board may appoint a person to act as a signatory in matters before the courts, authorities and in matters relating to contracts and in the receipting of consignments of valuables, ordinary parcels and cash on delivery matters.

Authorisation as a signatory is valid until further notice and may be revoked by the federation board at any time.

Signatories shall not be entitled to purchase or dispose of real estate on behalf of the federation without the specific written authorisation of the federation board. Neither may a signatory, without special authorisation, encumber the real property of the federation by taking out a mortgage for debt or take out or grant loans on behalf of the federation.

SECTION 20 FINANCIAL MANAGEMENT AND ACCOUNTS

Subsection 1 Objectives of the federation

Subsection 2 Investment of funds

Subsection 3 Storage of valuable documents

Subsection 4 Accounts

Subsection 5 Annual report

Subsection 6 Notification of divisions

Subsection 1 Objectives of the federation

The aim of the federation's asset management is to maintain good dispute preparedness.

Subsection 2 Investment of funds

The federation board shall compile annual investment instructions, authorisation rules and rules for payment instructions and payments.

Subsection 3 Storage of valuable documents

Valuable documents must be deposited in safe deposit boxes as far as possible.

Valuable documents in the federation's own keeping must be kept in a safe approved by the insurer and with a secure system for placing items in and removing items from the safe.

Subsection 4 Accounts

The federation's accounts shall be prepared in accordance with good accounting practice. The federation's accounts are closed on a calendar year basis.

Adopted financial statements must be received by the auditors by 31 March.

Subsection 5 Annual report

It is the responsibility of the federation board to submit an annual report, signed by the members of the board, on the activities of the federation during the previous year.

This report shall include the income statement, the opening and closing balance sheet and information on any pledges and guarantees given and any contingent liabilities entered into.

Subsection 6 Notification of divisions

The activity and audit reports shall be sent as soon as possible to all of the federation's divisions and to the elected congress representatives and members of the federation's general assembly.

SECTION 21 AUDIT

Subsection 1 Election of auditors

Dismissal

Subsection 2 Role of the auditors

Good auditing practice

Audit report

Subsection 3 Presentation of the audit report

Obligation to attend

Subsection 4 Inspection of documents, etc.

Subsection 5 Obligation to attend meetings

Subsection 6 Liability

Subsection 7 Remuneration

Subsection 1 Election of auditors

Dismissal

The ordinary congress elects two auditors and two deputy auditors for the following congress term to audit the activities of the federation board.

In the event that the regular auditor is unable to attend, the deputies shall take their place in the order decided by the congress. The federation board appoints an authorised auditor and a deputy auditor.

The auditor or the appointed deputy shall be deemed to have resigned if they are absent from more than one meeting of the auditors without valid reason.

Subsection 2 Role of the auditors

Good auditing practice

Audit report

The auditors have the task of examining the activities, management and accounts of the federation board, and of submitting an audit report to the congress or the discharge meeting, with approval or disapproval of the discharge of the members of the board.

The audit shall be carried out in accordance with good auditing practice.

The elected auditors shall in particular audit the activities on the basis of established operational objectives, operational plans and decisions.

The auditor's report for each financial year shall be submitted to the federation board within one month of the date on which the approved financial statements are submitted to the auditors.

Subsection 3 Presentation of the audit report

Obligation to attend

All auditors must be present at the congress and the general assembly of the federation board. The person appointed by the others shall present the audit report.

Subsection 4 Inspection of documents, etc.

Each auditor shall have the right, on request, to inspect the accounts, minutes, correspondence and other material relating to the activities of the federation.

Subsection 5 Obligation to attend meetings

If the federation board convenes a meeting of the auditors in response to

remarks, observations or proposals, the auditors shall be present at such meeting during the discussion of the matter in question.

Subsection 6 Liability

The auditors shall be liable for any resulting losses if they have wilfully or negligently made a false statement in their report or in any other document submitted by them, or for the same reason have failed to make a remark in respect of a statement in a document which they have examined.

