RULE BOOK

Effective from Rules Conference 2011

(Updates to the Executive Guidance on rules will be published as soon as possible)

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RULE 1. TITLE AND REGISTERED OFFICE

1.1 The Union formed under these rules (hereinafter called the Union) shall be known by the title of "Unite the Union".

1.2 This Rule Book applies to all members of the Union, and represents the entirety of the rules applicable to members of the Union, save as explicitly provided for under this Rule Book. For the avoidance of doubt, the Amicus and TGWU Sections ceased to exist on the day these rules came into force and neither of those sections shall constitute a group or association or other body or organisation of members for the purposes of these rules.

1.3 The Registered Office of the Union shall be Unite House, 128 Theobalds Road, London WC1X 8TN or such other place as may be decided upon by the Executive Council.

RULE 2. OBJECTS

2.1 The objects of the Union shall, so far as may be lawful, be:

2.1.1 To organise, recruit and represent workers, and strengthen workplace organisation to achieve real union power for its members".

2.1.2 To defend and improve its members' wages and working conditions including the pursuit of equal pay for work of equal value. To help our members win in the workplace, using the union's resources to assist in that process, and to support our members in struggle including through strike action."

2.1.3 To defend and improve the social and economic well-being of members and their families, both directly and via commensurate policies in relation to society both domestically and abroad.

2.1.4 To have a strong political voice, fighting on behalf of working peoples' interests, and to influence the political agenda locally, regionally, nationally and internationally, so as to promote a socialist vision for

- a more equal society in which wealth is distributed from the rich to the poor, including by means of progressive taxation and other regulatory measures to restrict excessive wealth
- a collective society in which public services are directly provided on the basis of public need and not private greed, and a fair system of welfare and benefits to support those in need
- public ownership of important areas of economic activity and services, including health, education, water, post, rail and local passenger transport.

2.1.5 To further political objectives including by affiliation to the Labour Party.

2.1.6 To promote equality and fairness for all, including actively opposing prejudice and discrimination on grounds of gender, race, ethnic origin, religion, class, marital status, sexual orientation, gender identity, age, disability or caring responsibilities.

2.1.7 To affiliate to the TUC, ICTU, Welsh and Scottish TUCs and other appropriate trade union cooperation/coordination bodies domestically and internationally.

2.1.8 To promote constructive cooperation between trade unions internationally to further the interests of members of the Union and those in other unions in dealing with the direct and indirect impact of globalisation.

2.1.9 To promote education and training; both vocational and industrial and otherwise as conducive to these objects.

2.1.10 To provide such financial and other benefits and legal assistance to members as may be specified in these rules.

2.1.11 To do all such other things as may in the opinion of the Executive Council be incidental or conducive to the attainment of these objects.

RULE 3. MEMBERSHIP

3.1 The Executive Council shall define the categories of membership. Where the Union organises or represents persons engaged in an occupation or seeks to do so, any person engaged in that occupation shall be eligible for membership of the Union, subject to these rules.

3.2 There shall be a category of membership for those members who are unable to follow employment because of retirement or permanent disablement. The Executive Council shall determine the qualifications for membership of this category as well as the level of contributions and entitlement to benefit. Such membership shall not accord an entitlement to vote in any ballot or election held by the Union other than an election to the office of General Secretary under rules 15 and 16, an election to any position within the Retired Members' Association or any ballot or election in which all members must by statute, be accorded an unconditional entitlement to vote, unless otherwise specified in these rules.

3.3 There shall be a further category of membership open to students and others not in employment who wish to play a part in the work of the union in the wider community. The Executive Council shall determine the level of contributions and entitlement to benefit and services for members in this category. Such membership shall accord an entitlement to representation on Area Activist Committees and Regional Political Committees in such proportion as the executive Council shall determine, but not an entitlement to vote in any ballot or election held by the Union other than an election to the office of General Secretary under rules 15 and 16 or any ballot or election in which all members must by statute be accorded an unconditional entitlement to vote.

