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RULES

OF THE SERVICES, INDUSTRIAL, PROFESSIONAL & TECHNICAL UNION

(CEARDCHUMANN SEIRBHÍSÍ, TIONSCLAÍOCH, GAIRMIÚIL AGUS TEICNIÚIL)



October 2019

RULES OF THE SERVICES, INDUSTRIAL, PROFESSIONAL & TECHNICAL UNION (CEARDCHUMANN SEIRBHÍSÍ, TIONSCLAÍOCH, GAIRMIÚIL AGUS TEICNIÚIL)

(The Irish Union established on the amalgamation of the Irish Transport & General Workers' Union and the Federated Workers' Union of Ireland) Incorporating changes agreed at the Biennial Delegate Conference in October 2019.

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RULES OF THE SERVICES, INDUSTRIAL, PROFESSIONAL & TECHNICAL UNION (CEARDCHUMANN SEIRBHÍSÍ, TIONSCLAÍOCH, GAIRMIÚIL AGUS TEICNIÚIL)

Name of the Union

1. The name of the Amalgamated Union shall be the Services, Industrial, Professional and Technical Union hereinafter referred to as 'the Union.'

Registered Office

2. The Registered Office of the Union and its place of meeting for business shall be at Liberty Hall, Dublin 1 (hereinafter called the Head Office), or at such other place as may be decided by the National Executive Council from time to time. Any change in the Registered Office of the Union shall be notified to the Registrar of Friendly Societies within twenty-eight (28) days.

Objects of the Union

3. The objects of the Union shall be the organising the workers of Ireland to attain their full share of benefits of national wealth and economic activity in terms of living standards, equality, opportunity and participation in development, collectively and individually, and in particular:
   (a) the regulation of the relations between employers and employed, and between workers and workers;
   (b) the provision of benefits to members of the Union in accordance with its Rules;
   (c) the furtherance of political objects, consistent with the general objects of the Union;
   (d) the education and training of workers in social, industrial and political affairs;
   (e) the promotion of gender equity in relation to gender marital status, family status, sexual orientation, religion, age, disability, race, or membership of the Traveller Community;
   (f) the extension of co-operative production and distribution;
   (g) the establishment or carrying on, or participating, directly or indirectly in the business of printing or publishing a general newspaper or newspapers, or of books, pamphlets or other publications including electronic and multi-media communications, or of any other kind of undertaking, industrial or otherwise, for the purpose of furthering the interests, objects and policy of the Union or its members or of trade unionism generally;

(h) the furtherance of, or participation directly or indirectly, financial or otherwise, in the work of any organisation, local national or international, any or all of the objects of which are similar to those of the Union;
(i) the provision of opportunities for social intercourse and recreation for its members;
(j) the acquisition of property both real and personal for any lawful purpose or in any manner by way of purchase, mortgage, lease, devise, gift or prescription and to sell, mortgage, exchange, let or otherwise dispose of said property;
(k) the entry into arrangements for federation, affiliation, union of interest, or the acceptance of any transfer of engagements from any other Union or Unions; to aid any similar organisation and to merge or amalgamate with any other trade union or trade unions created by such merger or amalgamation. The funds of the Union shall be applied for the purpose of furthering these objects and defraying the working and other expenses of the Union;
(l) the attainment of the objectives and the discharge of obligations in any Instrument of Transfer of Engagements accepted by the Union;
(m) to raise funds for the furtherance of any of the objectives of the Union;
(n) the furtherance of any action, or purpose, or the participation, financial or otherwise, directly or indirectly, in any lawful purpose which in the opinion of the National Executive Council is beneficial to the interests of trade unionism, or the interests of workers generally;
(o) the development of the union organisation to encourage the participation of youth members and to cater for unemployed and retired members; and
(p) the maintenance of a Social Solidarity Service (SSS) to aid disabled and other disadvantaged groups in union membership.

Resources for Organising

4. This Rule confirms the Union's commitment to the attainment of the Objects set out in Rule No. 3 and commits the Union to progressively allocating twenty-five percent of the Union s contribution income to strategic organising by the year 2013.

Membership of the Union

5. The Union shall consist of any number of persons who at the time of their application for membership are not less than the minimum statutory age for working who accept the principles, objects and Rules of the Union and whose applications for membership are, subject to the provisions of Rule 6, accepted by any officer authorised for the purpose or by the National Executive Council of the Union. The National Executive Council of the Union may assign to any Officer or Official the authority to accept applicants into membership of the Union.

6. Application for membership shall be made in one of the manners which may be prescribed from time to time by the National Executive Council.

7. Notwithstanding anything contained to the contrary in these Rules the National

Executive Council may, at its discretion, accept or reject the application of any person for membership of the Union and shall have power to terminate a members' membership of the Union or direct a Sector Committee to cancel the membership of any person who, in its opinion, is not desirable as a member of the Union or cancel the membership of any member which has been obtained by fraud or misrepresentation and return the whole or part of the contribution paid by such a member or impose any special conditions for admission to membership of any Sector; and admit, or transfer, any member to or from any Sector.

8. An applicant for membership whose application has been rejected by the Sector Committee may appeal to the National Executive Council which may grant admission to membership, or refuse the application, at its discretion.

Entrance Fee

9. The Entrance Fee shall be the sum equivalent to the rate of weekly contribution applicable under the Rules of the Union to the new entrant or such higher sum as may be fixed by a Sector Committee with the consent of the National Executive Council.

10. Each new member shall be issued with a membership card. A copy of the Rules of the Union will be available for inspection at all Union offices and a copy will be provided to a member on request.

Voting and Benefit Rights of Membership

11. Subject to the provisions of these Rules, members shall be entitled to vote, in respect of Sector matters, as decided by the Sector Committee, subject to the right of appeal to the National Executive Council and in respect of other Union matters as decided by the National Executive Council, provided the member's arrears (including fines, levies and special levies if any) do not exceed eight weeks on the day of voting.

12. A member shall not be entitled to any benefits if the member's arrears (including fines, levies and special levies if any) exceed eight weeks. Such person shall hereinafter be described as 'out of benefit.'

13. A member whose arrears (including fines, levies and special levies, if any) exceed eight weeks, shall not be entitled to propose or second a candidate for election to any office within the Union, or be nominated for, or appointed to or elected to any office within the Union, until seven clear days have elapsed from the date on which such arrears were reduced below eight weeks or be elected to any office within the Union if the member's arrears (including fines, levies and special levies, if any) exceeded eight weeks at any time between the date of nomination and the date of election. Members shall not continue to hold any office within the Union if their arrears (including fines, levies and special levies, if any) exceed eight weeks.

14. Contributions deducted by a member's employer on behalf of the Union shall, for the purposes of determining members' benefit entitlements under the Rules of the Union, be deemed to be contributions paid.

Discipline of Members

15. (a) A member, whose arrears (including fines, levies and special levies, if any) exceed eight weeks,may be fined by the Sector Committee. The Sector Committee shall also have power to fine any member for non-attendance at a meeting of which due notice has been given. Such fines shall be deemed to be additional arrears.
    (b) A member who is deemed to have been guilty of conduct unbecoming that of a member, or whose conduct is inimical to the interests of other members, may be:
    (i) cautioned as to future conduct;
    (ii) fined a sum not exceeding one hundred and twenty-seven euros;
    (iii) debarred from attending Union meetings for a period as decided;
    (iv) debarred from holding office or participating in Union affairs for a period as decided;
    (v) expelled from membership.
    (c) The Sector Committee or the Divisional Committee or the National Executive Council may resolve to investigate the conduct of any member who appears to be in breach of any Rules of the Union or appears to have acted in a manner which is unbecoming that of a member or in a manner which is inimical to the interests of other members and may initiate proceedings and impose penalties in accordance with the provisions of this Rule and Schedule 6 hereto.

Transfers of Membership

16. A member of a Sector may transfer to another Sector on obtaining the consent of the Committees of the respective Sectors. Transfers shall be effected in accordance with regulations made by the National Executive Council and subject to the powers given to the National Executive Council by Rule 7 of these Rules.

17. For the purpose of the Rules of the Union, the National Executive Council shall in the case of members transferred from another Union, give credit to such members for any portion of the membership in such other Union as it may decide and Rules 6 and 9 may be waived and other conditions substituted therefore and the provisions of Rule 133 varied and other regulations made with regard to benefit entitlements and eligibility for holding any Office within the Union at the discretion of the National Executive Council.

18. A member shall not be given official sanction (clearance) for transfer to another Union where such member is out of benefit under Rule 12.

19. Notwithstanding any other provisions of these Rules, the National Executive Council shall terminate the membership of any person whose continuing

membership of the Union conflicts with the finding of the Irish Congress of Trade Unions concerning disputes between Unions on the organisation of members.

20. Notwithstanding anything contained to the contrary in these Rules, and in addition to the powers and duties conferred on it, the National Executive Council, shall where it considers it in the interests of the Union, have power to negotiate and enter into agreements with any Union, group or groups of individuals concerning the terms of membership of any group or section of the Union, (including the creation of a new group or section of the Union). Such an agreement may cover the amount of entrance fees, scales of contributions, benefits and any other matter which, in the opinion of the National Executive Council, may be necessary in order to facilitate the membership of such Union, group or groups of individuals.

Previous Transfer of Engagements

21. Notwithstanding the provisions of Rules 177 and 178, all rights, duties, responsibilities, undertakings and commitments arising from the previous acceptance of instruments of transfer of engagements by the former Irish Transport and General Workers' Union and the former Federated Workers' Union of Ireland shall be fully implemented, honoured and fulfilled by and within the Union.

22. Where a trade union, or other association of workers or employees, desires to affiliate to the Union on a corporate or group basis and agrees to pay to the Union an annual group subscription or fee in return for which the Union will provide certain defined services and benefits to the organisation and the members thereof, the National Executive Council shall be empowered to enter into such agreement, but such agreement shall provide for compliance with the following condition: No person to whom such agreement relates may be elected to any office in the Union nor may they act as a member of any Sector Committee or of the National Executive Council. The National Executive Council may add such other condition or conditions as it thinks fit.

Lapse of Membership

23. The Sector Committee or the National Executive Council may, following notification to the member in writing by post or delivered by hand, terminate the membership of a member whose arrears, including fines, levies and special levies, if any, exceed twenty-six weeks. Where the membership of a member has been terminated such person may be re-admitted to membership as a new member on payment of such increased entrance fee as may be fixed by the National Executive Council or by the Sector Committee with the consent of the National Executive Council; or be reinstated into membership upon such terms and conditions as the National Executive Council may decide.

Remission of Union Contributions

24. A member who is out of work through illness, maternity leave, paternity leave, or parental leave, and who is not being paid any wages income from the employer shall be entitled to a remission of contributions in respect of each complete week of illness,maternity leave, paternity leave, or parental leave, subject to a maximum remission of twenty six weeks in any one contribution year, subject to such member's arrears not exceeding eight weeks at commencement of the period for which remission is being claimed. Any contributions remitted under this Rule shall for all the purposes of the Rules of the Union be deemed to be contributions paid.All applications for remission of contributions under this Rule shall be made in accordance with regulations to be made by the National Executive Council.

25. A member who is unemployed and is not registered as a Class D member under Rule 26 shall be entitled to a remission of contributions in respect of each complete week of unemployment, subject to a maximum remission of twenty-six weeks in any one contribution year, subject to such members arrears not exceeding eight (8) weeks at the commencement of the period for which emission is being claimed.

    Any contributions remitted under this Rule shall for all the purposes of the Rules of the Union, be deemed to be contributions paid. All applications for remission of contributions under this Rule shall be made in accordance with regulations to be made by the National Executive Council.

26. Members of the Union who become unemployed may apply to be assigned to the Class D rate of contributions applicable under Rule 134 to unemployed members. All such applications for registration as Class D members must be made to Head Office in accordance with regulations to be made by the National Executive Council. Class D members can qualify in accordance with the Rules of the Union for the rates of mortality and retirement benefits applicable to the class of contribution payable by them immediately prior to their registration as Class D members.

27. Members who are deemed to be in dispute with their employer in accordance with Rule 144, shall be entitled to a remission of contributions in respect of each completed week of the dispute during which they are in receipt of dispute benefit. Any contributions remitted under this Rule shall for all the purposes of the Rules of the Union be deemed to be contributions paid. All applications for remission of contributions under this Rule shall be made in accordance with regulations to be made by the National Executive Council.

28. Notwithstanding anything contained to the contrary in the Rules, the National Executive Council shall have power where it is deemed appropriate to grant remission of contributions to new members in circumstances where the Union is actively seeking recognition in their employment. Any contributions remitted under this Rule shall for all purposes of the Rules of the Union be deemed to be contributions paid.

Formation of Sectors and Subsidiary Representative Bodies

29. The membership of the Union shall be divided into Sectors as decided from time to time by the National Executive Council.

30. Each Sector shall be comprised of a President, Vice President and committee of no fewer than four members that will be responsible for the supervision and control of the affairs of the Sector subject to the direction of the Divisional Committee, Divisional Organiser and the National Executive Officers.

    The membership of a Sector shall be determined by the Divisional Committee from time to time following consultation with the respective membership. The National Executive Council may appoint a person to be Organiser (Sector Organiser) of any Sector. A Sector Organiser so appointed shall not require to be elected, or re-elected by the Sector, but shall hold office until relinquished or is removed in accordance with procedures and regulations established by the National Executive Council.

31. Sector Committees shall have responsibility for the general direction of the Sector, subject to the Rules of the Union and the instructions of the Divisional Committee/Divisional Organiser and the National Executive Council/National Executive Officers.
    In particular, Sector Committees shall have responsibility for:
    (a) organising workers into the Union who are employed in the Sector;
    (b) establishing Shop Stewards and workplace union organization and representation;
    (c) identifying and developing union Activists in the Sector;
    (d) assisting members conclude collective agreements with their employers;
    (e) educating members on the role of trade unions in the protection and advancement of workers economic, industrial and social objectives;
    (f) promoting and defending the members interests with their employer;
    (g) nominating Delegates to the Divisional Biennial Delegate Conference and to the National Biennial Delegate Conference;
    (h) nominating candidates to contest elections for the Divisional Committee;
    (i) nominating candidates to contest the elections for the National Executive Council;
    (j) nominating candidates to contest the elections for National Executive Officer

32. The National Executive Council may establish Subsidiary Bodies and approve Standing Orders for their operation. Subsidiary Bodies established by the National Executive Council shall report to the National Executive Officers and National Executive Council or otherwise as may be decided by the National Executive Officers or National Executive Council. The National Executive Officers shall have authority to assign staff to assist a Subsidiary Body so established.