Subsection 7 Remuneration

The remuneration of the auditors shall be fixed by the congress.

Authorised auditors are remunerated according to invoice.

SECTION 22 CONGRESS

Subsection 1 Highest decision-making body

Subsection 2 Ordinary and extraordinary congresses

Subsection 3 Notice to attend

Subsection 4 Composition and supplementary election

Subsection 5 Electoral district

Subsection 6 Eligibility

Subsection 7 Barriers to eligibility

Subsection 8 Motions

Subsection 9 Planning

Subsection 10 Right to make proposals

Subsection 11 Discharge from liability

Subsection 12 Elections

Subsection 13 Nomination committee

Subsection 14 Decision-making procedure

Subsection 15 Remuneration

Subsection 1 Highest decision-making body

The congress is the highest decision-making body of the federation.

Subsection 2 Ordinary and extraordinary congresses

The ordinary congress shall meet every three years at a time and place decided by the federation board at least twelve months before the congress.

The federation board may decide to hold an extraordinary congress when special circumstances so require. An extraordinary congress shall be convened if at least ten per cent of the members of the federation, calculated according to the number of members at the end of the last year, request that an extraordinary congress be held for a specific issue.

The request for such an extraordinary congress shall be in writing and signed by the members concerned.

The extraordinary congress may deal only with the matter or matters which prompted its convocation.

Subsection 3 Notice to attend

Written notice of an ordinary congress shall be issued at least 12 months before its opening. An extraordinary congress shall be convened in the same way, without observing a time limit for the convocation. The notice shall state the closing date for the submission of motions.

Subsection 4 Composition and supplementary election

The congress shall consist of 74 representatives and 26 members of the federation's general assembly elected by division for one congress term. At least the same number of deputies shall be elected in the same order as the representatives and shall take their place in the order in which they received votes in the election. If one or more deputies have taken office or resigned during the term of office, the requisite number of deputies for the period up

to the next ordinary congress shall be appointed in accordance with the electoral regulations issued by the federation board. The allocation of representatives shall follow the order set out in subsection 5.

The members of the federation board and the members of the federation's general assembly shall have the right to express opinions and make proposals on all matters and to vote on matters other than those relating to the discharge from liability for the management of the preceding years. Officers and auditors of the federation have the right to express opinions and make proposals.

Subsection 5 Allocation of representatives

The allocation of representatives is decided by the federation board on the basis of the number of members of the divisions at the end of October of the year preceding the opening of the congress. The federation board shall issue rules on the election procedure.

Subsection 6 Eligibility

Members, with the exceptions set out in subsection 7, are eligible for election as congress representatives.

To be elected as representatives, members must have received more than half of the valid votes cast in the election.

If this number of votes is not obtained, a new election will be held between those who have obtained the highest number of votes. In the re-election, no more than two candidates may remain for each representative to be elected.

Subsection 7 Barriers to eligibility

The federation board, the members of the general assembly of the federation board, the officers and the auditors of the federation cannot be elected as representatives but are obliged to attend the congress.

Subsection 8 Motions

A motion to the congress may be tabled by any individual member or by a division, section or club.

A motion tabled by an individual member, section or club shall be submitted to the divisional board for consideration by the divisional board, which shall approve or reject the motion.

Should the motion be rejected by the division, it shall be forwarded to the federation board by the divisional board if so requested by the person tabling the motion.

The motion must be received by the federation board no later than the date set by the federation board.

The federation board shall have the motions compiled and printed and shall issue a statement on the motions, which shall be sent to the divisions for their own use and for distribution to congress representatives at least six weeks before the opening of the congress.

Subsection 9 Planning

The federation board shall plan the work of the congress and compile proposals for its agenda and rules of procedure.

These proposals shall be sent to the divisions in good time for distribution among the representatives.