3.4 Any eligible person may apply for membership by completing the appropriate application form agreeing to be bound by the rules of the Union and submitting it to the Union office or by electronic means as may be provided for via the Union's website. An applicant shall become a member when his/her application has been approved and he/she has been

entered into the register of members. Such approval process may require receipt by the Union of the contribution applicable under these rules.

3.5 Each member must notify the Union's membership department of any subsequent change of address, and in the absence of such notice the Union shall be entitled to treat the address shown on that member's application form as the member's address for all correspondence.

3.6 Each member must notify the Union's membership department of any subsequent change of workplace or contribution category status.

3.7 If an applicant has previously been a member of the Union (or any of its predecessors), the Executive Council may, as a condition of re-admission, require the applicant to pay some or all of any monies owed by the applicant to the Union (or any of its predecessors).

3.8 The Executive Council may reject an application if in its opinion the conduct of the applicant has at any time been such as would justify a disciplinary charge under these rules against a member of the Union who behaved in a similar fashion.

3.9 Any period of continuous membership of a predecessor union at the point of amalgamation or transfer shall count as continuous membership of the Union for the purposes of these rules.

RULE 4. MEMBERSHIP CONTRIBUTIONS and BENEFITS

4.1 It shall be the personal responsibility of the member to maintain contributions and avoid arrears in all circumstances. Any period during which a member's contributions are 13 or more weeks in arrears shall break continuity of membership for the purpose of the qualification required to be an officer employed by the Union set out in rule 14 save where a member establishes to the satisfaction of the Executive Council that the arrears arose through no fault of that member. A member whose contributions are recorded by the Union as more than 26 weeks in arrears may be excluded from membership by the Union posting notice to that effect to the member. A member so excluded from membership may apply for reinstatement which may be allowed on such terms as to the payment of outstanding arrears as the Executive Council may consider appropriate.

4.2 The Executive Council shall determine the period of membership necessary prior to the member attaining eligibility for benefits, and any period during which contributions are in arrears which shall remove such eligibility.

4.3 The Executive Council shall determine the level of contributions for each category of membership.

4.4 The Executive Council shall determine the scope and level of benefits.

4.5 The Union shall pay dispute benefit in such circumstances and on such terms as are decided by the Executive Council from time to time.

4.6 The Union will provide legal assistance, as follows:

4.6.1 A member who is entitled to benefit who suffers injury or disease arising out of or in connection with his/her employment (or the dependants of such a member who has died) shall be entitled to such legal advice and representation, and on such terms, as the Executive Council may consider appropriate.

4.6.2 A member seeking legal assistance must ensure that a request in the appropriate form is lodged at the appropriate Union office in sufficient time and with sufficient information to enable the request to be considered and appropriate action taken.

4.6.3 A member who requires advice and/or representation on a problem relating to the member's employment which first arose at a time when the member was entitled to benefit and which cannot be resolved through the member's workplace representative should refer the matter to the appropriate Regional Officer. The Union may provide such advice and/or representation as the Executive Council shall consider appropriate, whether by a full time officer or otherwise, and on such terms as the Executive Council shall consider appropriate.

4.6.4 The Executive Council may provide such additional legal advice and representation to members and to members' families as it may consider appropriate.

4.6.5 The Executive Council may extend legal assistance to a member who is not otherwise entitled to benefits.

4.6.6 A member who is given advice and/or representation under this rule shall provide all relevant information and co-operate fully with the compilation of evidence for any legal proceedings and shall comply with any other obligations and/or conditions set out in any arrangements for the provision of legal assistance. If a member fails to do so or provides false or misleading information or fails to act upon the advice of those appointed to represent him/her, the Executive Council may at its absolute discretion annul all legal assistance or withdraw any further legal assistance to that member.

4.7 The Executive Council shall have discretion to provide additional benefits.

RULE 5. OBLIGATIONS OF MEMBERS

5.1 A member of the Union must comply with these rules and with any duty or obligation imposed on that member by or pursuant to these rules whether in his/her capacity as a member, a holder of a lay office or as a full time officer.