A Divisional Committee may establish Subsidiary Bodies in the Division or a Sector and a Sector Committee, with the approval of the Divisional Committee, may from time to time establish by way of Standing Orders, Subsidiary Bodies in the Sector.

Subsidiary bodies may include;

- District Councils
- Industry Committees
- Vocational Committees
- Others as deemed appropriate

(a) A District Council may be established in each of the 32 Counties in which members are organised.

(b) An additional (i.e., second) District Council may be established, with the approval of the National Executive Council particularly in Cork (West Cork), Kerry, Tipperary and Donegal to facilitate membership participation given the geographic scale of the Counties concerned.

(c) District Councils will be responsible for undertaking the following functions within their respective geographic areas:
   (i) Promoting the Union;
   (ii) Assisting with organising workers into the Union;
   (iii) Organising campaigns and activities in support of Union policy on its own initiative with the prior approval of the National Executive Council, or at the request of the National Executive Council;
   (iv) Promoting the interests of unemployed members and the unemployed generally;
   (v) Nominating union members, with the approval of the National Executive Council, to bodies to which the Union is affiliated and/or on which it is represented within its geographical area, i.e. Trade Councils etc.;
   (vi) Adhering to all instructions from the National Executive Council and the National Executive Officers;
   (vii) Keeping the National Executive Officers informed on the discharge of its responsibilities.
   (viii) Such other functions as may be assigned by the National Executive Council in accordance with Union policy.

(d) Each District Council will adopt Standing Orders approved by the National Executive Council to govern the conduct of its business.

(e) Each District Council will be entitled to be represented at Biennial and Special Delegate Conferences by 2 Delegates, who shall have full voting and participation rights.

(f) Delegates shall cease to be entitled to attend Conference, if at the date of Conference they are no longer actively participating in the work of the District Council.

(g) Each District Council will be entitled to submit one motion and one amendment for consideration at Biennial Delegate Conference.

(h) The Annual General Meeting of each District Council shall be held not later than 31st May each year, unless authorised by the National Executive Council to be held at a later date. The District Council Standing Orders shall either

provide that each individual member in the geographical area shall be entitled to attend or that the AGM will be a delegate meeting to which the members in each employment organised in the area may send representatives. The number of such representatives and the method governing their selection shall be determined by the Standing Orders.

(i) Subsidiary Bodies established by Sectors and Divisions shall have the authority to manage their own affairs subject to the direction of the Sector Organiser/ Sector Committee, Divisional Organiser/Divisional Committee, and the National Executive Officers/National Executive Council. The responsibilities of a Subsidiary Body shall include one or more of the following:
   (i) campaigning in support of Union policies;
   (ii) organising workers into the Union who are employed in their particular area of responsibility;
   (iii) identifying and developing union Activists to facilitate the effective organisation of collective representation of members and their collective interests;
   (iv) establishing workplace union organisation and representation;
   (v) assisting members to conclude collective agreements with their employers;
   (vi) educating members on the role of trade unions in the protection and advancementof workers' economic, industrial and social objectives;
   (vii) promoting and defending the members' interests with their employer;
   (viii) nominating Candidates for election to the Sector Committee in accordance with the Standing Orders of the Sector Committee.

Staff may be assigned by the Divisional Organiser in consultation with the National Executive Officers to assist Subsidiary Bodies in a Division or Sector to discharge their role under the Rules of the Union.

33. The Organiser of a Subsidiary Body may be:
   (a) an honorary Organiser elected under the provisions of the Sector Standing Orders; or
   (b) an honorary Organiser appointed under the provision of the Sector StandingOrders; or
   (c) a paid official appointed under the provision of Rule 104.

34. A Sector Committee shall adopt Standing Orders approved by the National Executive Council to govern the conduct of its business.

35. The Annual Meeting of each Sector shall be held not later than March 31st in each year unless otherwise authorised by the National Executive Council to be held at a later date. The Sector Standing Orders shall provide for the meeting to be either one to which every benefit member of the Sector shall be entitled to attend or a delegate meeting to which the different units in the Sector shall be entitled to send delegates. The number of delegates and their selection shall be determined by the Sector Standing Orders. The Sector Organiser shall notify the Divisional Organiser and the Sector membership at least fourteen days in advance, of the place, date and time of the Annual Meeting. The business of the Sector Annual Meeting shall be as follows:

(a) to receive the Report of the Sector Committee on the activities of the Sector for the year, including membership;
(b) to receive the Report of the Sector Committee on Union organising by the Sector in the year;
(c) to provide for the election of the Sector Committee in accordance with the provisions of the Rules of the Union so as the total number of members of a Sector Committee shall be inclusive of the gender balance requirement which shall be no less than forty percent female members and no less than forty percent male members, unless the total number of either gender in the Sector is less than forty percent in which case it shall reflect the actual lower percentage.
(d) to determine the method of election of Sector Delegates to the Biennial Divisional and National Delegate Conferences in accordance with the provisions of Rules of the Union;
(e) to transact such other business as a Sector is empowered to deal with under the Rules of the Union.

36. (a) The Sector Committee may suspend from office any member of the Sector Committee, other than a Sector Organiser appointed under Rule 30.
(b) Any member of a Sector Committee suspended from membership of a Sector Committee under Rule 46 shall have the right to appeal their suspension from office or from membership of a Sector Committee. In the first instance the appeal shall be to the Divisional Committee.

37. The Divisional Committee may suspend or remove from office any member of a Sector Committee, other than a Sector Organiser appointed under Rule 30, provided that the person so suspended or removed from office shall have the right of appeal to the National Executive Council which may confirm the suspension or removal or reinstate such person upon such conditions as it thinks fit.

Duties of Sector President

38. The Sector President shall preside at Sector meetings and Sector Committee meetings, and shall see that the business of the Sector is conducted with propriety and order in accordance with the Rules of the Union and the Sector Standing Orders. The Sector President shall sign all minutes of meetings after confirmation by the meetings. In the absence of the Sector President all powers and duties conferred by this Rule shall devolve on the Vice- President.

Duties of Sector Organiser

39. Sector Organisers (senior staff) shall be appointed to Sectors by the National Executive Council and shall have responsibility for the following:
(a) organising workers employed in Sectors for which they are responsible;
(b) maintaining and expanding union membership in employments where the Union has members; (c) organising training and development for Activists in the Sector;
(d) organising, coordinating and supervising the business of the Sector;

(e) implementing union policies and strategies as determined by the Sector Committee, the Divisional Committee, the National Executive Council and Biennial and Special Delegate Conferences;
(f) keeping the Divisional Organiser informed on developments within the Sector;
(g) deploying, training, developing and supervising the staff assigned to the Sector;
(h) the security, maintenance and upkeep of all resources, including union premises, assigned to the Sector;
(i) organising of the Annual Meeting of the Sector;
(j) the implementation of all decisions by the Divisional Organiser and National Executive Officers.

Shop Stewards

40. Shop Stewards may be elected by the members in an employment (or department or section of an employment), or appointed by the Sector Organiser, with the approval of the Sector Committee or any Official nominated by the Sector Organiser. They shall be responsible for reporting to the Sector Organiser, or any Official of the Union nominated by the Sector Organiser, on matters affecting their employment or conditions of employment or on questions of union organisation, or on other matters of concern to the members and the Union. Shop Stewards may, if required by the Sector Organiser or an Official nominated by the Sector Organiser, represent the Union or its members in negotiations with employers or other persons or organisations. The term of office of a Shop Steward shall be two years. Shop Stewards shall have no authority to authorise a stoppage of work, or to take action likely to lead to a dispute or to enter into any written agreement on behalf of the Union or its members, without the prior approval of the Sector

Organiser or Official nominated by a Sector Organiser and Union sanction as provided for in the Rules. Action causing or likely to cause a stoppage of work and involving the Union, other than such action as is just and lawful and in accord with the Rules of the Union must not be taken at any time by any member or Official.

A Deputy Shop Steward may also be elected or appointed as required by the members or by the Sector, who shall operate in the absence of the appointed Shop Steward subject to the Rules and Regulations governing a Shop Steward. Shop Stewards shall at all times, act in co-operation with the members of the Section Committee and shall be under the control and direction of the Sector Organiser and Sector Committee. A direction given by a Sector Organiser, or Official nominated by a Sector Organiser, to a Shop Steward shall prevail unless, or until, it is amended or cancelled by the Sector Committee or by a senior Official or National Executive Officer of the Union acting within the authority conferred on them by the Rules or acting on the instructions of the National Executive Council.

41. The National Executive Council shall have power to determine the circumstances under which commission on contributions may be paid and the amount thereof.

42. The Sector Committee may, with the approval of the National Executive Council appoint representatives for the maintenance of more effective relations between the Sector and its members who shall act under theinstructions of the Sector Organiser and the Sector Committee, and who shall be charged with the recruitment and enrolment of new members, the submitting of reports as to the conditions of work in industries, trades, and on particular jobs, and who shall see that the instructions issued to members by any responsible officer, or committee are observed.

Sections

43. The Section shall be administered by a Section Committee comprising the Section Officers (President and Organiser) and such other members of the Section as the Section may decide, under the direction of the Sector Organiser.

44. The Section Organiser shall control the affairs of the Section, subject to the supervision of the Section Committee and subject also to the instructions of the Sector Organiser and Sector Committee.

45. The business transacted at a Section meeting shall be confined exclusively to the affairs of the Section, unless the Sector Committee expressly provides that some specified items of general Sector business may be transacted at Section meetings. The Sector Officers and any other person authorised by the Sector Committee shall be entitled to attend and take part in the proceedings of any Section meeting, but shall not be entitled to vote unless qualified to do so as members of the Section.

46. The Organiser and President of a Section Committee may be elected biennially by the members of the Section at a Section meeting or may be appointed biennially by the Section Committee, with the approval of the Sector Committee. The other members of a Section Committee shall be elected biennially by the members of the Section at a Section meeting. The time and method of nomination and election and other matters of procedure, in connection with the election of the other members of the Section Committee, shall be determined by the Sector Committee, subject to the consent of the National Executive Council.

    The Sector Committee may suspend from office any member of a Section Committee and/or recommend removal from office by resolution of a majority of the members of the Section present and entitled to vote at a special Section meeting summoned for that purpose provided that the person so suspended, or removed, shall have the right of appeal to the Divisional Committee which may confirm the suspension, or removal, or reinstate such person upon such conditions as it thinks fit.

47. The Divisional Committee may suspend or remove from office any member of a Section Committee, provided that the person so suspended or removed from office shall have the right of appeal to the National Executive Council which may confirm the suspension or removal, or re-instate such person upon such conditions as it thinks fit.

48. The National Executive Council or the National Executive Officers, individually or jointly, pending a meeting of the National Executive Council, shall have power to suspend or remove from office a member of a Section Committee and to make any arrangements necessary for filling, in accordance with these Rules, a vacancy in the interim but such person shall have the right of appeal to the Appeals Committee.

49. Every Section Committee shall meet not less frequently than once each quarter but Section meetings shall be held whenever the Sector Officers think necessary. A special Section meeting shall be called as soon as practicable after the receipt of a requisition, signed by not less than one-fifth of the members of the Section, and stating the subjects to be considered at the meeting. The Section Organiser shall transmit a copy of such a requisition to the Sector Organiser immediately upon receipt thereof. The Divisional Organiser may assign an Official to provide support to a Section and or to substitute for the Sector Organiser in respect of Rules 43 to 49 inclusive.

Retired Members' Section

50. A National Retired Members Section shall be established by the National Executive Council to co-ordinate the participation of retired members in union affairs and the promotion of issues relating to retired members generally subject to regulations to be prescribed by the National Executive Council. The Retired Members Section shall be entitled to elect a member of the Retired Members' Section to membership of the National Executive Council with full voting rights except in respect of the pay and conditions of current active members. The election will be held in accordance with procedures laid down by the National Executive Council.

    Members of the National Retired Members Section shall be subject to such conditions as the National Executive Council shall prescribe.

    For the purpose of this Rule, retired members shall mean:
    (a) those members who are registered as honorary life members in accordance with the provisions of Rule 157; and 158
    (b) registered Class D members aged 55 or over who have completed five consecutive years membership and who opt to register with the National Retired Members'Section.

    Application for registration with the National Retired Members' Section must be made in accordance with procedures laid down by the National Executive Council.

Divisions

51. A divisional structure of organisation, representation and administration is hereby established to encourage democratic expression within membership divisions in the Union and to facilitate and support participation in the development and implementation of Union policy.

52. The number and scope of Divisions shall be determined from time to time by the National Executive Council following consultations with the relevant Divisions and Sectors. Initially, the Divisions will be as specified in Rule 53.

53. The following Divisions shall be established.
    - The Health Division
    - The Manufacturing Division
    - The Public Administration and Community Division
    - The Services Division
    - The Transport, Energy, Aviation and Construction Division
    - The National Executive Council, in consultation with the Divisional Committees shall allocate members to the Divisions as appropriate.

Divisional Committee

54. Divisional Committees shall have responsibility for the general direction of the Divisions, subject to the Rules of the Union, the instructions of the National Executive Council and Biennial and Special Delegate Conferences.

    In particular, Divisional Committees shall have responsibility for:
    (a) organising and organisation, communications and the promotion of the Union in the Division;
    (b) the co-ordination, conduct and execution of Divisional industrial business and activities ;
    (c) education, training and development of Union Activists in the Division. liaison with the various service providers and departments of the Union
    (d) to maximise responses to member's needs within the Division;
    (e) the promotion and development of industrial democracy and industrial cohesion generally;
    (f) the making of recommendations to the National Executive Council in relation to the development of Union policy and industrial and other services;
    (g) the direction of all matters concerning Union organising, servicing and administration in the Division;
    (h) the general care, supervision and use of the Union's premises, property and equipment and the safe custody of Union papers, books and records;
    (i) the convening of the Divisional Biennial Delegate Conference;
    (j) the expeditious discharge of all business assigned to it by the National Executive Council.

55. Divisional Committees may appoint sub-committees, project teams/task forces and delegate to them such of its powers as it thinks fit.

