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Your Questions. Clear Answers.

Frequently Asked Questions About Forming a New Trade Union in Nigeria

20 questions on registration, membership, representation and the court decisions that matter to workers.

Registration and requirements • Membership and workers' rights
Representation and collective bargaining • Court decisions and examples

Registration and requirements

1. Which law governs trade unions in Nigeria?

The principal law is the **Trade Unions Act, Cap. T14, Laws of the Federation of Nigeria 2004, as amended**, including the 2005 amendments. It covers registration, membership, leadership, funds and recognition.

Reference - Trade Unions Act

2. Who registers a new trade union?

An application is submitted to the **Registrar of Trade Unions**. Section 3 also provides for the Minister's approval.

Reference - Section 3, application for registration

3. How many members are needed?

For a workers' union, **at least 50 members must sign the registration application**. Meeting this requirement does not, by itself, guarantee registration.

Reference - Section 3(1)(a)

4. Does the union need an office and an address?

Yes. The application must state the address of the proposed registered office. A registered union must maintain a registered office in Nigeria. The Act does not say the union must own the building.

Reference - Trade Unions Act, Sections 3(5) and 21

5. Does the union need a constitution?

Yes. The application must include **two copies of the union's rules**, usually contained in its constitution. Those rules must cover the matters required by the Act.

Reference - Section 3(6) · Section 4 and the First Schedule in the Act

6. Must the application identify the union's leaders?

Yes. It must list each official's title, name, address, age and occupation. It must also provide the required details of the members signing the application.

Reference - Section 3(6)(a)-(b)

7. Are there restrictions on the union's name?

Yes. The name must not be identical to an existing union's name or so similar that it could confuse members or the public. The Registrar may also reject deceptive, objectionable or unsuitable names.

Reference - Section 6, restrictions on names

8. How long does registration take?

Registration is **not guaranteed within three months**.

The Act provides for a notice in the Federal Gazette, followed by a **three-month period for objections**. It then provides a further period of up to three months for considering objections and determining registration, subject to the legal requirements. Application corrections or disputes can extend the overall process.

Reference - Section 5(1)-(3)

9. Can the Registrar refuse registration?

Yes. The Act provides grounds for refusal, including non-compliance with registration requirements. It also contains restrictions concerning an existing union representing the same workers, although recent court decisions have addressed those restrictions through freedom-of-association principles.

A refusal must state the grounds and specify when the appeal period begins.

Reference - Section 5 · NANTS judgment

10. Can a refusal be challenged?

Yes. Section 5(5) provides a **30-day period for appealing a registration refusal**, beginning from the date specified in the refusal notice.

A particular name objection under Section 6(2) can be referred to the Minister under Section 6(3). Therefore, "first appeal to the Minister, then to court" is not a universal rule for every refusal.

A labour lawyer should identify the correct procedure and deadline for the particular decision.

Reference - Section 5(5) · Section 6(3) · NICN jurisdiction

11. Can a proposed union collect money before registration?

Yes, **for the limited purpose of obtaining registration**. Section 2(1) permits necessary preparatory steps, including collecting subscriptions or dues for that purpose.

This **does not automatically authorise employer payroll deductions** or allow an unregistered union to carry out every function of a registered union. Obtain legal guidance before introducing deductions.

Reference - Section 2(1) · Section 17 in the Act

12. Is approval from NLC or TUC required to register a union?

The registration application requirements do not list NLC or TUC approval as a condition.

NLC and TUC are labour federations. **Registration of a union and affiliation to a federation are separate matters.**

Reference - Section 3, registration requirements · The Act's provisions on federations

Membership and workers' rights

13. What does ILO Convention No. 87 mean for workers?

It protects workers' freedom to establish and join organisations of their choosing.

Nigerian courts have relied on it when deciding union-registration disputes. The relevant constitutional provisions include **Section 254C(1)(f), Section 254C(1)(h) and Section 254C(2)**, covering international best practices, international labour standards and ratified labour conventions.

Reference - The court's explanation in the LOAN judgment, paragraphs 106-123

14. Can company management interfere with workers forming or joining a union?

Employers should not intimidate workers, control their union or penalise them for lawful union membership and activities.

Freedom of association does not mean unrestricted use of company premises or working time. Workplace arrangements must also respect applicable rules.

Reference - ILO Convention No. 98, Articles 1 and 2 · ILO guidance for businesses

15. Can someone belong to more than one union?

Ordinary membership requires consideration of eligibility, the unions' rules and applicable law. **Section 20 concerns membership of people under 21**; it does not establish a general prohibition on dual membership.

Section 14 prohibits holding office in more than one trade union at the same time.

Reference - Section 20 in the Act · Section 14, restrictions on holding office

16. Can workers be forced to join or remain in a union?

No. Membership is voluntary. Section 12(4) states that employees must not be forced to join a union or victimised for refusing to join or remain members.

Reference - Section 12(4), as amended in 2005

Representation and collective bargaining

17. Can more than one union exist in the same sector?

Yes. More than one union can exist within a sector, and recent National Industrial Court decisions support **trade union pluralism**, meaning workers have a choice of organisations.

However, a new union must still satisfy registration requirements. The existence of these decisions does not make every new application automatically successful.

Reference - LOAN judgment, 16 May 2023 · ASUU judgment concerning CONUA and NAMDA, 25 July 2023

18. How do several unions negotiate with the same employer?

Section 25(1), as amended, provides for registered unions within an employer's workforce to form an **electoral college**.

In simple terms, the unions elect representatives to negotiate with the employer.

Reference - The court's explanation of Section 25 in the NASU-NANTS judgment, paragraphs 66-67

Court decisions and examples

19. Have unions successfully gone to court over registration?

Yes. Two examples are:

• **Law Officers Association of Nigeria (LOAN)** - On 16 May 2023, the NICN set aside the refusal to register LOAN and ordered its registration. Suit No. NICN/AK/04/2022.

• **National Association of Non-Teaching Staff of Nigerian Universities (NANTS)** - The court's published judgment is dated **5 June 2026**. It ordered registration and/or issuance of a registration certificate. Suit No. NICN/ABJ/345/2023.

A court order directing registration should be distinguished from confirmation that a certificate has actually been issued.

Reference - Read the LOAN judgment · Read the NANTS judgment

20. Are there examples of different unions representing workers in the same sector?

Yes. In university education, **ASUU and CONUA** provide an example involving academic staff. The NICN dismissed ASUU's challenge to the registration of CONUA and NAMDA in July 2023.

NANTS also provides an example of a successful court challenge concerning representation of non-teaching university staff.

Reference - ASUU judgment · NANTS judgment

Reviewed on 5 October 2026. This FAQ provides general information. Specific registration, membership and payroll decisions should be checked with a Nigerian labour lawyer, including any relevant appeals or later court orders.