5.2 A member must not knowingly, recklessly or in bad faith provide the Union with false or misleading information relating to a member or any aspect of the Union's activities.

5.3 A motion shall not be submitted by or on behalf of the Union or any group or body within the Union to an organisation or body outside the Union if that motion is inconsistent with existing Union policy.

5.4 When acting as a representative of the Union at a meeting of an organisation or body outside the Union a member shall speak and vote in accordance with the policy of the Union and with any decision taken by the Union's representatives at that meeting which is consistent with the Union's policy.

RULE 6. LAY OFFICE

6.1 The Executive Council shall make provision to ensure accountability of Regional and Industrial Executive Council members and those Executive Council members elected pursuant to rule 14(3.3) shall meet with their respective National Committees at least four times per year.

6.2 In order to be eligible to be a candidate for election to, or hold office on, the Executive Council and/or any committee, council, or other body of the Union provided for by these rules, the member in question must be an accountable representative of workers, with the exception of Area Activists Committees and Regional Political Committees as specified elsewhere in these rules. 6.3 The definition of the term "accountable representative of workers" shall be in the exclusive power of the Executive Council, which is empowered to take into account changing industrial realities and the unique nature of some industries (e.g. construction, contracting, leisure, rural etc) in formulating such a definition. It must nevertheless include Branch office-holders who are in employment, shop stewards, health & safety , equalities and learning representatives.

6.3 It is further required that a fair procedure be developed by the Executive Council to deal sympathetically with cases where a member's eligibility to stand for election or continue to hold office may be affected by employer victimisation.

6.4 The electoral period to hold lay office shall be three years unless otherwise provided for under these rules.

RULE 7. INDUSTRIAL/OCCUPATIONAL/PROFESSIONAL SECTORS

7.1 Members in employment shall be allocated to the Industrial Sector in which they are employed. The term 'Industrial Sector' is a generic term including occupational and professional sectors.

7.2 There shall be organisation and representation of union members at both regional and national level by reference to their Industrial Sector.

7.3 These Industrial Sectors shall be determined by the Executive Council, which shall have the right to amalgamate existing sectors and to create new sectors as seems

expedient on the basis of industrial logic and developing patterns of membership organisation.

7.4 Each Industrial Sector shall be led by a National Industrial Committee, to be elected from the appropriate Regional Industrial Sector Committees in such proportion, as may be determined by the Executive Council. The Executive Council shall have the power to determine additional special constituencies (which may be on a national basis) where they deem it necessary in light of the particular industrial circumstances of the sector.

7.5 National Industrial Committees shall enjoy full autonomy in the conduct of their own proper industrial business provided that such conduct is not inconsistent with the general policy and objectives of the Union.

7.6 Each Industrial Sector shall hold a national conference, with delegates elected from amongst the membership in that sector, once every two years to determine its own industrial policies provided that they are not inconsistent with the general policy and objectives of the Union. That the Executive Council shall determine the size and composition of each National Industrial Sector Conference and shall ensure that in each case it is larger than the number of seats on the corresponding National Industrial Sector Committee.

7.7 Each Industrial Sector shall, where practicable, be divided into Regional Industrial Sectors, in conformity with the territorial Regions of the Union. There shall be a Regional Industrial Sector Committee in each Region where a Regional Industrial Sector is established elected in such proportion, as may be determined by the Executive Council, to reflect Branch and workplace organisation.

7.8 Each Regional Industrial Sector Committee shall be empowered to fill vacancies arising from the failure of any Regional Industrial Sector Committee member, without good reason, to attend 2 consecutive Regional Industrial Sector Committee meetings for following the resignation of any member.

7.9 Members employed in managerial, professional, supervisory, technical and/or clerical grades may, where appropriate, be organised and represented separately from other members in the same sector.