56. The membership of the Divisions shall be determined by the National Executive Council from time to time following consultation with the respective Divisions. Each Divisional Committee shall consist of a number of members in accordance with the following scale of representation and a Divisional Organiser who shall be appointed by the National Executive Council, viz: a. one representative for each 500 financial members or part thereof in respect of the first 5,000 financial members of the Division; b. plus one additional representative for each additional 2,000 financial members, or majority part thereof in respect of the next 10,000 financial members of the Division; (c) plus one additional representative for each additional 5,000 financial members or majority part thereof in excess of 15,000 financial members of the Division. The total number of members of a Divisional Committee shall be inclusive of the gender balance requirement, which shall be no less than forty percent female members and no less than forty percent male members, unless the total number of either gender in the Division is less than forty percent in which case it shall reflect the actual lower percentage. The Northern Ireland membership of a Division shall be entitled to one member on the Divisional Committee. Nominations of members for election to Divisional Committees shall be made by Sector Committees. If there are more nominations than there are positions on a Divisional Committee, an election shall be held at the Divisional Biennial Delegate Conference. The election shall be by proportional representation with each Delegate having a single transferable vote. A member of a Divisional Committee who ceases employment by way of retirement in the Division in which they were elected, shall cease to be a member of the Divisional Committee. The Retired Members Section shall be entitled to elect a non-voting Observer at each Divisional Committee who may participate in discussion as appropriate.

57. Divisional Organisers (senior staff) shall be appointed by the National Executive Council and shall have responsibility for the following:
    (a) organising workers employed in sectors for which the Division is responsible;
    (b) maintaining and expanding union membership in employments where the Union has members;
    (c) organising training and the development of Activists in the Division;
    (d) organising, coordinating and supervising the business of the Division;
    (e) implementing union policies and strategies as determined by the National Executive Council, National Biennial and Special Delegate Conferences;
    (f) keeping the National Executive Officers informed on developments within the Division;
    (g) deploying, training, developing and supervising the staff assigned to the Division;
    (h) the security, maintenance and upkeep of all resources, including union premises, assigned to the Division;
    (i) organising of the Biennial Delegate Conference;
    (j) the implementation of all decisions by National Executive Officers.

58. A Divisional Committee shall meet at least once in every three months. Special meetings may be convened by the Divisional President or Divisional Organiser or at the written request of not less than one-third of committee members.

59. Each Divisional Committee shall elect a Divisional President and a Vice President, one of whom shall be a man and one of whom shall be a woman, from amongst the membership of the Committee where both genders separately make up more than forty percent of the overall membership.

60. No member may be nominated for election as a Divisional Committee member unless such person is and has been, for at least three consecutive years previously, a member of the Union and whose membership has not lapsed and been reinstated during that period, and has served for at least two years in the five years immediately prior to the nomination, as Sector Officer or member of a Sector Committee or delegate to, or officer of a Divisional Committee and has not been over eight weeks in arrears at any time from January 1st preceding nomination. No full-time Official or employee of the Union shall be eligible for election as a member of a Divisional Committee.

61. No member may be nominated for election if that member has held office as a member of a Divisional Executive/Divisional Committee for two consecutive terms immediately preceding the election.

62. The National Executive Council shall determine the date for receipt of nominations for election as Divisional Committee members and such nominations shall be notified in writing to the General Secretary's office within the time fixed by the National Executive Council over the signature of the Sector President and Sector Organiser.

63. A Divisional Committee shall enter into office at the conclusion of the Divisional Delegate Conference held in 2010. Subsequently, at the conclusion of the Divisional Biennial Delegate Conference following election.

64. A Divisional Committee shall hold office for a period of six years.

65. Casual vacancies shall be filled in the manner provided for by the Divisional Committee's Standing Orders.

66. A Divisional Committee shall adopt Standing Orders approved by the National Executive Council to govern the conduct of its business.

67. The Divisional Committee may suspend from Office any member of a Divisional Committee, other than a Divisional Organiser appointed under Rule 57, provided that the person so suspended shall have the right of appeal to the National Executive Council which may confirm the suspension or re-instate such person under such conditions as it thinks fit.

68. The National Executive Council or the National Executive Officers, individually or jointly, pending a meeting of the National Executive Council, shall have power to suspend or remove from office, a member of a Divisional Committee and to make any arrangements necessary for filling, in accordance with these Rules, a vacancy in the interim, but such person shall have the right of appeal to the Appeals Committee.

Divisional Delegate Conferences (Biennial and Special)

69. Each Division shall hold a Divisional Biennial Delegate Conference which shall be representative of the sectors in the division. Each Sector shall have representation at the conference on the basis of one delegate for each 100 financial members for the first 600 financial members and one delegate for each 200 financial members thereafter.

    The delegates shall be elected by one of the following methods to be determined by the annual meeting of the sector with the approval of the National Executive Council:

    (a) nominations made at the annual meeting of the sector by any member present and entitled to vote at the meeting. In the event of the number of valid nominations exceeding the number of positions to be filled, an election shall be held as soon as possible by secret ballot vote of the members of the sector; or
    (b) by the Sector Committee;
    (c) the Retired Members Section shall be entitled to nominate two delegates who shall have all the powers of delegates with full voting rights except in respect of the pay and conditions of current active members;
    (d) the Equality Committee would be entitled to nominate two delegates who shall have all the powers of delegates with full voting rights except in respect of the pay and conditions of current active members;
    (e) the total number of delegates nominated to a Divisional Delegate Conference shall be inclusive of the gender balance requirement which shall be no less than thirty-three and one-third percent female members and no less than thirty-three and one-third percent male members unless the total number of either gender in the sector is less than thirty-three and one-third percent in which case it shall reflect the actual lower percentage. (n.b. This should also apply to Rule 70 on substitute delegates and Rule 76).

70. The body electing a delegate or delegates to the Divisional Biennial Delegate Conference shall also elect a substitute delegate, or if more than one delegate is elected, such numbers of substitute delegates as it may think necessary. The names of the delegates and substitute delegates shall be notified to the Divisional Organiser in accordance with Rule 74. In the event of a delegate being unable to attend the Conference, the substitute delegate or delegates shall be entitled to attend in the order of priority determined by the votes cast for them at the election and shall have the rights and duties of delegates.

(a) nominations made at the annual meeting of the sector by any member present and entitled to vote at the meeting. In the event of the number of valid nominations exceeding the number of positions to be filled, an election shall be held as soon as possible by secret ballot vote of the members of the sector; or (b) by the Sector Committee;(c) the Retired Members Section shall be entitled to nominate two delegates who shall have all the powers of delegates with full voting rights except in respect of the pay and conditions of current active members; (d) the Equality Committee would be entitled to nominate two delegates who shall have all the powers of delegates with full voting rights except in respect of the pay and conditions of current active members; (e) the total number of delegates nominated to a Divisional Delegate Conference shall be inclusive of the gender balance requirement, which shall be no less than forty percent female members and no less than forty percent male members unless the total number of either gender in the sector is less than forty percent in which case it shall reflect the actual lower percentage.(n.b. This should also apply to Rule 70 on substitute delegates and Rule 76.

71. No member shall be eligible for election as a delegate to a Conference until such person has been a member and paid contributions for a period of twelve consecutive months, except that in the case of any Sector entitled to representation and which has not been functioning for twelve consecutive months, a member of such Sector shall be eligible for election if the person has been a member from the date the Sector commenced to function: provided that in cases of members transferred from another Union the National Executive Council may for the purpose of this Rule, give credit to such members for any portion of their membership in such other Union as it may decide. Notwithstanding the provisions of Rule 13, to be eligible for nomination or election as a delegate, a member's arrears must not have exceeded eight weeks at any time from January 1st, preceding the Conference. The members of the Divisional Committee shall be entitled to attend and shall have all the powers of delegates except that the Divisional Organiser.

72. The date, place and time of the Divisional Biennial Delegate Conference shall be determined by the Divisional Committee subject to the approval of the National Executive Council. All Sectors in the Division shall be notified by the Divisional Organiser of the date of the Conference not less than eight (8) weeks beforehand. The notice of the Conference shall specify the latest dates as determined by the Divisional Committee for the receipt of nominations for members of the Divisional Standing Orders Committee and also of motions for consideration by the Conference. Motions for the Agenda of Conference may be submitted by Sectors in the Division and by the Divisional Committee. The Divisional Committee shall be entitled to submit up to four (4) motions and up to four (4) amendments to motions on the Preliminary Agenda. Sectors shall be entitled to submit up to two (2) motions each and up to two (2) amendments each to motions on the Preliminary Agenda.

The Retired Members Section shall be entitled to submit up to two motions dealing with the interests of retired members for inclusion on the Preliminary Agenda. On receipt of the motions, a Preliminary Agenda, as approved by the Divisional Standing Orders Committee shall be prepared and circulated by the Divisional Organiser to the Divisional Committee, the Sectors in the Division, subsidiary bodies in the Sectors and the National Executive Council with notification of the latest date as determined by the Divisional Standing Orders Committee for receipt of amendments to the motions appearing thereon. In the event that a motion is not approved by the Standing Orders Committee, the body that submitted the motion shall be notified of such decisions.

73. The Final Agenda of the Conference, including the list of nominees for members of the Standing Orders Committee and the motions contained in the Preliminary Agenda and amendments thereto, together with a printed copy of the Divisional Committee's report on the affairs of the Division during the preceding two years, shall be circulated to all Sectors in the Division not later than four (4) weeks before the date of the Conference.

74. The names of the delegates and substitute delegates appointed to attend the Conference shall be notified to the Divisional Organiser not later than the date fixed by the Divisional Committee for that purpose.

75. The business of the Divisional Biennial Delegate Conference shall include the following:
(a) the consideration of the Report of the Divisional Committee relating to the two years ending December 31st preceding the Conference;
(b) the consideration of the Report of the Divisional Committee on Union organising in the Division in the two years ending December 31st preceding the Conference;
(c) the consideration of motions submitted in accordance with the Rules of the Union and the Standing Orders;
(d) the consideration of any other matter affecting the Division which may be brought before the Conference by the Divisional Committee or any such other business as the National Executive Council may decide.

76. The delegates appointed to attend a Divisional Biennial Delegate Conference shall also attend at any Divisional Special Delegate Conference held during the two years following their appointment, provided that a delegate whose arrears (including fines, levies and special levies, if any) have exceeded eight (8) weeks at any time since the date of the Divisional Biennial Delegate Conference, shall not be entitled to attend any such Special Conference, providing also that a delegate who has ceased membership of the Sector from which the nomination for delegate was made, shall not be entitled to attend any such Conference.
In the event of a Sector not having a sufficient number of delegates and substitute delegates elected in accordance with the provisions of Rules 69 and 70 available to attend any Divisional Special Delegate Conference, the Sector Committee may nominate the required additional number of qualified members to fill the Sector representation in accordance with the scale of representation under the provisions of Rule 69.

77. The proceedings of every Divisional Biennial and Special Delegate Conference shall be conducted in accordance with the Standing Orders.

National Executive Council, National Trustees and National Executive Officers

78. The general direction and administration of the Union subject to the Rules and to the instructions of Biennial and Special Delegate Conference, shall be vested in the National Executive Council.

79. Membership of the National Executive Council shall be allocated to each Division on the basis of one member for every 9,000 financial members, or part thereof, in the Division on 31st December in the year preceding the National Biennial Delegate Conference. The membership in Northern Ireland shall be entitled to have one member. Candidates for election to the National Executive Council shall be nominated by Sectors within each Division.The number of members on the National Executive Council shall be inclusive of gender balance which would be no less than forty percent female members and no less than forty percent male members. No member of the Union may be nominated for election to the National Executive Council if that member has held office as a member of the National Executive Council for two consecutive terms immediately preceding the election. For the purpose of this Rule membership of the National Executive Council and the position of National Trustee shall be deemed to be analogous. The National Executive Council shall be elected by the Delegates attending the Divisional Biennial Delegate Conference of each Division. The election shall be by proportional representation with each Delegate having a single transferable vote. The nominee of the membership of Northern Ireland shall be decided in accordance with regulations set by the National Executive Council. Members of the National Executive Council who cease to be employed in the Division in which they were elected and remain unemployed from that Division for at least one year, shall cease to be a members of the National Executive Council. A member of the National Executive Council who ceases employment by way of retirement in the Division in which they were elected, shall cease to be a member of the National Executive Council. This Rule does not apply to a member of the National Executive Council in accordance with Rule 50.

80. A staff member shall be elected as a member to the National Executive Council. The staff member elected must have been a member of staff for at least five consecutive years previously. The election will be held in accordance with the procedures laid down by the National Executive Council.

81. The primary responsibilities of the National Executive Officers shall be as follows:
General Secretary: general policy of the union and the conduct of industrial movements, financial administration, recruitment, organisation, education and training, general administration and the promotion of the union.

General Secretary Designate: to work with the General Secretary in the application of this Rule and to succeed to the position of General Secretary when the current incumbent vacates the office of General Secretary at which time the position of General Secretary Designate will cease.

The term of office of the General Secretary Designate, as a National Executive Officer, will commence at a date to be determined by the National Executive Council but not later than the 1st January 2018.

Deputy General Secretaries; of which there will be three, the discharge of the functions of the General Secretary in those areas of responsibility as allocated to them by the National Executive Council.

At least one Deputy General Secretary shall be a woman and at least one Deputy General Secretary shall be a man.

All major operational decisions shall be considered jointly by the National Executive Officers before action is taken thereon, and shall be referred to the National Executive Council if required by any one of them. It shall be the responsibility of the General Secretary to ensure that decisions are actually made and in a timely manner.

The term of office of the three Deputy General Secretaries to be elected at Biennial Delegate Conference 2017 will commence at a date to be determined by the National Executive Council but not later than the 1st January 2018.

82. The Honorary Union President and the Honorary Union Vice President elected at the Biennial Delegate Conference in 2017 shall enter into office when the current General President and Vice President vacate those positions, at which time the positon of General President and the position of Vice President will cease. The Honorary Union President and Honorary Union Vice President shall then serve in their role until the close of the next Biennial Delegate Conference.

In subsequent elections, the Honorary Union President and Honorary Union Vice President shall assume their roles at the close of the Conference at which they are elected and serve in that role until the close of the next Biennial Delegate Conference.

One position shall be filled by a man and one position shall be filled by a woman. In the event of a contest for the positions of Honorary Union President and Honorary Union Vice President, an election shall be held on the principle of proportional representation, each delegate having a single

transferable vote. All procedures relating to the elections shall be determined by the National Executive Council.

If at the time of their election, the Honorary Union President and/or the Honorary Union Vice President are not currently members of the National Executive Council they shall become members of the National Executive Council for their term of office as Honorary Union President and Honorary Union Vice President.

The Honorary Union President, or in their absence, the Honorary Union Vice President, shall preside at meetings of the National Executive Council, the Biennial Delegate Conference and Special National Delegate Conferences. The Honorary Union President shall ensure the implementation of the decisions of those conferences and the application of the values of the union as reflected in the objects of the union set out in Rule No. 3.