Subsection 10 Right to make proposals

The federation board may submit proposals to the congress on all matters falling within the scope of the federation's activities.

Any matter not submitted to the congress by the federation board or by a motion may not be dealt with by the congress. However, the congress may decide by a three-quarters majority that the matter may be brought up for discussion unless the matter involves amending the Statutes.

Such matters are decided in accordance with the provisions of subsection 14.

Subsection 11 Discharge from liability

The federation board shall submit to the 74 elected members of the congress the reports referred to in Section 20(5) and Section 21(2) on activities and

financial management during the years of the previous congress term, at a time and place determined by the federation board.

After examining the reports, the congress shall decide whether to discharge the federation board and the general assembly of the federation board from liability for the period covered by the reports.

The matter of discharge of the federation board is regulated in Section 23 in years when an ordinary congress does not take place.

Subsection 12 Elections

With the exception of what is stipulated in Section 17(2), the ordinary congress elects members of the federation board and their deputies, members of the general assembly of the federation board and their deputies as well as auditors and their deputies.

Subsection 13 Nomination committee

The ordinary congress elects a nomination committee comprising five members and three deputies. The nomination committee appoints the convenor from among the full members. During the congress term, the nomination committee shall prepare the elections to be held during the following congress.

The federation board shall elect a replacement if a member or deputy member of the nomination committee resigns during the congress term.

The ordinary members of the nomination committee are obliged to attend the congress and have the right to express opinions and make proposals within the scope of their mandate.

Subsection 14 Decision-making procedure

The elections referred to in subsection 12 shall take place by secret ballot unless the congress unanimously decides that the ballot shall be open. Other decisions shall be made by the congress by open ballot unless at least 20 people entitled to vote submit a written request to the President in office that a different voting procedure be followed.

Each person entitled to vote has one vote. Voting rights may not be transferred. All decisions are made by simple majority, with the exception of the elections referred to in subsection 12 and the decisions referred to in subsection 10, second paragraph. In the event of a tied vote, the opinion of the President in office of the congress shall prevail.

If, no one obtains more than half of the valid votes cast in an election, a re-election shall be held between the two candidates with the highest number of votes. In the event of a tied vote, the decision will be made by drawing lots.

Subsection 15 Remuneration

Travel expenses shall be paid to congress representatives. Subsistence allowance and other financial compensation for congress participants shall be paid at a rate to be determined by the congress.

SECTION 23 GENERAL ASSEMBLY OF THE FEDERATION BOARD

Subsection 1 Function

Subsection 2 Role of the general assembly of the federation board

Subsection 3 Notice to attend

Subsection 4 Extraordinary meeting

Subsection 5 Composition

Subsection 6 Eligibility

Subsection 7 Barriers to eligibility

Subsection 8 Meetings

Subsection 9 Motions

Subsection 10 Right to make proposals

Subsection 11 SUSPENSION

Subsection 12 Decision-making procedure

Subsection 13 Remuneration

Subsection 1 Function

The general assembly of the federation board is the highest decision-making body of the federation between congresses. The general assembly of the federation board is held before the end of the May in non-congress years. The main role of the general assembly is to discuss and determine the strategic short-term goals of the federation, to conduct elections of new members and to deal with congress matters, with the exception of changes to the federation's statutes.

Subsection 2 Role of the general assembly of the federation board

The matters listed below shall be considered and decided by the general assembly of the federation board:

- Activity and financial report and discharge of the federation board from liability
- Motions
- To evaluate the previous year's activities
- To establish operational objectives annually
- To deal with matters referred by the federation board
- To conduct and determine elections and supplementary elections during the congress term on the proposal of the nomination committee
- To act as an appeal body against decisions made by the federation board

Subsection 3 Notice to attend

Notice of meetings of the general assembly of the federation shall be given to members six months before the meeting. The notice shall state the closing date for the submission of motions.