7.10 Special sub-sectors and/or advisory committees of Industrial Sectors

7.10.1 The Executive Council shall constitute special sub-sectors and/or advisory committees of Industrial Sectors as may seem expedient, on the basis of company or occupation, and shall have discretion to maintain the autonomy of specific craft or professional groupings which may not have the status of industrial committees.

7.10.2 The Executive Council may approve byelaws to govern the activities of a group or association or other body or organisation of members. In the event of a conflict between these rules and the byelaws of a group or association or other body or organisation of members, these rules shall prevail. Any amendment to the byelaws of a group or association or other body or organisation of members shall require the consent of the Executive Council

7.10.3 Any group or association or other body or organisation of members existing immediately before these rules came into force which had its own constitution, byelaws, regulations or rules shall treat that constitution, those byelaws,

regulations or rules as being byelaws for the purposes of these rules. Accordingly, in the event of a conflict between these rules and the constitution, byelaws, regulations or rules of a group or association or other body or organisation of members, these rules shall prevail. Further, any amendment to such constitution, byelaws, regulations or rules shall require the consent of the Executive Council which may also amend such constitution, byelaws, regulations or rules after consultation with the relevant group or association or other body or organisation of members.

7.11 The Executive Council shall decide, and may alter, the number and description of the sectors provided that when these rules first come into force the sectors shall include:

- Finance and Legal
- Servicing and General Industries
- Vehicle Building and Automotive
- Motor Components
- Food, Drink and Tobacco
- Rural and Agricultural
- Construction
- Health
- Graphical, Paper and Media
- Passenger Transport
- Aerospace and Shipbuilding
- Chemical, Pharmaceuticals, Process and Textiles
- Road, Transport Commercial, Logistics and Retail Distribution
- Local Authorities
- Civil Air Transport
- Energy and Utilities
- Community, Youth Workers and Not for Profit
- Metals (including Foundry)
- Electrical Engineering and Electronics
- Education
- MOD and Government Departments

- Docks, Rail, Ferries and Waterways
- IT and Communications

RULE 8. REGIONS

8.1 For the purpose of regional administration the Union shall constitute Regions for Ireland, Scotland and Wales with England divided into 7 Regions on the basis of Regional Development Agency boundaries (as at 1st January 2006) as follows:

North West;

North East, Yorkshire and Humberside;

West Midlands;

East Midlands;

South West;

South East; and

London and Eastern

8.2 Each Region shall have a Regional Committee of lay members elected from the Regional Industrial Sector Committees, Area Activists Committees where established, and as otherwise provided for by these rules in such proportions, as may be determined by the Executive Council. Should any seat become vacant on the Regional Committee, then the Regional Secretary shall write to the nominating committee seeking a replacement delegate.

8.3 The Regional Committees shall have responsibility for the management of the Union's affairs in their Regions in conformity with decisions of the Executive Council and responsible to it.

8.4 The Regional Committees shall have their own funds not exceeding 1% of the membership income attributable to members within that Region. Regional Committees shall be responsible for the affiliation of union organisations to Trades Councils and appropriate public bodies within their Region.

8.5 Regions shall constitute Area Activists meetings between activists in different companies, sectors and Branches, across geographical areas within a Region, subject to the approval of the Executive Council. The first of these meetings in an electoral period shall elect Area Activists Committees, the size and composition of which being determined by the respective Regional Committee, subject to the approval of the Executive Council. Thereafter Regions may convene further Area Activists meetings, up to four times a year. All activists shall be eligible to stand for election to Area Activists Committees.

8.6 The Regional Committee shall meet once a quarter or more frequently if, in the opinion of the Regional Secretary, the business renders it necessary. The Regional Secretary is responsible for convening all meetings.

8.7 A special Regional Committee meeting can be called by 50% +1 of the members of the Regional Committee, either by a show of hands at a Regional Committee meeting or by written requisition.

8. 8 The Regional Committee shall have power to appoint one or more sub-committees from among its members and, except where otherwise determined by the Executive Council, shall have the power to delegate to any such sub-committee all or any of its powers including therein the conduct of hearings, appeals, inquiries, investigations or any other proceedings or functions whatever which it is authorised by these rules to undertake.