83. No person may be nominated for election as Honorary Union President and Honorary Union Vice President, unless such person is and has been for at least five consecutive years previously a member of the Union and has served for at least three years as a Sector Officer/member of a Sector Committee, or Officer of a Divisional Committee/member of a Divisional Committee, and whose membership has not lapsed and been reinstated during that period and has not been over eight weeks in arrears at any time from the January 1st preceding the date of nomination.

    For the purpose of this Rule, membership in an analogous position in a union,which is amalgamated with, or a majority of the members of which are absorbed into this union, shall be deemed to be membership in this union. Candidates for election shall be required to be nominated by no less than three sectors or five percent of the Union's membership in order to be eligible.

    No current or former National Executive Officer, or current or former member of the Union's staff, shall be eligible for election to the role of Honorary Union President or Honorary Union Vice President.

    No person may be elected as Honorary President or Honorary Vice President for more than two consecutive terms.

84. No person may be nominated for election as a National Executive Officer unless such person is and has been for at least five consecutive years previously a member of the Union and has served for at least three years as a Sector Officer or member of a Sector Committee, or delegate to, or officer of a Divisional Committee or full time paid employee of the unionand whose membership has not lapsed and been reinstated during that period and has not been over eight weeks in arrears at any time from the January 1st, preceding the date of nomination. For the purpose of this Rule, membership and service or employment in an analogous position in a union, which is amalgamated with,

or a majority of the members of which are absorbed into this union, shall bedeemed to be membership, service or employment in this union. Candidates for election to National Executive Officer shall be required to be nominated by no less than three sectors or five percent of the union's membership in order to be eligible. Having due regard to Rule No. 81, in the event of a contest for the office of General Secretary and/or the office of General Secretary Designate, an election shall be held at the next Biennial Delegate Conference, or at a Special Delegate Conference. The election shall be conducted on the principle of proportional representation, each Delegate at the Conference having a single transferable vote. In the event of a contest for the position of Deputy General Secretary, an election shall be held at the next Biennial Delegate Conference or at a Special Delegate Conference. The election shall be conducted on the principle of proportional representation, each Delegate at the Conference having a single transferable vote. All procedures relating to the elections shall be determined by the National Executive Council.

85. A National Executive Officer shall enter into office on a date decided by the National Executive Council which date shall be within six (6) months of the date of the election.

86. The National Executive Officers shall be elected for a term of six years but must retire from the position on reaching the retirement age for the staff of the Union.

87. The National Executive Council shall make such arrangements as it thinks fit for the discharge of the duties of a National Executive Officer who has been granted leave of absence or who is incapacitated by reason of ill-health or other cause.

88. The National Executive Council shall have power to suspend or remove from office any National Executive Officer, subject to the right of the Officer to appeal in writing by registered post or recorded delivery within twenty-one (21) days of the date on which the decision of the National Executive Council is notified by registered post, recorded delivery or delivered by hand to the National Executive Officer concerned. Such appeal shall be heard at a Biennial or Special Conference which shall be held within sixty-three (63) days from the date of receipt of the appeal at Head Office. The decision of such Conference shall be final.

89. Where an elected National Executive Officer cannot or does not serve for the full term of six years, the vacancy shall be filled for the duration of the term by the National Executive Council on the nomination of the remaining National

Executive Officers. However, the National Executive Council, at its discretion, my appoint – with the approval of the Officer to be so appointed – one of the other elected National Executive Officers to fill the vacant position for the unexpired portion of his/her elected term of office and the ensuing vacancy shall be filled in accordance with the provisions of this Rule. The vacancy shall be filled within six months.

Nomination and Election of National Executive Council

90. No person may be nominated for election as a Council member unless such person is and has been for at least four consecutive years previously, a member of the Union and within the five years immediately preceding the date of the election has served for at least three years as a Sector Officer or member of a Sector Committee or delegate to, or Officer of a Divisional Committee whose membership has not lapsed and been reinstated during that period and has not been over eight weeks in arrears at any time from January 1st preceding the date of nomination. No full-time official or employee of the Union shall be eligible to be elected or to act as a Council member.

    For the purpose of this Rule, membership and service or employment in an analogous position in a Union, which is amalgamated with, or a majority of the members of which are absorbed in this Union, shall be deemed to be membership, service or employment in this Union.

91. No member may be nominated for election as a Council member if that member has held office as a member of the National Executive Council for two consecutive terms immediately preceding the election. For the purpose of this Rule membership of the National Executive Council and the position of National Trustee shall be deemed to be analogous.

92. In the event of a contest for Council members and/or Trustee, an election shall be held at the Divisional Biennial Delegate Conference. The election shall be conducted on the principle of proportional representation, each delegate having a single transferable vote. All procedures relating to the election shall be determined by the National Executive Council.

93. A Council member shall enter into office at the conclusion of all Divisional Biennial Delegate Conferences in the year in which the elections are held.

94. A Council member shall hold office for six years provided that a National Biennial or Special Delegate Conference may remove any one or all of the Council members by resolution after one month's notice of same has been given to all the Sectors entitled to representation and such resolution is adopted by at least two-thirds majority at the Conference considering same. Casual vacancies shall be filled by the last available person to be eliminated in the previous election. In the absence of such a person, the option shall be given to the Divisional Committee to make a nomination of a suitably qualified person and a person so co-opted shall hold office for the remainder of the term of office.

National Trustees

95. Rule 79 shall apply to the nomination and election of National Trustees.

96. A National Trustee shall enter into office at the conclusion of all the Divisional Biennial Delegate Conferences in the year in which the elections are held.

97. A National Trustee shall hold office for a period of six years provided that a National Biennial or Special Delegate Conference may remove any one or all of the National Trustees by Resolution, after one month's notice of same has been given to all Sectors entitled to representation and such Resolution is adopted by at least two-thirds majority at the Conference considering same.

98. In the event of any of the National Trustees being removed from office, or becoming from any cause incapable of acting, or unwilling to act as such, the vacancy shall be filled by the last available person to be eliminated in the previous election. In the absence of such a person, the vacancy shall be filled by co-option by the National Executive Council, and pending the filling of the vacancy, the remaining National Trustees shall in all matters act as the National Trustees of the Union.

99. All deeds, documents of title, and securities for money of the Union shall be held by the National Trustees, and they may take such measures for the safe custody and preservation thereof at the expense of the Union as they shall think fit.

    They shall be responsible for the safe custody of all such deeds, documents and securities as are placed in their hands or under their control; shall produce them when required by a resolution of a Biennial or Special Delegate Conference, or of the National Executive Council, or when required by the Auditor. National Trustees shall not invest any part of the funds of the Union upon the security of their own property or otherwise than in accordance with law.

    It shall be the duty of any National Trustee who has resigned or been removed from office, to execute such documents and take all such other steps as may be necessary to vest in the National Trustees for the time being of the Union all securities and other property held by the said National Trustee on behalf of the Union.

100. Notwithstanding the provisions of Rule 79 and Rule 95, a member of the National Executive Council or a National Trustee who ceases employment by way of retirement in the Division in which they were elected, shall cease to hold office and the ensuing vacancy shall be filled in accordance with the provisions of Rule 79. This Rule does not apply to a member of the National Executive Council who has been elected by the Retired

Duties and Powers of the National Executive Council

101. The National Executive Council shall, subject to these Rules, superintend and conduct the business of the Union. It shall have power to decide all questions and issues within the Union upon which no directions are given in the Rules, and its decision shall be binding unless and until reversed upon the order of a Biennial or Special Conference. It shall be the final authority of the interpretation of the Rules.

It shall keep itself informed as to the general administration of the Union, shall control the General and Political Funds of the Union, and shall exercise a general supervision over the keeping of the accounts and shall verify from time to time any cash balances in the hands of the Officers.

102. The National Executive Council shall have full power and authority to borrow money whenever the Council finds such action is required in the general interests of the Union. In such cases, the Council may authorise the National Trustees of the Union to provide in the name of the Union any evidence of indebtedness to a lender as the Council deems proper. The Council also shall have power to mortgage all or any part of the property of the Union as security for such indebtedness.

Equality Sub-Committee

103. The National Executive Council shall establish an Equality Sub-committee of the National Executive Council with current effect. The Equality Sub-committee shall promote equality, consider equality issues and report to the National Executive Council.

The Equality Sub-committee shall be established by way of Standing Orders by the National Executive Council and its membership nominated to the National Executive Council for appointment.

The Standing Orders for the Equality Sub-committee shall provide for the following:

(a) at least 75% of its members shall be female;
(b) the membership shall be nominated by the Divisional Committees to the National Executive Council and shall reflect the divisional structure of the Union;
(c) the National Executive Council shall nominate members of the National Executive Council to membership of the Sub-committee;
(d) the development of women leaders and leaders of the non-Irish nationals in the community so that they would have the confidence and experience to play a full role in the Union s decision making;
(e) encourage and pursue the implementation of equality policy and strategy as determined by the National Executive Council and Biennial Delegate Conferences.

It shall be a requirement of this Rule that each Division, Sector and Department of the Union 'equality proof' its activities and outcomes in furtherance of the Union's objectives for achieving equality at work and in society.

104. The National Executive Council shall direct and control the National Executive Officers and shall appoint and determine the remuneration of all paid officials or employees of the Union.

105. The National Executive Council shall meet at least once in each quarter at the Registered Head Office of the Union. Except in cases of emergency, at least five clear days' notice of all meetings shall be given to all persons entitled to attend.

106. At each meeting, the Honorary Union President, or if absent, the Honorary Union Vice President, shall preside. In the absence of the Honorary Union President and the Honorary Union Vice President, the General Secretary will preside at meetings. One National Executive Officer and ten Council members shall constitute a quorum, but, if through illness or other cause the National Executive Officers are incapacitated from attending, eleven council members shall form a quorum. Questions shall be decided by a majority of votes, and if the votes are equal, the presiding member shall have a second or casting vote.

    This amendment shall become operative on the date that the Honorary Union President and the Honorary Union Vice President assume their roles as set out in Rule No 82.

107. A special meeting of the National Executive Council shall be held whenever required by the Honorary Union President in consultation with the General Secretary, or by ten members of the Council. This amendment shall become operative on the date the Honorary Union President and the Honorary Union Vice President assume their roles as set out in Rule No 82.

Sub-Committees

108. The National Executive Council may appoint Committees and delegate to them such powers as it thinks fit.

Remuneration of Payment of Expenses of National Executive Officers

109. The remuneration of the National Executive Officers and all employees of the Union shall be determined by the National Executive Council.

110.. Officers, members and employees of the Union shall be entitled to receive remuneration, subsistence allowance and travelling expenses in accordance with scales prescribed by the National Executive Council, while on the business of the Union.

Union Staff

111. All staff members shall carry out all and every duty assigned to them by the Council. In particular, staff are required to give their full attention to all matters concerning Union Organising, servicing, administration and supervision and to comply with all regulations and directions issued by the National Executive Officers or the National Executive Council.

112. The National Executive Officers, individually or jointly, having regard to the procedures agreed between the National Executive Council and the staff of the Union shall have power to suspend or remove from office any paid employee of the Union. Any employee so suspended or removed from office shall have the right of appeal to the National Executive Council. Notwithstanding the provisions of Rule 79, a National Executive Officer who has been party to a decision to suspend or remove from office a paid employee shall not participate in the National Executive Council's determination on an appeal against such decision. The National Executive Council shall have power on the termination of the employment of an official or employee, to make a grant or pay superannuation out of the Provident and Education Fund in accordance with the provision of Rule 155, and to make grants out of the General Fund to such official or employee of such amount, and under such conditions as the National Executive Council shall decide.

113. All conditions of employment of officers and employees of the Irish Transport and General Workers' Union and the Federated Workers' Union of Ireland on the date prior to the establishment of the Union shall be fully implemented, honoured and fulfilled by and within the Union.

Superannuation Fund

114. The National Executive Council may establish a Superannuation Fund to be known as the Officials' and Employees' Superannuation Fund, to which the Union, its officials and employees shall contribute such sum or sums as the National Executive Council shall deem necessary for making provision for the payment of such Superannuation benefits to officials and employees of the Union as may be provided for by any superannuation scheme authorised and adopted by the National Executive Council. Nothing in this Rule shall in any way prejudice or derogate from the rights and power vested in and exercisable by the National Executive Council, under and by virtue of Rule 110.

Appeals Committee

115. An Appeals Committee of five members shall be established to hear and decide on appeals from members under Rules 48 and 68.

116. Nominations of persons for election as members of the Appeals Committee may be made by any Sector which has an aggregate membership of not less than 500, provided that no nomination will be valid unless the Sector, of which the nominee is a member, makes or joins in making the nomination. Nominations shall be made at Sector general meetings specially convened for that purpose by the Sector Committee. This special Sector meeting shall consider amotion to contest, or not to contest the Appeals Committee election. Should the meeting decide to contest the election it shall then proceed to decide the number of candidates to be nominated. The candidate(s) shall then be selected by the meeting, and if more than the agreed number are duly and properly proposed and seconded, then a secret ballot shall be held on the basis of proportional representation.The National Executive Council shall determine the date for receipt of nominations for election as members of the Appeals Committee and such nominations shall be notified to the General Secretary, within the time fixed by the National Executive Council, in writing over the signature of the Sector President and Sector Organiser.

117. No person may be nominated for election as a member of the Appeals Committee unless such person is and has been for at least four consecutive years previously, a member of the Union and has served for at least three years as a Sector/Sector officer or member of a Sector/Sector Committee, or delegate to or officer of a Divisional Executive/Divisional Committee and whose membership has not lapsed and been re-instated during that period and has not been over eight weeks in arrears at any time from January 1st preceding the date of nomination. No member of the National Executive Council or full-time official or employee of the Union shall be eligible to be elected or to act as a member of the Appeals Committee.

118. The Appeals Committee and three substitutes shall be elected for a term of four years and shall enter into office at the conclusion of the Biennial Delegate Conference at which the election takes place.

119. The election shall be conducted on the principle of proportional representation, each delegate having a single transferable vote.

120. The Appeals Committee shall elect a President of the Committee from amongst the membership of the Committee.

National and Special Delegate Conferences

121. A Biennial Delegate Conference shall be held and shall be representative of the Sectors. A Special Delegate Conference shall be called prior to a membership ballot on proposals for a National Agreement emanating from discussions with the Social Partners, or whenever the National Executive Council deems it necessary, or whenever a requisition has been received by the National Executive Council calling for the holding of a Special Delegate Conference, from not less than one-fourth of the total number of Sectors, with an aggregate financial membership of one-third of the total financial membership of the Union, stating the purpose for which the Special Delegate Conference is required. Unless otherwise decided by the National Executive Council, at least one calendar month's notice shall be given to all Sector and Divisional Committees of the date fixed by the National Executive Council for the holding of a Special Delegate Conference.