Subsection 4 Extraordinary meeting

The federation board may decide on an extraordinary general assembly of the federation board. An extraordinary general assembly of the federation board shall also be convened when at least half of the members of the general assembly of the federation board have made a written, reasoned request to the federation board for a particular issue to be considered.

An extraordinary general assembly of the federation board may deal only with the matter or matters which prompted its convocation.

An extraordinary meeting may be convened with less than six months' notice.

Subsection 5 Composition and distribution of members

The general assembly of the federation board shall consist of 26 members elected for a period of one congress by the ordinary congress. The congress shall also appoint 26 deputies to take office in the event of the death or withdrawal of a member in accordance with the electoral rules compiled by the federation board.

The allocation of members is decided by the federation board on the basis of the number of members of the divisions at the end of October of the year preceding the congress.

If a member has taken over as a full member of the federation board during the period of the congress, a deputy member shall take their place. If a deputy member has become a full member or has resigned during the congress term, the division concerned shall nominate a new deputy member, who shall then be appointed by the federation board.

Subsection 6 Eligibility

Members, with the exceptions set out in subsection 7, are eligible for election as members of the general assembly of the federation board.

To be elected as members of the general assembly of the federation board, members must have received more than half of the valid votes cast in the election. If this number of votes is not obtained, a new election will be held between those who have obtained the highest number of votes. In the re-election, no more than two candidates may remain for each member to be

elected.

Subsection 7 Barriers to eligibility

Members of the federation board, officers and auditors of the federation and ordinary congress representatives cannot be elected as members.

Subsection 8 Meetings

The general assembly of the federation board appoints the presiding committee for the meeting on the proposal of the federation board. The draft agenda and other documents shall be sent to members not later than three weeks before the meeting.

The federation board has a duty to attend, a right to express opinions and make proposals, as well as the right to vote on all matters except the discharge from liability for the previous financial year. The auditors have a duty to attend and a right to express opinions and make proposals.

When elections are held, the nomination committee also has a duty to attend and a right to express opinions and make proposals. The provisions of Section 22(14) apply to elections.

The key officers of the federation have a duty to attend and a right to express opinions.

The federation board has the opportunity to ask a person to attend for the consideration of a particular matter.

Subsection 9 Motions

Motions to the general assembly of the federation board may be brought by individual members, as well as by all the organisational levels of the federation, and shall be submitted to the divisional board for consideration. Should the motion be rejected by the division, it shall be forwarded to the federation board by the divisional board if so requested by the person tabling the motion. Motions must be submitted to the federation board with a vote in favour or against and must be received by the federation board no later than the date set by the federation board.

The federation board shall submit proposals for decisions on the motions to be considered at the general assembly of the federation board. These proposals shall be sent to members by the federation board at least three weeks before the meeting.

Subsection 10 Right to make proposals

Any matter not referred to the general assembly of the federation board, either by the federation board or by motion, may be taken up for consideration if the general assembly of the federation board so decides by a three-quarters majority.

Subsection 11 Suspension

A member or deputy member of the general assembly of the federation board is considered to have resigned if they permanently switch to a main occupation outside the field of activity of the federation, obtain employment within the federation or resign or are expelled from the federation.

The same shall apply to a member or a deputy who is absent from two consecutive meetings without valid reason.

Subsection 12 Decision-making procedure

Unless otherwise provided in these Statutes, the validity of a decision of the general assembly of the federation board shall be subject to the agreement of more than half of the members participating in the vote.

In the event of a tied vote, the opinion supported by the President shall prevail.

Subsection 13 Remuneration

The provisions concerning congress representatives shall apply as regards the financial remuneration of the members of the general assembly of the federation board.