RULE 9. YOUNG MEMBERS

9.1 In each Region there shall be a young members' forum open to all members up to and including the age of 30 in that Region.

9.2 The purpose of the structure shall be to advocate the interests of young workers, to cement links with youth organizations both within the labour movement and beyond and to promote relevant policies provided that they are not inconsistent with the general policy and objectives of the Union.

9.3 There shall be conferences in each Region every three years for young members. The Regional Secretary shall be responsible for convening these conferences. The Executive Council shall determine the number of delegates to the regional conferences and how they shall be appointed or elected.

9.4 There shall be a Young Members Regional Committee elected from Branches, Regional Industrial Sector Committees and Area Activists Committees where established in such proportion, as may be determined from time to time by the Executive Council. The Regional Young Members Committee shall elect a delegate to the Regional Committee.

9.5 There shall be a national conference every two years for young members which the Executive Council shall be responsible for convening. The Executive Council shall determine the number of delegates to the national conference and how they shall be appointed or elected.

9.6 There shall be a Young Members National Committee elected from each Young Members Regional Committee in such proportion, as may be determined from time to time by the Executive Council.

RULE 10. MEMBERS IN RETIREMENT

10.1 There shall be established an association for Retired Members which shall be supported and funded by the Union in the manner determined by the Executive Council.

10.1.1 The Retired Members Association is the name of the constitutional body for retired members within Unite. It is an integral part of Unite.

10.2 The Retired Members Association (hereafter RMA) shall promote the interests of all senior citizens by working with other bodies involved with the retired, cementing links with the Union and ensuring its support both within the Union and beyond. The RMA shall harness the support of members in retirement in promoting the Union's political and campaigning objectives.

10.2.1 The RMA will draw on the best traditions of previous retired members' structures, adding new ideas and practices where these will best serve the aims and objectives of the Union.

12.2.2 These will include, but not be confined to, new initiatives through which the unique experience and skills of retired members can support the political and campaigning work of the Union.

10.3 The RMA shall have RMA Branches, Regional Co-ordinating Committees and a National Committee of the RMA. Standing Orders for these Branches, Regional Co-ordinating Committees and National Committee shall be determined by the Executive Council.

10.3.1 Retired members are free to remain in their Unite workplace branches or may be allocated to their local Unite geographical branch.

10.3.2 Where appropriate an RMA branch shall be established on the same geographical boundaries as the Area Activists Committees.

13.3.3 The Regional Committee shall determine whether there are sufficient active retired members to merit a separate RMA branch for each Area Activist Committee. Where there are sufficient activists to establish more than one RMA Branch within an Area Activist Committee boundary, this matter will also be considered by their Regional Committee.

10.3.4 Any retired member of Unite the Union who is a Branch delegate to a local constituency Labour Party to which their branch affiliates is eligible to stand for election to the Regional Political Committee at their Regional Political conference, without infringing on Rule 6.

10.3.5 There shall be a Regional RMA Co-ordinating Committee. Each RMA branch in a Region may elect up to two RMA delegates to the Regional Co-ordinating Committee.

10.3.6 Each RMA Branch in a Region may elect an RMA delegate to their associated Area Activists Committee.

10.4 Each Regional RMA Co-ordinating Committee shall elect the following:

10.4.1 Two RMA delegates per region to the National RMA;

10.4.2 A delegate who shall sit as an observer on the Regional Committee;

10.4.3 One RMA Delegate (who must be a Labour Party Member) who shall sit as an observer on the Regional Political Committee;

10.4.4 Delegates to the National Pensioners Convention.

10.5 The National RMA Committee shall elect the following:

10.5.1 One RMA delegate (who must be a Labour Party Member) who shall sit as an observer on the National Political Committee;

10.5.2 One RMA delegate who shall sit as an observer on the Executive Council.

10.6 The RMA National Committee and Regional RMA Co-ordinating Committees shall meet quarterly.

RULE 11. EQUALITIES

11.1 The Union shall strive to have elected equalities representatives recognized and active in all workplaces and who participate in the work of the Union's industrial structure.