122. Each Sector entitled to representation with a membership of not less than 500 financial members shall be entitled to elect from its membership one delegate for each complete 500 of its financial membership. For the purpose of such representation, the number of financial members of a Sector shall be deemed to be the average number in respect of whom contributions were remitted to the General Secretary for the financial year preceding the date of the election.

    The delegates shall be elected having regard to the gender balance require- ment of the Union by one of the following methods to be determined by the Annual Meeting with the approval of the National Executive Council:

    i. nominations made at the Annual Meeting of the Sector by any member present and entitled to vote at the meeting. In the event of the number of valid nominations exceeding the number of positions to be filled, an election shall be held as soon as possible by secret ballot vote of the members of the Sector; or
    ii.by the Sector Committee.

    Delegates shall cease to be entitled to attend the Conference, if at the date of the Conference they are no longer in membership of the Sector which elected them as delegates.

123. The President or Vice-President of each Division plus one other member of the Divisional Committee shall be entitled to attend, as delegates, all National Biennial and Special Delegate Conferences.

124. The National Executive Council shall have power where necessary to group a number of Sectors together for the purpose of election of delegates.

125. In respect of Sectors with less than 500 financial members each, the National Executive Council shall have power to group a number of Sectors together for the purpose of election of delegates. The National Executive Council shall arrange that such groups shall elect their delegate or delegates by ballot. Delegates shall be nominated by one of the following methods to be determined by the Annual Meeting of the Sector with the approval of the National Executive Council:

(i) nominations being made at the Annual Meeting of the Sector by any member present and entitled to vote at the meeting; or
The method of election, to be determined by the National Executive Council, shall be one of the following:

(i) a secret ballot vote of all its members of each Sector or Group entitled to vote; or

(ii) a ballot vote of each Sector in the group with each Sector entitled to as many votes as there are financial members in the Sector for the financial year preceding the date of the election.

The number of delegates to be elected by each group shall be at the rate of one delegate for each complete 500 of the financial membership of the group. Such Delegates shall cease to be entitled to attend the Conference, if at the date of the Conference they are no longer in membership of a Sector within the group which elected them as delegates.

126. The body electing a delegate or delegates to the Biennial Delegate Conference shall also elect a substitute delegate, or if more than one delegate is elected, such numbers of substitute delegates as it may think necessary.

(ii) by the Sector Committee of each Sector.
The delegates shall be elected having regard to the gender balance requirement of the Union by one of the following methods to be determined by the Annual Meeting with the approval of the National Executive Council:
i. nominations made at the Annual Meeting of the Sector by any member present and entitled to vote at the meeting. In the event of the number of valid nominations exceeding the number of positions to be filled, an election shall be held as soon as possible by secret ballot vote of the members of the Sector; or
ii.by the Sector Committee.
Delegates shall cease to be entitled to attend the Conference, if at the date of the Conference they are no longer in membership of the Sector which elected them as delegates.

The names of substitute delegates shall be notified to the General Secretary in accordance with Rule 130. In the event of a delegate being unable to attend the Biennial Conference, the substitute delegate or delegates shall be entitled to attend in the order of priority determined by the votes cast for them at the election, and shall have the rights and duties of delegates.

127. No member shall be eligible for election as a delegate to a Conference until such person has been a member and paid contributions for a period of twelve

consecutive months except that in the case of any Sector entitled to representation under Rule 121 and which has not been functioning for twelve consecutive months, a member of such Sector shall be eligible for election if the person has been a member from the date the Sector commenced to function: provided that in cases of members transferred from another Union the National Executive Council may for the purpose of this Rule give credit to such members for any portion of their membership in such other Union as it may decide. Notwithstanding the provisions of Rule 13, to be eligible for nomination or election as a delegate, a member's arrears must not have exceeded eight weeks at any time from January 1 preceding the Conference.

Biennial Delegate Conference

128. The date, place and time of the Biennial Delegate Conference shall be determined by the National Executive Council. All Sector, Divisional Committees and District Councils shall be notified of the date of the Conference not less than eight (8) weeks beforehand. The notice of the Conference shall specify the latest dates, as determined by the National Executive Council, for the receipt of nominations for the election of members of the Standing Orders Committee and members of the Rules Revision Committee, and also of motions for consideration by the Conference. Motions for the Agenda of Conference may be submitted by Sector, Divisional Committees, District Councils and the National Executive Council. The National Executive Council shall be entitled to submit up to four (4) motions and up to four (4) amendments to motions on the Preliminary Agenda. Sectors and Divisions shall be entitled to submit up to two (2) motions each and up to two (2) amendments each to motions on the Preliminary Agenda. District Councils shall be entitled to submit one (1) motion each and one (1) amendment each to motions on the Preliminary Agenda.

    The National Retired Members Section shall be entitled to submit up to two motions dealing with the interests of retired members for inclusion on the The National Retired Members Section and the Equality Committee shall each be entitled to nominate two delegates who shall have all the powers of delegates.

    Preliminary Agenda. The Equality Committee shall be entitled to submit up to two motions dealing with equality for inclusion on the Preliminary Agenda. Where a Biennial Delegate Conference has decided Union policy on a motion before it, that motion or any other motion dealing specifically with the same content matter shall not appear on the agenda of the following Biennial Delegate Conferences except where in the opinion of the Standing Orders Committee or the National Executive Council such a motion is of urgent importance. On receipt of the motions a Preliminary Agenda containing such of the motions as may be approved by the Standing Orders Committee shall be prepared and circulated to Sector, Divisional Committees and District Councils with notification of the latest date, as determined by the Standing Orders Committee, for receipt of amendments to the motions appearing thereon. All Sector, Divisional Committees and District Councils whose motions are not approved by the Standing Orders Committee shall be notified of such decisions.

129. The Final Agenda of the Conference, including the lists of nominees for members of the Standing Orders Committee and members of the Rules

Revision Committee, the recommendations of the Rules Revision Committee for alterations of Rules and the motions contained in the Preliminary Agenda and amendments thereto, together with a printed copy of the National Executive Council's report on the affairs of the Union during the preceding two years shall be circulated to all Sector and Divisional Committees not later than four (4) weeks before the date of the Conference.

130. The names of the delegates and substitute delegates appointed to attend the Conference shall be notified to the General Secretary not later than the date fixed by the National Executive Council for that purpose.

131. The business of a Biennial Delegate Conference shall include:
   (a) the consideration of the Report of the National Executive Council and the Balance Sheet and Accounts of the Union relating to the preceding two years ending December 31st;
   (b) the election of the Standing Orders Committee and Rules Revision Committee;
   (c) the hearing and determination of all appeals made against decisions of the National Executive Council brought under these Rules;
   (d) the amendment of the Rules of the Union and the Standing Orders of Divisional and Biennial Conferences;
   (e) the consideration of motions submitted in accordance with these Rules and the Standing Orders;
   (f) the consideration of any other matter affecting the Union which may be brought before the Conference by the National Executive Council for advice or decision.

132. The delegates appointed to attend a Biennial Conference shall also attend at any Special Conference held during the two years following their appointment, provided that a delegate whose arrears (including fines, levies and special levies, if any) have exceeded eight (8) weeks at any time since the date of the Biennial Conference, shall not be entitled to attend any such Conference, providing also, that a delegate who has ceased membership of the Sector from which the nomination for delegate was made, shall not be entitled to attend any such Conference.

    In the event of a Sector not having a sufficient number of delegates and substitute delegates elected in accordance with the provisions of Rule 125 available to attend any Special Conference, the Sector Committee may nominate the required additional number of qualified members to fill the Sector representation as provided for in the Rules.

Standing Orders

133. The proceedings of every Biennial and Special Delegate Conference shall be conducted in accordance with the Standing Orders as set out in the Fourth Schedule to these Rules.

Payments by Members - Contributions and Levies

134. Each member of the Union shall, subject to the provisions of Rules 24, 25 and 27, pay into the Funds of the Union the weekly contribution fixed by the National Executive Council in accordance with the First Schedule. Members to whom the Class B or Class C rate applies whose wages increase to the minimum level appropriate to a higher class shall be re-assigned to the higher rate of contribution. For the purpose of this Rule, a member's weekly earnings, excluding overtime payments shall be taken as the member's rate of wages or salary and the National Executive Council shall, at its absolute discretion decide in which contributory class a member shall be placed, and every member shall pay contributions in accordance with the class to which the person is assigned by the National Executive Council.

    Notwithstanding anything contained to the contrary in the Rules, the National Executive Council shall have power in circumstances deemed appropriate by the National Executive Council to apply a rate of contribution of 1% of member's weekly earnings. The rates of benefits provided in the First Schedule to the Rules shall be adjusted pro rata at the discretion of the National Executive Council in respect of members paying the 1% rate.

135. The rate of contributions payable in accordance with Rule 134 shall include a payment of €1.04 cent per annum for political purposes. The payment for political purposes shall be subject to the special provisions contained in the Fifth Schedule. The payment for political purposes shall become payable in the first week of the contribution year and members exempt from this payment shall be charged €1.04 less than the rate specified in Rule 134 in respect of the first week of the contribution".

136. Contributions shall become payable on Monday in each week. The first contribution of a member shall become due on the Monday following the date of payment of the member's entrance fee, or the date of acceptance into the Union from any other Union.

Special Levies

137. The Sector Committee may, subject to the sanction of the National Executive Council, impose a special levy upon the members of a Sector, or section of a Sector, for any purpose within the objects of the Union.

138. The National Executive Council may impose a special levy upon all or any of the members for any of the Union's objects.

Benefits

139. The benefits applicable to members of the Union shall include the following:
    (i) Legal Benefits;
    (ii) Dispute Benefit; including payment of the weekly Union contribution;
    (iii) Mortality Benefit;

(iv) Sickness Benefit; that is payment of members' contributions during illness;
(v) Marriage Benefit; to female members who were members of the Irish Transport and General Workers' Union prior to July 1, 1977;
(vi) Retirement Benefit.
Persons who were in membership of the Federated Workers' Union of Ireland on the day immediately prior to the date of the establishment of the Union or persons who were in membership of any Union, which has transferred its engagements to the Federated Workers' Union of Ireland on the day immediately prior to the date of the establishment of the Union, shall be entitled to claim mortality benefit in accordance with the scales set out in the Second Schedule hereto, but shall not be entitled to claim Retirement Benefit provided that any such member who retires on or after January 1, 1998, may opt for payment of Mortality Benefit and Retirement Benefit in accordance with the First Schedule.
Numbers (i) and (ii) shall be paid out of the General Fund of the Union, and Numbers (iii), (iv), (v) and (vi) shall be paid out of the Provident and Education Fund.

Legal Benefit

140. The National Trustees, the National Executive Officers or the National Executive Council may institute or defend any legal proceedings and pay the whole or any part of the cost thereof in any matter affecting the welfare of the Union or its members. The decision to grant or refuse legal benefit on all applications, therefore shall be at the absolute discretion of the National Executive Council, whose decision shall be final.

141. No member shall be entitled to Legal Benefit unless such person has been a member, and has paid contributions for a period of at least thirteen weeks; but the National Executive Officers or National Executive Council, may in exceptional cases, authorise Legal Benefit for a member not qualified under this provision.

142. The conditions and procedure to be observed in applying for Legal Benefit shall be prescribed by the National Executive Council.

Disputes

143. For the purpose of these Rules:
(a) Industrial action means any action which affects, or is likely to affect, the terms or conditions, whether express or implied, of a contract and which is taken by any number or body of workers acting in combination or under a common understanding as a means of compelling their employer, to accept or not to accept terms or conditions of or affecting employment.
(b) 'Strike' means a cessation of work by any number or body of workers acting in combination or a concerted refusal or a refusal under a common under standing of any number of workers to continue to work for their employer done as a means of compelling their employer, or to aid other workers in compelling their employer, to accept or not to accept terms or conditions of

or affecting employment.

144. Members shall be deemed to be in dispute with their employer:
(a) if following compliance with the provisions of Rule 146 they have with drawn their Labour from their employment under instructions from or with the approval of the National Executive Council or a National Executive Officer, or some other official of the Union having authority from a National Executive Officer;
(b) if they are locked out, that is to say, if the employer, having declined to accede to a demand, by the National Executive Council or a National Executive Officer, or another official of the Union authorised by a National Executive Officer, for the maintenance or alteration of the conditions of employment of the member, refuses to retain them in their employment;
(c) if they are victimised, that is to say, if they have been dismissed from their last employment, or are unable to obtain new employment as a direct consequence of their performance of duties required, or authorised by the National Executive Council or by a National Executive Officer or another official of the Union having authority from a National Executive Officer.

145. A National Executive Officer and other officials of the Union having authority from a National Executive Officer shall have power to negotiate with employers when members are in dispute and the National Executive Council shall have authority to terminate a strike or other industrial action at its discretion and to order members to return to work.

146. (a) The Union shall not organise, participate in, sanction or support a strike or other industrial action without a secret ballot, entitlement to vote in which shall be accorded equally to all members whose arrears (including fines, levies and special levies, if any) do not exceed eight (8) weeks on the day of voting whom it is reasonable at the time of the ballot for the union concerned to believe will be called upon to engage in the strike or other industrial action.
(b) The Union shall take reasonable steps to ensure that every member entitled to vote in the ballot votes without interference from, or constraint imposed by, the Union or any of its members, officials or employees and, so far as is reasonably possible, that such members shall be given a fair opportunity of voting.
(c) The National Executive Council shall have full discretion in relation to organising, participating in, sanctioning or supporting a strike or other industrial action notwithstanding that the majority of those voting in the ballot, including an aggregate ballot referred to in (d) below, favour such strike or other industrial action.
(d) The National Executive Council shall not organise, participate in, sanction or support a strike or other industrial action against the wishes of a majority of its members voting in a secret ballot, except where, in the case of ballots by more than one trade union, an aggregate majority of all the votes cast, favours such strike or other industrial action.
(e) Where the outcome of a secret ballot conducted by the union or in the case of ballots conducted by the union and any number of other trade unions which

are affiliated to the Irish Congress of Trade Unions an aggregate majority of all the votes cast is in favour of supporting a strike organised by another trade union, a decision to take such supportive action shall not be implemented by the union without the sanction of the Irish Congress of Trade Unions.