SECTION 24 THE DIVISIONS

Subsection 1 Field of activity

Subsection 2 Duties

Disputes

Appeals

Subsection 3 Composition

Nomination and election

Supplementary election

Term of office

Remuneration

Dismissal

Subsection 4 Role of the board

Decision-making procedure

Annual report

Division of labour

Subsection 5 Officer

Subsection 6 Auditors

Remuneration

Audit and audit report

Responsibilities

Termination of office

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Subsection 7 Meetings

Notice to attend

Matters

Activity report

Election and decision-making procedures

Attendance rights

Subsection 8 Clubs

Duties

Club fee

Board

Auditors

Subsection 9 Workplace representatives

Subsection 10 Dissolution of the division

Subsection 1 Field of activity

A division is formed by decision of the federation board in a given geographical area or on other grounds.

Subsection 2 Duties

Disputes

Appeals

Duties

The division, which comprises all members of the federation employed in its field of activity, is tasked with promoting membership of the federation, carrying out the tasks and decisions issued by the federation board and defending the interests of its members in accordance with these Statutes.

In order to carry out these duties, the division is responsible for

- carrying out agitation and organisational work,
- forming and maintaining the basic organisation and ensuring the formation of workplace clubs and the election of workplace representatives,
- standing responsible for coordination between the constituent organisations and dealing with matters of a general nature,
- maintaining the division's operational plan
- collecting and sending to the federation the information requested by the federation board,
- organising and conducting study and information activities,
- organising and running youth activities,
- standing responsible for cooperation with the Swedish Trade Union Confederation districts and the Swedish Trade Union Confederation unions in the municipalities in the field of activity and assisting members in negotiations and settlements concerning working and wage conditions.

Disputes

- If a dispute arises between an employer and a division or between an employer and a member, the division shall report the matter to the federation board if the dispute cannot be resolved and provide the information necessary for assessment of the dispute.

Appeals

- A member may appeal against the decision to the federation board if they are of the opinion that they have been wronged by a decision made by the division or its board. The decision of the federation board may be appealed against in the manner set out in Section 12(6).

Subsection 3 Composition

Nomination and election

Supplementary election

Term of office

Remuneration

Dismissal

Composition

The board of the division shall consist of an odd number of members, but not less than five. The board shall consist of a chairperson, secretary and treasurer.

Nomination and election

The election of the board shall take place at the annual meeting of the division.

Nominations are made before the annual meeting.

The annual meeting is bound by this nomination. The election should be prepared by a special nomination committee which will submit its proposal to the annual meeting.

The nomination committee shall present all eligible candidates so that the annual meeting can then elect the board from among the candidates proposed. The divisional board may decide that the election of board members shall take place in electoral districts.

The division of electoral districts, the distribution of mandates and the election rules are decided by the divisional board.

The chairperson is elected separately. Otherwise, the board allocates the various functions within itself.

The treasurer of the division is appointed by the federation board.

To be elected as board members, members must have received more than half of the valid votes cast in the election.

If, no one obtains more than half of the valid votes cast in an election, a re-election shall be held between the two candidates with the highest number of votes. In the event of a tie, the decision will be made by drawing lots. All elections shall take place by secret ballot unless the division has unanimously decided that the ballot shall be open.

In the same order as for the election of members, at least three deputy members of the board shall be appointed at the annual meeting, who, in the event of a member's inability to attend or withdrawal, shall join the board in the order in which they received votes at the election.

The board shall meet as soon as possible after the election in order to appoint its executives and compile its rules of procedure.

Supplementary election

If the chairperson resigns during the financial year, a successor shall be elected for the remainder of the term.

Term of office

The term of office of the board shall be two years. Each year, beginning one year after the election, a part of the board shall resign in such a way that in one year the chairperson and half of the remaining members resign, and in the second year the others.

Remuneration

The federation board decides on the remuneration of the members of the board. This will be determined before the election.

Dismissal

A member of the board may be removed from office during the current term of office by a decision of the division, adopted by the board, if they are absent from two consecutive meetings without valid reason or have manifestly failed to perform their duties or have otherwise forfeited the trust required by their office.