(f) As soon as practicable after the conduct of a secret ballot the trade union shall take reasonable steps to make known to its members entitled to vote in the ballot:

(i) the number of ballot papers issued,
(ii) the number of votes cast,
(iii) the number of votes in favour of the proposal,
(iv) the number of votes against the proposal, and
(v) the number of spoilt votes.

147. The conditions and procedure to be observed in notifying disputes and claiming and paying Dispute Benefit, shall be prescribed by the National Executive Council.

148. A decision by a National Executive Officer upon any questions as to the existence of a strike or lock-out or of victimisation, shall be conclusive, unless and until reversed or modified by the National Executive Council, the decision of which shall be final.

149. Where members become involved in a dispute duly authorised under these Rules and in which labour is withdrawn, a Strike Committee shall be elected by the members involved in the dispute. At least 50% of the Strike Committee so elected, must consist of officers or members of the Section Committee whose members are in dispute.

The functions of the Strike Committee shall be as follows:

(a) to organise and prepare picket rosters and generally co-ordinate ticketing procedures proper to the strike;
(b) to co-ordinate and integrate picketing duties and procedures with members of other Unions where other Unions are affected;
(c) to make recommendations to the Sector Organiser on matters directly affecting the conduct of the strike.

All Strike Committees shall be subject to the control and instructions of the Sector Organiser or other Official nominated by the Sector Organiser or Divisional Organiser. The Sector Organiser shall be responsible to the Divisional Committee and National Executive Council for the supervision of the work of the Strike Committee.

Dispute Benefit

150. Members who, with the sanction of a National Executive Officer, are in dispute with their employer, shall be entitled to claim from the Union, payments of Dispute Benefit at the rate shown in the First Schedule, in respect of each day on which there are in dispute with their employer.

151. Members shall not be entitled to receive Dispute Benefit unless they have been members of the Union and have paid contributions for a period of twenty-six consecutive weeks.

Members whose arrears (including fines, levies and special levies, if any) exceed eight weeks, shall be disqualified from receiving Dispute Benefit until they have reduced their arrears below that limit.

152. The National Executive Council or a National Executive Officer may authorise payment of a grant to a member who is not qualified for Dispute Benefit under these Rules and such grant shall be a charge on the Provident and Education Fund.

153. The payment of Dispute Benefit in respect of a dispute shall not continue for a longer period than ten weeks without the re-sanction of the National Executive Council. In the case of Dispute Benefit paid to a member in respect of victimisation, the National Executive Council may, at its discretion, authorise payment of a lump sum in lieu of weekly payments.

154. Any member or members refusing or neglecting to carry out the instructions of a duly authorised person in connection with the proper conduct of a dispute, including picketing, shall thereupon be disqualified from receiving Dispute Benefit, so long as such refusal or neglect, is continued/Provident and Education Fund.

Provident and Education Fund

155. The National Executive Council shall establish a Provident and Education Fund for the purpose of payment of provident benefits (including those benefits prescribed to be paid out of this Fund by Rules 112, 139 and 152 and expenses incurred on education and training, provided that no such benefits, grants, superannuation or expenses payable out of this Fund shall exceed in amount the limits prescribed by the law for the time being in force, to enable the Union to obtain the relief in taxation of the income of the Fund which is given by the law. The Provident and Education Fund shall consist of such interest and dividends received from General or Reserve Fund on deposit receipt or invested as determined by the National Executive Council. All such sums so placed to credit of the Provident and Education Fund, shall be applicable and applied solely for the payment of provident benefits authorised by these rules and expenses in respect of education and training of members and/or their dependent children. Should the sum or sums so placed to credit be insufficient at any time to meet the amount of the claims on the Provident and Education Fund, the National Executive Council shall advance the difference from the General Fund.

Mortality Benefit

156. Mortality Benefits shall be paid out of the Provident Fund, in the event of the death of a member, or of the member's wife or husband, who was in benefit in accordance with these Rules at the date of such death. The amount of benefit payable shall be in accordance with the Scale in the First Schedule hereto provided that the amounts of benefit payable in respect of persons who were in membership of the Federated Workers' Union of Ireland on the day immediately prior to the date of the establishment of the Union, or persons who were in membership of any Union, which has transferred its engagements to the Federated Workers' Union of Ireland on the day immediately prior to the date of the establishment of the Union shall be in accordance with the Second Schedule hereto.

157. On the death of a member's wife, or husband, half of the appropriate rate applicable to the member in accordance with Schedules 1 and 2 shall be paid. After twenty-six consecutive weeks' membership and payment of contributions, levies special levies and fines due in respect of such period of twenty-six weeks, half of the appropriate rate applicable to the member in accordance with Schedules 1 and 2 shall be paid.

158. A member who has completed at least twenty consecutive years' membership, who retires or is made redundant from his/her employment – age 55 years or over – may apply to be registered at Head Office as an honorary lifemember, on such conditions as the National Executive Council shall prescribe. Entitlement to Mortality Benefit shall be the amount payable as of the date of registration in accordance with the First and Second Schedule hereto.

159. Mortality Benefit shall not be payable in any case where the member's arrears, including fines, levies and special levies, if any, on date of death exceed eight weeks.

160. An application for Mortality Benefit must be made in accordance with procedures laid down by the National Executive Council, and must be accompanied by a Registrar's Certificate of death.

161. Mortality Benefit in respect of the death of a member shall be paid to the member's nominee (where a nomination has been made under the next succeeding Rule), to one of the next-of-kin of the deceased, or to the person who has defrayed the funeral expenses of the deceased member. Mortality Benefit in respect of the death of a member's wife or husband, shall be payable to the member.

    In the case of a dispute arising before payment has been made, the matter shall be decided by the Sector Committee and a payment made to a person who appears to the majority of the Sector Committee to be entitled thereto shall be valid and effectual against any demand made upon the Union. If payment is made to a nominee in ignorance of a marriage subsequent to the nomination, the receipt of the nominee shall be a valid discharge for the Union.

162. Members may nominate a person to whom any sum of money payable on the death of such member at their decease shall be paid.

Marriage Benefit

163. Female members who had joined the Irish Transport and General Workers' Union prior to July, 1977 1, shall on marriage be entitled to Marriage Benefit in accordance with the First Schedule hereto.

    Due to the enactment and coming into operation of the Employment Equality Act, 1977, Marriage Benefit shall not be payable to female members who joined the Irish Transport and General Workers' Union on or after July 1, 1977.

164. Marriage Benefit shall not be payable in any case where the member's arrears, including fines, levies and special levies, if any, exceed eight weeks on the date of marriage.

165. An application for Marriage Benefit must be made within thirteen weeks from the date of marriage and must be accompanied by a Marriage Certificate and in accordance with procedures laid down by the National Executive Council.

Retirement Benefit

166. A member who is in benefit in accordance with these Rules and who is permanently retired from employment, shall be entitled to claim Retirement Benefit in accordance with the First Schedule of these Rules:
    (i) on completion of thirty-five consecutive years' membership; or
    (ii) on completion of twenty consecutive years' membership at age sixty or over; or
    (iii) on completion of twenty consecutive years'membership before age sixty in the case of total incapacitation from future work through illness.

    Should a member, who has completed at least twenty consecutive years' membership, die before retiring from employment, the accrued amount of Retirement Benefit due at the date of death shall be paid in addition to the Mortality Benefit payable. Retirement Benefit shall not be paid in any case where the member's arrears, including fines, levies and special levies (if any), exceed eight weeks on the date of retirement or on the date of death.
    This benefit shall not apply to persons who were in membership of the Federated Workers' Union of Ireland on the day immediately prior to the date of the establishment of the Union, or persons who were in membership of any Union which has transferred its engagements to the Federated Workers' Union of Ireland on the day immediately prior to the date of the establishment of the Union unless any such member who retires on or after January 1, 1998, 24 exercises the option, as per the provisions of Rule 139, for payment of Mortality Benefit and Retirement Benefit in accordance with the First Schedule.

General Fund

167. All revenue received, including entrance fees, weekly contributions, special levies and rents, shall be remitted to the General Secretary of the Union every week or at such longer intervals as may be sanctioned by the National Executive Council and other than those revenues prescribed to be paid into the Provident Fund of the Union by Rule 155 and into the Political Fund by Rule 135, shall be paid into the General Fund of the Union. All such revenues of the General Fund shall be applied in carrying out the objects of the Union, in payment of the benefits prescribed to be paid out of the General Fund under these Rules and in payment of the expenses of management in the manner sanctioned by the National Executive Council.

168. A payment payable by members, in accordance with Rule 135, shall be deemed to be a contribution for political purposes, within the meaning of the Trade Union Act, 1913, such payments, together with any other voluntary revenue al located for such purposes by the National Executive Council shall constitute the Union's Political Fund and payments for political purposes, as defined in the 1913 Act, shall only be made from that Fund and the Fund shall be subject to the provisions of the Fifth Schedule.

169. SIPTU staff nominated by the Union to represent the Union on an external body shall remit to the Union any payment, stipend or other such allowance received from such body.

170. The National Executive Council may from time to time divert part of the General Fund into a Reserve Fund, or other special fund or funds, and allocate the several funds as it may deem necessary.

171. The National Executive Council shall have power to give subsidies, grants or loans out of the General Fund of the Union as it may consider necessary.

172. All monies paid into the General Fund, Political Fund, Reserve Funds and Provident Fund of the Union, shall be lodged in a bank or banks, approved by the National Executive Council in the name of the Union, and shall be withdrawable only as authorised by the National Executive Council.

173. The surplus funds of the Union shall be invested in the joint names of the National Trustees in such securities and in such manner as the National Executive Council may from time to time decide.

174. No fund shall be established or maintained by any unit of the union or by any person in the name of the union, or an account opened or maintained in a bank or any other financial institution without the written approval of the General Secretary. The name of the union shall not be associated with any fund or bank or other financial account without the written permission of the General Secretary.

    In the absence of the General Secretary, a National Executive Officer has the authority to grant written approval.

Audit of Accounts

175. The accounts of the General Funds of the Union shall be audited at least once a year by a public auditor, or other qualified accountant appointed by the National Executive Council. A copy of the Auditor's Report shall be presented to each Biennial Delegate Conference and sent to each Sector and Divisional Committee of the Union.

    An Annual Return of the Receipts, Funds, Effects and Expenditure of the Union shall be sent to the Registrar of Friendly Societies before June 1st each year.
    Inspection of Books

176. Every person having an interest in the funds of the Union may at any reasonable time, and on giving due notice, inspect the books of the Union, and the roll of members of the Union.

Dissolution of the Union

177. The Union may be dissolved at any time by the consent of five-sixths of the members of the Union present and voting at meetings duly summoned for that purpose by the National Executive Council.

    The assets of the Union or the liabilities of the Union at the date of dissolution shall be divided between all of the members of the Union who are members at the date of dissolution.

    The General Secretary of the Union on the date of its dissolution shall, upon dissolution, notify the Registrar of Friendly Societies of the dissolution of the Union within fourteen (14) days thereafter.

Alteration of Rules

178. A Rules Revision Committee of nine members shall be established, consisting of two Council members (not being full-time officials); one full-time Sector Organiser; five members of the Union (not being members of the National Executive Council or full-time officials or employees); and the General Secretary. Rule 90 governing nominations of Council Members shall apply to members nominated for the Rules Revision Committee.

    The Rules Revision Committee and four substitutes (one Council member and three ordinary Union members), shall be elected every fourth year, and the members shall be elected by the Biennial Delegate Conference
    The election shall be conducted on the principle of proportional representation each delegate having a single transferable vote.
    The Committee shall elect one of its members as President of the Committee.
    Members of the Committee shall hold office for a term of four years.

The Committee shall meet at such convenient time or times as maybe decided by the National Executive Council and their powers and duties shall be as follows:

- to prepare and submit to each of the two Biennial Delegate Conferences succeeding their election such amendments, alterations or additions to the Rules as they may consider proper;
- provided that the National Executive Council shall have power to submit to any Biennial or Special Delegate Conference any amendments of Rules which they may consider necessary and urgent.

Members of the Rules Revision Committee not elected as delegates to the Conference at which their report is to be considered will be entitled to attend that Conference and to take part in the debate on same, but will not be entitled to vote or to take part in any other business of the Conference.

Any member or substitute member of the Rules Revision Committee whose arrears, including fines, levies, etc., exceed eight weeks at any time between the date of his election and the date of the Conference at which the Committee's report is to be considered, shall cease to hold office.

179. No new Rule shall be made, nor shall any Rule herein contained or hereafter to be made, be amended or rescinded except in accordance with a resolution duly passed by a majority vote at a Biennial or Special Delegate Conference and of which due notice has been given in accordance with these Rules.

First Schedule – Effective from January, 2018

Contribution Class	*Weekly Wage Rate*	*Weekly Contribution Rate*	*Weekly Dispute Benefit*	*Mortality Benefit*	*Retirement Benefit*	*Marriage Benefit (see Rule 186)*
A1	Over €500	€5.00	€220	€219 after completion of one years' membership; thereafter increasing by €12 for each subsequent completed years' membership until a maximum of €575 is reached	€167 on completion of 20 years' membership; thereafter increasing by €6 for each subsequent completed years' membership until a maximum of €288 is reached	€53
A2	Over €325 and up to and including €500	€4.00	€200	€219 after completion of one years' membership; thereafter increasing by €12 for each subsequent completed years' membership until a maximum of €575 is reached	€167 on completion of 20 years' membership; thereafter increasing by €6 for each subsequent completed years' membership until a maximum of €288 is reached	€53
A3	Over €200 and up to and including €325	€2.80	€150	€179 after completion of one years' membership; thereafter increasing by €6 for each subsequent completed years' membership until a maximum of €443 is reached	€138 on completion of 20 years' membership; thereafter increasing by €6 for each subsequent completed years' membership until a maximum of €219 is reached	€53
B	Over €127 and up to and including €200	€1.90	€115	€150 after completion of one years' membership; thereafter increasing by €6 for each subsequent completed years' membership until a maximum of €374 is reached	€138 on completion of 20 years' membership; thereafter increasing by €6 for each subsequent completed years' membership until a maximum of €196 is reached	€53
C	Members earning €127 per week or under will pay contributions at a rate of €1.00 in accordance with the provisions of Rule 134 and benefits will be paid on a pro rata basis					
D	Unemployed Members	€0.30	Unemployed members will be eligible to the same rate of Mortality and Retirement Benefits as they would have received prior to becoming unemployed. So, for example, members in Contribution Class A before becoming unemployed will be entitled to benefits appropriate to that Class.			

(a) for the purpose of these Schedules each year's membership is to be taken as a period of fifty-two consecutive weeks' membership and payment of fifty-two consecutive weeks' contributions.

(b) Half of the above rates of Mortality Benefit are payable on the death of a qualified member's wife or husband.

(c) The National Executive Council may transfer any member or group of members to a class of contribution above the assigned classification. In such cases members will not qualify for Dispute Benefit at the higher rate until one year's membership has been completed in the new classification.

Second Schedule - Mortality Benefit - Effective from January 2018

Applicable to members of the Union who were members of the Federated Workers Union of Ireland on the date immediately prior to the date of est ablishment of the Union, or who were members of any union which has transferred its engagements to the Federated Workers' Union of Ireland on the date immediately prior to the date of est ablishment of the Union unless any such member who retires on or after J anuary 1, 1998 , exercises the option, as per the provis ions of Rule 162 , for the payment of Mortality Benefit and Retirement Benet in accordance with the First Schedule.

Contribution Class	*Weekly Wage Rate*	*Weekly Contribution Rate*	*Mortality Benefit*
A1	Over €500	€5.00	€265 increasing by €35 for each fut her completed 52 consecutive weeks membership and payment of contributions, levies, special levies and fines due in respect of each such further period of 52 weeks until a maximum of €725 is reached.
A2	Over €325 and up to and including €500	€4.00	€265 increasing by €35 for each further completed 52 consecutive weeks membership and payment of contributions, levies, special levies and fines due in respect of each such further period of 52 weeks until a maximum of €725 is reached.
A3	Over €200 and up to and including €325	€2.80	€219 increasing by €35 for each further completed 52 consecutive weeks membership and payment of contributions, levies, special levies and fines due in respect of each such further period of 52 weeks until a maximum of €627 is reached.
B	Over €127 and up to and including €200	€1.90	€179 increasing by €32 for each further completed 52 consecutive weeks membership and payment of contributions, levies, special levies and fines due in respect of each such further period of 52 weeks until a maximum of €575 is reached.
D	Unemployed Members	€0.30	Unemployed members will be eligible to the same rate of Mortality Benefit as they would have received prior to becoming unemployed. So, for example, members in Contribution Class A before becoming unemployed will be entitled to benefits appropriate to that Class.

Third Schedule

Standing Orders for Divisional Biennial and Special Delegate Conferences

Hours of Meeting

1. The times of assembly and adjournment shall be fixed by the Standing Orders Committee with the exception of the time of opening of the Conference which shall be decided by the Divisional Executive Committee.

Tellers

2. Two delegates or such other number as may be agreed upon at the time of election, shall be elected by roll call to act as Tellers, whose duty shall be to count and record the votes on every occasion on which a division is taken. Their decision as to the number recorded on any vote shall be final. In cases where the Tellers disagree, the President shall order a recount.

Standing Orders Committee

3. Alternate Divisional Biennial Delegate Conferences shall elect a Divisional Standing Orders Committee of five members and three substitute members to perform the duties herein assigned to them and to hold office until the termination of the second Divisional Biennial Delegate Conference following the Conference at which they were elected, the first such election to take place at the first Divisional Biennial Delegate Conference. The election shall be conducted on the principle of proportional representation – each delegate having a single transferable vote. The Committee shall elect one of its members as President of the Committee and shall meet prior to and during the Conference and shall report as often as necessary and their duties shall be to:
   (a) verify and report upon the credentials of the delegates, and to examine the qualifications of candidates for election as Divisional Standing Orders Committee members;
   (b) co-operate with the movers of motions and amendments in order that composite motions may be obtained whenever possible;
   (c) examine the motions sent in and delete from the Preliminary Agenda, or report to the Conference such of them as they may decide are not in order;
   (d) submit to the President of Conference a programme of all propositions and amendments approved by them as being in accordance with Standing Orders, together with any suggestions for the proper conduct of the business of the Conference. Only such matters as appear on the agenda may be considered by the Conference. Any matter not appearing on the agenda may only be discussed by permission of the President of the Conference, who may refer the matter to the Standing Orders' Committee for consideration;
   (e) control the distribution of all literature;
   (f) transact any other special business not provided for in the Standing Orders. They shall meet not later than half-an-hour prior to each sitting of Conference for the purpose of arranging the dispatch of business and carrying through the agenda. They shall report to Conference any violation of the Standing Orders that may be brought to their notice, together with any recommendations agreed upon.

4. Nominations of persons for election as members of the Divisional Standing

Orders Committee may be made by any Sector or number of Sectores which has an aggregate membership of not less than five hundred; provided that no nomination will be valid unless the sector of which the nominee is a member, makes or joins in making the nomination.

5. No person may be nominated for election as a member of the Standing Orders Committee unless that person is and has been, for at least two consecutive years previously, a member of the Union and has not lapsed and been re-instated during that period; and has served as a member of a Sector Committee; or delegate to, or officer of, a Divisional Executive Committee; or full-time paid employee of the Union and has attended at least one Biennial Delegate Conference as a delegate, and has not been over eight weeks in arrears at any time from the 1st January preceding the Conference at which the election takes place.

6. Nominations must be made by resolution of a Sector Committee meeting and be notified to the Divisional Organiser within the time fixed by the Divisional Executive Committee under Rule 72 in writing over the signature of the President and the Organiser of the Sector.

Scrutineers

7. At least three scrutineers shall be elected by roll call, who shall be responsible for the arrangements in connection with the election by ballot of the Standing Orders Committee.

Limitation of Speeches

8. The proposer of each motion shall be allowed ten minutes and all other speakers five minutes or such other lesser time limits as may be determined by the Standing Orders Committee. A delegate shall not speak more than once on the same question, but the mover of a resolution shall be allowed to reply to the discussion.

   In the event of a proposal to take "the previous question," or "to proceed to the next business," being moved, and seconded, it shall, after the proposer of the resolution in question has been heard, be put to the vote, and if the proposal is carried, the resolution under discussion shall be deemed to be disposed of and Conference will proceed to the next item on the Agenda.

Suspension of Standing Orders

9. Business which is not on the Agenda can only be introduced by suspending Standing Orders.

   Amotion to suspend the Standing Orders must first be submitted to the Standing Orders Committee, and (except with respect to Standing Orders No. 1, where a simple majority shall be sufficient) be adopted by a three-fourths majority of the delegates present and voting.

Fourth Schedule

Standing Orders for National Biennial and Special Delegate Conferences

Hours of Meeting

1. The times of assembly and adjournment shall be fixed by the Standing Orders Committee with the exception of the time of opening of the Conference which shall be decided by the National Executive Council.

Tellers

2. Two delegates or such other number as may be agreed upon at the time of election, shall be elected by roll call to act as Tellers, whose duty shall be to count and record the votes on every occasion on which a division is taken. Their decision as to the number recorded on any vote shall be final. In cases where the Tellers disagree, the President shall order a recount.

Standing Orders Committee

3. The Biennial Delegate Conference shall elect a Standing Orders Committee of five members and three substitute members to perform the duties herein assigned to them and to hold office until the termination of the second Biennial Delegate Conference following the Conference at which they were elected. The election shall be conducted on the principle of proportional representation - each delegate having a single transferable vote. The Committee shall elect one of its members as President of the Committee and shall meet prior to and during the Conference and shall report as often as necessary and their duties shall be to:
   (a) verify and report upon the credentials of the delegates, and to examine the qualifications of candidates for election as Standing Orders Committee and members of the Rules Revision Committee;
   (b) co-operate with the movers of motions and amendments in order that composite motions may be obtained whenever possible;
   (c) examine the motions sent in and delete from the Preliminary Agenda, or report to the Conference such of them as they may decide are not in order;
   (d) submit to the President of Conference a programme of all propositions and amendments approved by them as being in accordance with Standing Orders together with any suggestions for the proper conduct of the business of the Conference. Only such matters as appear on the agenda may be considered by the Conference. Any matter not appearing on the agenda may only be discussed by permission of the President of the Conference who may refer the matter to the Standing Orders Committee for consideration;
   (e) control the distribution of all literature;
   (f) transact any other special business not provided for in the Standing Orders. They shall meet not later than half-an-hour prior to each sitting of Conference for the purpose of arranging the dispatch of business and carrying through the agenda. They shall report to Conference any violation of the Standing Orders that

may be brought to their notice, together with any recommendations agreed upon.

4. Nominations of persons for election as members of the Standing Orders Committee may be made by any Sector or number of Sectores which has an aggregate membership of not less than five hundred; provided that no nomination will be valid unless the Sector of which the nominee is a member, makes or joins in making the nomination.

5. No person may be nominated for election as a member of the Standing Orders Committee unless that person is and has been, for at least three consecutive years previously, a member of the Union and has not lapsed and been re-instated during that period; and has served as a member of a Sector Committee; or delegate to, or officer of, a Divisional Executive Committee; or full-time paid employee of the Union and has attended at least one Biennial Conference as a delegate, and has not been over eight weeks in arrears at any time from January 1, preceding the Conference at which the election takes place.

6. Nominations must be made by resolution of a special Sector Committee meeting and be notified to the General Secretary within the time fixed by the National Executive Council under Rule 128 in writing over the signature of the President and the Organiser of the Sector.

Scrutineers

7. At least three scrutineers shall be elected by Roll Call, who shall be responsible for the arrangements in connection with the election by ballot of the Standing Orders Committee and members of the Rules Revision Committee.
Limitation of Speeches

8. The proposer of each motion shall be allowed ten minutes and all other speakers five minutes or such lesser time limits as may be determined by the Standing Orders Committee. A delegate shall not speak more than once on the same question, but the mover of a resolution shall be allowed to reply to the discussion. In the event of a proposal to take "the previous question," or "to proceed to the next business," being moved, and seconded, it shall, after the proposer of the resolution in question has been heard, be put to the vote, and if the proposal is carried, the resolution under discussion shall be deemed to be disposed of and Conference will proceed to the next item on the agenda.

Suspension of Standing Orders

9. Business which is not on the agenda can only be introduced by suspending Standing Orders. A motion to suspend the Standing Orders must first be submitted to the Standing Orders Committee, and (except with respect to Standing Order No. 1, where a simple majority shall be sufficient) be adopted by a three-fourths majority of the delegates present and voting.

Fifth Schedule
Political Fund

1. The objects of the Union shall include the furtherance of the political objects to which Section 3 of the Trade Union Act, 1913, applies, that is to say, the expenditure of money:
   (a) on the payment of any expenses incurred either directly or indirectly by a candidate or prospective candidate for election to Parliament or to any public office, before, during, or after the election in connection with such candidature or election; or
   (b) on the holding of any meeting or the distribution of any literature or document in support of any such candidate or prospective candidate; or
   (c) on the maintenance of any person who is a member of Parliament or who holds a public office; or
   (d) in connection with the registration of electors or the selection of a candidate for Parliament or any public office; or
   (e) on the holding of political meetings of any kind, or on the distribution of political literature or political documents of any kind, unless the main purpose of the meetings or the distribution of the literature or documents is the furtherance of statutory objects within the meaning of the Act, that is to say, the regulation of the relations between workmen and masters, or between workmen and work men, or between masters and masters, or the imposing of restrictive conditions on the conduct of any trade or business, and also the provision of benefits to members.

   The expression "public office" in this Rule means the office of member of any county, county borough, district or parish council, or board of guardians, or of any public body who have power to raise money, either directly or indirectly, by means of a rate.

2. Any payment in the furtherance of such political objects shall be made out of a separate fund (hereinafter called the Political Fund of the Union).

3. A member shall not be eligible to receive a payment from the Political Fund under these Rules unless (a) such member has completed at least three consecutive years' membership of the Union, (b) has been continuously in benefit for a period of 12 months prior to application or event giving rise to the application, (c) otherwise qualified as eligible for a grant in accordance with the regulations as determined, from time to time by the National Executive Council.

4. The National Executive Council, as soon as practicable after the registration of these Rules, shall cause a notice in the following form to be given to each member of the Union:

TRADE UNION ACT, 1913

Services, Industrial, Professional and Technical Union
Any payment in the furtherance of political objects will be made out of a separate fund, the Political Fund of the Union, but every member of the Union has a right to be exempt from contributing to that Fund. A form of exemption notice can be obtained by or on behalf of any member either by application at, or by post from, the Head Office or any Sector office of the Union, or from the Registrar of Friendly Societies, Parnell House, Parnell Square East, Dublin 1.

Such form, when filled in, should be handed or sent to the Organiser of the Sector to which the member belongs. Such notice shall be published in such manner, whether in the Union's journal or report or otherwise, as notices are usually given by the Union, or its Sectores to its members, and shall also be posted up and kept posted for at least twelve months in a conspicuous place, accessible to members, at the office or meeting place of each Sector of the Union, and the Organiser of each Sector shall take steps to secure that every member of the Sector, so far as practicable, receives a copy of such notice and shall supply a copy to any member upon request. The National Executive Council shall provide the Organiser of each Sector with a number of notices sufficient for this purpose.

5. The form of exemption notice shall be as follows: Services, Industrial, Professional and Technical Union.

Political Fund (Exemption Notice)

I hereby give notice that I object to contribute to the Political Fund of the Services, Industrial, Professional and Technical Union and amin consequence exempt in manner provided by the Trade Union Act, 1913 from contributing to that fund.

Signature: _____

Name of Sector: _____

Address: _____

Dated this day of 20 _____

The National Executive Council shall provide a sufficient number of such forms at the Head Office and at each Sector Office of the Union for such members of the Union as require them, and a copy of such form shall be delivered either by the National Executive Council or by the Organiser of any Sector to any member on request, or on a request made on the member's behalf either personally or by post.

6. Any member of the Union may at any time give notice on such form of exemption notice or on a form to the like effect that they object to contribute to the Political Fund of the Union. Such notice shall be sent to the Organiser of the Sector to which the member belongs, and on receiving it, the Organiser shall send an acknowledgement of its receipt to the member at the address appearing upon the notice, and shall inform the General Secretary of the name and address of the member.

7. On giving such notice, a member of the Union shall be exempt, so long as the notice is not withdrawn, from contributing to the Political Fund of the Union, as from the first day of January next after the notice is given, or in the case of a notice given within one month after the notice given to members under Clause 3 hereof, or after the date on which a new member admitted to the Union is supplied with a copy of these Rules under Clause 13 hereof, as from the date on which the member's notice is given.

8. The National Executive Council shall give effect to the exemption of members to contribute to the Political Fund of the Union in accordance with Rule 135.