Subsection 4 Role of the board

Decision-making procedure

Annual report

Division of labour

Role of the board

The board shall manage the affairs of the division in accordance with these Statutes and the decisions taken pursuant thereto.

Decision-making procedure

The validity of a decision of the board requires the agreement of more than half of all its members.

Annual report

The board shall submit to the annual meeting a report on the activities of the division during the previous year, signed by all members. A copy of the said report, together with information on the composition of the board, must be received by the federation board before 31 March.

Division of labour

The chairperson shall preside over the proceedings of the meetings of the division and the board, ensure that decisions are not made contrary to the Statutes, direct the activities of the division, be responsible for the execution of the decisions of the division and the board and carry out the measures decided by the federation board in the manner and under the conditions decided by the federation board.

The secretary keeps the minutes of the meetings of the division and the board.

The treasurer shall administer the valuable documents and other assets in accordance with these Statutes and any special regulations issued by the federation board or the divisional board, and shall arrange for reporting and accounting to the federation in accordance with the Statutes and shall be responsible for the authorisation of any payment.

Subsection 5 Officer

The officer employed shall assist the chairperson in the management of the day-to-day activities of the division and, in consultation with the board, shall conduct negotiations in which the division shall be represented and shall otherwise perform the duties assigned to them by special order.

Subsection 6 Auditor

Remuneration

Audit and audit report

Responsibilities

Termination of office

Internal audit

Auditor

The annual meeting shall elect two auditors and two deputy auditors for the purpose of auditing the activities of the board of the division in the same order as that set out for the election of the board. In the event that the regular auditor is unable to attend, the deputies shall take their place in the order decided by the division.

Remuneration

The remuneration of the auditors, as decided by the federation board, shall be determined before the election.

If the divisional board convenes a meeting of the auditors in response to remarks, observations or proposals, the auditors shall be present at such meeting during the discussion of the matter in question.

Audit and audit report

The audit shall ensure that the decisions made do not contravene these Statutes or the decisions of the congress, the federation board or the division, that the activities have been carried out in accordance with the operational objectives, operational plans and decisions set out and that the valuable documents are in due order and in safe custody.

The auditors will also review the management of the division on an ongoing basis during the year and will carry out inventories.

The annual audit must be completed and the report submitted to the divisional board within one month of the date on which the approved financial statements were submitted to the auditors.

Each auditor shall have the right, upon request, to inspect minutes, correspondence and other material relating to the activities and management of the division.

Responsibilities

The auditors shall be liable for any resulting losses if they have wilfully or negligently made false statements in their report or in any other document submitted by them, or for the same reason have failed to make a remark in respect of a statement in a document which they have examined.

Termination of office

The auditor or the appointed deputy shall be deemed to have resigned if they are absent from more than one audit session without valid reason.

Internal audit

The federation board or the person appointed by the federation board has the right to audit the division.

Subsection 7 Meeting

Notice to attend

Matters

Activity report

Election and decision-making procedures

Attendance rights

Meetings

The division generally meets at least twice a year. The annual meeting takes place no later than February.

An extraordinary meeting shall be held whenever the board deems it necessary or when at least 25 per cent of the members of the division have made a written request for a particular matter to be considered. An extraordinary meeting may deal only with the matter or matters which gave rise to the meeting.

Notice to attend

The meeting shall be convened in the order decided by the division. Matters relating to wage negotiations, expulsion of members, election of a successor to a chairperson who has resigned during the financial year, nomination and election of congress delegates and representatives to Swedish Trade Union Confederation unions and Swedish Trade Union Confederation districts may not be submitted for decision at divisional meetings without the existence of the matter having been stated in the notice to attend or otherwise announced to members.

Notice of the annual meeting must be given at least four weeks before the meeting and must expressly include the election of the board and auditors and the approval of the annual report and audit report.