9. A member who is exempt from the obligation to contribute to the Political Fund of the Union shall not be excluded from any benefit of the Union, or placed in any respect - either directly or indirectly – under any disability or disadvantage as compared with other members of the Union (except in relation to the control or management of the Political Fund of the Union) by reason of the member being so exempt.

10. Contribution to the Political Fund of the Union shall not be made a condition for admission to the Union.
11. If any member alleges that he or she is aggrieved by a breach of any of these Rules for the Political Fund of the Union, the person may complain to the Registrar of Friendly Societies, and the Registrar, after giving the complainant and any representative of the Union an opportunity of being heard, may, if it is considered that such a breach has been committed, make such order for remedying the breach as is thought just in the circumstances; and any such order of the Registrar shall be binding and conclusive on all parties without appeal, and shall not be removable into any court of law or restrainable by injunction, and on being recorded in the county court, may be enforced as if it had been an order of the county court.

12. Any member may withdraw notice of exemption on notifying a desire to that effect to the Organiser of the member's Sector, who shall thereupon send such member an acknowledgement of receipt of the notification and inform the General Secretary of the name and address of the member so withdrawing.
13. The National Executive Council shall cause to be printed as soon as practicable after the approval and registration of these Rules for the Political Fund of the Union, a number of copies thereof having at the end copies of the certificates of approval and registration sufficient for the members of the Union, and a further number for new members, and shall send to the Organiser of each Sector a number of copies sufficient for the members of the Sector. The Organiser of each Sector shall take steps to secure that every member of the Sector, so far as practicable, receives a copy of these Rules, and shall supply a copy to any member upon request. A copy thereof shall also be supplied forthwith to every new member on admission to the Union.

14. A return in respect of the Political Fund of the Union shall be transmitted by the Union to the Registrar of Friendly Societies before the first day of June in every

year, prepared and made up to such date, and in such form, and comprising such particulars as the Registrar may from time to time require, and every member of the Union shall be entitled to receive a copy of such return on application to the General Secretary of the Union, without making any payment for the same.

Sixth Schedule

(a) Procedures for Disciplinary Actions initiated under Rule 15 by a Sector Committee

1. Definitions

In these disciplinary procedures

1.1 'The Appointed Committee' means the committee before whom it is determined (pursuant to paragraph 3.2 of these procedures) the hearing shall take place.

1.2 'Proper Address' means (in relation to any member) the recorded home address in the Union's membership register or any other address which the member has requested the Union (in writing) to treat as his/her postal address.

1.3 The 'Appeal Committee' means the Divisional Executive Committee or a Sub-Committee of the Divisional Executive Committee consisting of not less than five members which the Divisional Executive Committee at its absolute discretion – but having regard to the severity of the charges and the penalties imposed – may establish for the purpose of hearing the appeal.

2. Investigation by Sector Committee

2.1 The Sector Committee may resolve to investigate the conduct of any member who (in the opinion of the Sector Committee) appears to be in breach of any rules of the Union or appears to have acted in a manner unbecoming that of a member or in a manner which is inimical to the interests of other members.

2.2 If the Sector Committee so resolves the Sector Organiser and a specially appointed Sub-Committee of three (3) members of the Sector Committee will carry out a preliminary investigation and will notify the member whose conduct is being investigated of the Sector Committee's decision and of the reason for that decision.

3. Laying of charges

3.1 At the conclusion of the investigation the specially appoint Sub-Committee of (3) members of the Sector Committee will determine whether to lay formal charges. 3.2 If the Sub-Committee resolves to lay a charge under paragraph 3.1 the hearing of the charge shall take place before the remaining members of the Sector Committee (none of whom shall have been members of the Sub-Committee referred to in paragraph 2.2).

4. Notification

4.1 The Sector Organiser shall notify the member in writing of the charge(s), the grounds of the charge(s), the penalties which may be imposed, and the date

when the charge(s) will be heard which will be at least fourteen (14) days after the date of the notice.

4.2 The notice under paragraph

5. Hearing

5.1 The charge(s) against the member shall be presented either by the Sector Organiser or by one of the members of the Sub-Committee which resolved to bring the charge(s). of the Union at the hearing.

5.2 The member shall have the right to be represented by another member notice of the appeal is sent by registered post or recorded delivery and is received by the Sector Committee within fourteen (14) days of the date upon which the Appointed Committee's decision is sent to the member.

5.3 The member may choose to submit a defence in writing instead of attending the hearing.

5.4 If the member fails to attend the Appointed Committee may proceed to deal with the matter in the member's absence.

6. Notification of decision

6.1 If the Appointed Committee by a majority find that the member is guilty of one or more charges it may impose one or more of the penalties provided for in Rule 15(b).

6.2 The member will be advised of the decision of the Appointed Committee by written notice sent to his Proper Address by registered post or recorded delivery and the notice will advise the member of the right of appeal under paragraph 8 of these procedures.

7. Penalties

(i) The penalties which may be imposed are as provided for in Rule 15(b), viz.
(ii) cautioned as to future conduct;
(iii) fined a sum not exceeding one hundred and twenty seven euros;
(iv) debarred from attending Union meetings for a period as decided;
(v) debarred from holding office or participating in any way in Sector or Union administration for a period as decided;
(vi) expelled from membership.

8. Appeal

8.1 The member concerned shall have a right of appeal against a decision of the Appointed Committee to the Appeals Committee provided written

8.2 The Divisional Organiser shall notify the member of the date of the hearing before the Appeals Committee which will be at least fourteen (14) days after the date of the notice.

8.3 The appeal to the Appeals Committee shall be by way of oral and/or written submissions by the member.

8.4 The member shall have the right to be represented by another member of the Union at the hearing before the Appeals Committee.

8.5 The Appeals Committee may resolve to reject or accept the appeal in whole or in part or to vary the penalty imposed.

8.6 The member will be advised of the decision of the Appeals Committee by

written notice sent to his Proper Address by registered post or recorded delivery and the decision on such an appeal shall be final.

(b) Procedures for Disciplinary Actions initiated under Rule 15 by a Divisional Executive Committee.

1. Definitions

In these disciplinary procedures

1.1 'The Appointed Committee' means the committee before whom it is determined (pursuant to paragraph 3.2 of these procedures) the hearing shall take place.

1.2 'Proper Address' means (in relation to any member) the recorded home address in the Union's membership register or any other address which the member has requested the Union (in writing) to treat as his/her postal address.

1.3 The 'Appeals Committee' means the National Executive Council or a Sub-Committee of the National Executive Council consisting of not less than seven members which the National Executive Council at its absolute discretion - but having regard to the severity of the charges and the penalties imposed - may establish for the purpose of hearing the appeal.

2. Investigation by Divisional Executive Committee

2.1 The Divisional Executive Committee may resolve to investigate the conduct of any member who (in the opinion of the Divisional Executive Committee) appears to be in breach of any rules of the Union or who appears to have acted in a manner which is unbecoming that of a member or in a manner which is inimical to the interests of other members.

2.2. If the Divisional Executive Committee so resolves the Divisional Organiser and a specially appointed Sub- Committee of three (3) members of the Divisional Executive Committee will carry out a preliminary investigation and will notify the member whose conduct is being investigated of the Divisional Executive Committee's decision and of the reason for that decision.

3. Laying of charges

3.1 At the conclusion of the investigation the specially appointed Sub-Committee of three (3) members of the Divisional Executive Committee will determine whether to lay formal charges.

3.2 If the Sub-Committee resolves to lay a charge under paragraph 3.1 the hearing of the charge shall take place before the remaining members of the Divisional Executive Committee (none of whom shall have been members of the Sub-Committee referred to in paragraph 2.2).

4. Notification

4.1 The Divisional Organiser shall notify the member in writing of the charge(s), the grounds of the charge(s), the penalties which may be imposed, and the date when the charge(s) will be heard which will be at least fourteen (14) days after the date of the notice.

4.2 The notice under paragraph 4.1 shall be sent to the member at his Proper Address by registered post or recorded delivery.

5. Hearing

5.1 The charge(s) against the member shall be presented either by the Divisional Organiser or by one of the members of the Sub-Committee which resolved to bring the charge(s).

5.2 The member shall have the right to be represented by another member of the Union at the hearing.

5.3 The member may choose to submit a defence in writing instead of attending the hearing.

5.4 If the member fails to attend the Appointed Committee may proceed to deal with the matter in the member's absence.

6. Notification of decision

6.1 If the Appointed Committee by a majority find that the member is guilty of one or more charges it may impose one or more of the penalties provided for in Rule 15(b).

6.2 The member will be advised of the decision of the Appointed Committee by written notice sent to his Proper Address by registered post or recorded delivery and the notice will advise the member of the right of appeal under paragraph 8 of these procedures.

7. Penalties

The penalties which may be imposed are as provided for in Rule 15(b), viz.

(i) cautioned as to future conduct;

(ii) fined a sum not exceeding one hundred and twenty seven euros;

(iii) debarred from attending Union meetings for a period as decided;

(iv) debarred from holding office or participating in any way in Sector or Union administration for a period as decided;

8. Appeal

8.1 The member concerned shall have right of appeal against a decision of the Appointed Committee to the Appeals Committee provided written notice of the appeal is sent by registered post or recorded delivery and is received by the Divisional Executive Committee within fourteen (14) days of the date upon which the Appointed Committee's decision is sent to the member.

8.2 The General Secretary shall notify the member of the date of the hearing before the Appeals Committee which will be at least fourteen (14) days after the date of the notice.

8.3 The appeal to the Appeals Committee shall be by way of oral and/or written submissions by the member.

8.4 The member shall have the right to be represented by another member of the Union at the hearing before the Appeals Committee.

8.5 The Appeals Committee may resolve to reject or accept the appeal in whole or in part or to vary the penalty imposed.

8.6 The member will be advised of the decision of the Appeals Committee by written notice sent to his Proper Address by registered post or recorded delivery and the decision of such an appeal shall be final.

(c) Procedures for Disciplinary Actions initiated under Rule 15 by the National Executive Council

1. Definitions

In these disciplinary procedures

1.1 'The Appointed Committee' means the committee before whom it is determined (pursuant to paragraph 3.2 of these procedures) the hearing shall take place.

1.2 'Proper Address' means (in relation to any member) the recorded home address in the Union's membership register or any other address which the member has requested the Union (in writing) to treat as his/her postal address.

1.3 The 'Appeals Committee' means the Appeals Committee established under Rule 115.

2. Investigation by National Executive Council

2.1 The National Executive Council may resolve to investigate the conduct of any member who (in the opinion of the National Executive Council) appears to be in breach of any rules of the Union or who appears to have acted in a manner which is unbecoming that of a member or in a manner which is inimical to the interests of other members.

2.2 If the National Executive Council so resolves the General Secretary and a specially appointed Sub-Committee of five (5) members of the National Executive Council will then carry out a preliminary investigation and will notify the member whose conduct is being investigated of the National Executive Council's decision and of the reason for that decision.

3. Laying of charges

3.1 At the conclusion of the investigation the specially appointed Sub-Committee of five (5) members of the National Executive Council will determine whether to lay formal charges.

3.2 If the Sub-Committee resolves to lay a charge under paragraph 3.1 the hearing of the charge shall take place before the remaining members of the National Executive Council (none of whom shall have been members of the Sub-Committee referred to in paragraph 2.2).

4. Notification

4.1 The General Secretary shall notify the member in writing of the charge(s), the grounds of the charge(s), the penalties which may be imposed, and the date when the charge(s) will be heard which will be at least fourteen (14) days after the date of the notice.

4.2 The notice under paragraph 4.1 shall be sent to th member at his Proper Address by registered post or recorded delivery.

5. Hearing

5.1 The charge(s) against the member shall be presented either by the General Secretary or by one of the members of the Sub-Committee which resolved to bring the charge(s).

5.2 The member shall have the right to be represented by another member of

the Union at the hearing.

5.3 The member may choose to submit a defence in writing instead of attending the hearing.

5.4 If the member fails to attend the Appointed Committee may proceed to deal with the matter in the member's absence.

6. Notification of decision

6.1 If the Appointed Committee by a majority find that the member is guilty of one or more charges it may impose one or more of the penalties provided for in Rule 15(b).

6.2 The member will be advised of the decision of the Appointed Committee by written notice sent to his Proper Address by registered post and the notice will advise the member of the right of appeal under paragraph 8 of these procedures.

7. Penalties

The penalties which may be imposed are as provided for in Rule 15(b), viz.

(i) cautioned as to future conduct;
(ii) fined a sum not exceeding one hundred and twenty seven euros;
(iii) debarred from attending Union meetings for a period as decided;
(iv) debarred from holding office or participating in any way in Sector or Union administration for a period as decided;
(v) expelled from membership.

8. Appeal

8.1 The member concerned shall have right of appeal against a decision of the Appointed Committee to the Appeals Committee provided written notice of the appeal is sent by registered post or recorded delivery and is received by the National Executive within fourteen (14) days of the date upon which the Appointed Committee's decision is sent to the member.

8.2 The General Secretary shall notify the member of the date of the hearing before the Appeals Committee which will be at least fourteen (14) days after the date of the notice.

8.3 The appeal to the Appeals Committee shall be by way of oral and/or written submissions by the member.

8.4 The member shall have the right to be represented by another member of the Union at the hearing before the Appeals Committee.

8.5 The Appeals Committee may resolve to reject or accept the appeal in whole or in part or to vary the penalty imposed.

8.6 The member will be advised of the decision of the Appeals Committee by written notice sent to his Proper Address by registered post or recorded delivery and the decision of such an appeal shall be final.



WORKERS RIGHTS CENTRE

AN INJURY TO ONE IS THE CONCERN OF ALL

SIPTU

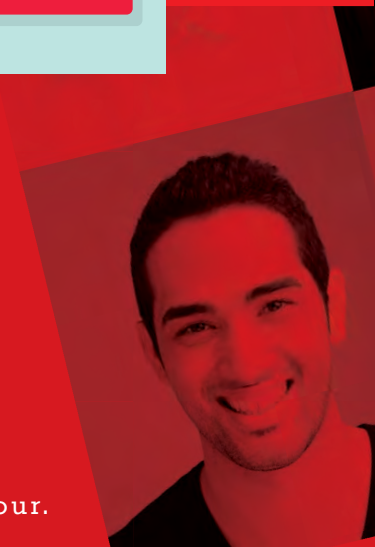
- **ADVICE, SUPPORT AND HELP** WHEN YOU NEED IT AT WORK
- **CONFIDENTIAL** INFORMATION HELPLINE
- **EXPERT** ADVOCATES AND NEGOTIATORS TO TAKE YOUR CASE

SIPTU WORKERS RIGHTS CENTRE

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