Matters

Proposals for discussion of a specific matter at a meeting of the division must be submitted to the board for consideration no later than two weeks before the meeting. The board shall submit a list of the matters to be discussed at the start of the meeting.

Any matter other than those included in the list may be discussed at the meeting if the meeting so decides by a majority of at least two-thirds, unless it is of such a nature that it must be stated in the notice convening the meeting.

Decisions on such matters shall be made in the manner set out in the election and decision-making procedures, this section.

Activity report

In addition to the election of the board, the auditors and their deputies, the annual meeting of the division shall consider the reports of the board and the auditors for the previous year.

Election and decision-making procedures

All decisions must be made with a simple majority. Voting shall be open unless a proposal for a secret ballot is made at the meeting. In the event of a tied vote, the opinion supported by the chairperson shall prevail. Members may not transfer their voting rights to another person.

The provisions of Section 24(3) apply to preferential votes. Nomination and election.

Attendance rights

Members of another division of the federation have the right to attend a divisional meeting and have the right to speak.

Subsection 8 Clubs

A workplace club which includes all members of the workplace is formed in workplaces where the conditions exist.

In addition, a special group body may be set up in accordance with Section 26 in the case of companies with several workplaces.

The statutes issued by the federation board apply within the club.

Subsection 9 Workplace representatives

Workplace representatives are appointed in workplaces where a workplace club cannot be formed.

Subsection 10 Dissolution of the division

The division cannot decide to dissolve or otherwise close down its activities without the consent of the federation board.

If a division fails to fulfil its obligations towards the federation despite a request to do so or refuses to comply with these statutes or with decisions made in accordance with the statutes, the federation board may decide to dissolve the division and to expel non-conforming members from the federation.

In the event of the dissolution of the division, its retained assets shall revert to the federation.

SECTION 25 ARBITRATION

Disputes between the federation, its sub-organisations, the board or elected representatives shall be referred to arbitrators in accordance with the provisions of the Arbitration Act, with the following exceptions.

If the arbitrators appointed by the parties are unable to agree on the third member, this person will be appointed by the President of the Labour Court in charge of the registry.

Disputes arising from the employment relationship between the federation and the official may be heard by a court of law instead of arbitration, if either party so wishes.

SECTION 26 GROUP MATTERS

Subsection 1 Group body

Subsection 2 Establishment of a joint body

Subsection 3 Matters

Subsection 4 Statutes

Subsection 1 Group body

The federation's divisions or workplace clubs have the right to be members of a joint body with decision-making powers in matters requiring coordinated treatment for several or all local organisations operating within the same group, group-like association of undertakings, company or public administration with operations at several workplaces.

Subsection 2 Establishment of a joint body

A joint body or group club is established if the federation board so decides.

Subsection 3 Matters

The joint body may include representatives of individual divisions or

workplaces for the purpose of dealing with a particular matter or category of matters.

Subsection 4 Statutes

The statutes established by the board shall apply within the group club.

SECTION 27 DECISION ON THE DISSOLUTION OF THE FEDERATION

Subsection 1 Dissolution

Subsection 2 Merger

Subsection 1 Dissolution

The federation may not be dissolved unless a motion to that effect has been approved by a general vote of five-sixths of all the members of the federation. The assets retained will be transferred to Swedish Trade Union Confederation if the federation is dissolved.

Subsection 2 Merger

Decisions on mergers with other federations affiliated to Swedish Trade Union Confederation shall be made by the ordinary congress. The extraordinary congress may decide to dissolve the federation by merger if special reasons so require.

Proposals for mergers are made by the federation board or by motion. Decisions on mergers do not require a qualified majority.

Dissolution by merger may only take place if the acquiring federation takes over both the liabilities and the assets of the merging federation.

SECTION 28 AMENDMENT OF THE STATUTES

These statutes may be amended only by a decision made at an ordinary congress on the basis of a proposal by the federation board or a motion.



HOTELL- OCH RESTAURANGFACKET