11.2 All constitutional conferences and committees of the Union shall have a gender and ethnic balance of elected representatives at least reflecting the proportion of the black, Asian and ethnic minority and female membership which they represent. The Executive Council shall ensure the implementation of this rule and shall report on its implementation to the Policy Conference of the Union.

11.3 There shall be separate conferences in each Region every three years for women members; black, Asian and ethnic minority members; disabled members; and lesbian, gay, bisexual and transgender members. The Regional Secretary shall be responsible for convening these conferences.

11.4 There shall be Regional Committees for women members; black, Asian and ethnic minority members; disabled members; and lesbian, gay, bisexual and transgender members, elected in constituencies at the appropriate regional conference in 11.3, to advance the area of equalities, and to represent and report to the Regional Industrial Sector Committees and Area Activists Committees where established in such proportion, as may be determined by the Executive Council. These committees shall each elect a delegate to their respective Regional Committee of the Union as a whole.

11.5 There shall be separate national conferences every two years for women members; black, Asian and ethnic minority members; disabled members; and lesbian, gay, bisexual and transgender members. The Executive Council shall be responsible for convening these conferences which shall be made up of delegates elected at each of the appropriate Regional Conferences.

11.6 There shall be National Committees for women members; black, Asian and ethnic minority members; disabled members; and lesbian, gay, bisexual and transgender members, elected from their respective Regional Committees in such proportion, as may be determined by the Executive Council.

RULE 12. POLICY CONFERENCE

12.1 The supreme policy making body of the Union shall be a Policy Conference held every two years consisting so far as is reasonably practicable of one lay delegate for each two thousand working members of the Union. Additionally, each Regional Committee shall elect two Lesbian, Gay, Bisexual & Transgender members and two Disabled members to attend the Policy Conference. Only elected lay delegates shall have the right to vote. No member shall be a lay delegate if they are currently employed by the Union.

12.2 Motions to the Policy Conference shall be confined to the general policies of the Union and shall not deal with matters relating to the interpretation or amendment of rule or which are concerned solely with the Union's policy within an Industrial Sector. Following the conference any motion which commits the Union to expenditure of funds must be put to the Executive Council for consideration and ratification before implementation.

12.3 The General Secretary will present a financial report to the Policy Conference.

12.4.1 The Executive Council shall determine the procedure for nomination, qualification and election of delegates and the constituencies from which they shall be elected.

12.4.2 In addition each Regional Committee shall elect three delegates to Policy Conference directly.

12.5 The Executive Council shall be in attendance at any Policy Conference, and its members may speak upon but may not vote on any subject.

12.6 Each delegate shall hold office until the next Policy Conference.

12.7 The Executive Council shall determine the number of policy motions which may be submitted by the Branch; regional; industrial and equalities structures, and from the Executive Council itself.

12.8 The Policy Conference shall be chaired by the Chair of the Executive Council.

12.9 The Policy Conference may be recalled by the Executive Council in an emergency. It shall deal only with the business for which it is summoned.

12.10 The Executive Council shall draft the standing orders for the Policy Conference. A Standing Orders Committee shall be constituted on the basis of one delegate from each Region, under a procedure to be agreed by the Executive Council. No member of the Executive Council shall be eligible to serve on the Standing Orders Committee. The Chair of conference may attend the meetings of the Committee.

12.11 No member of the Executive Council, employee of the Union or retired employee of the Union, or any member who is in receipt of a pension from any of the funds of the Union, no tutor employed by the Education Department, and no member who is employed on Union business on a full-time basis with remuneration paid from funds which are raised

from special contributions paid by Branch members as distinct from Union contributions, shall be eligible for nomination as a delegate to the Policy Conference.

RULE 13. RULES AMENDMENT

13.1 For the revision of the rules and constitution of the Union there shall be a Rules Conference which shall meet in every fourth year. The first Rules Conference shall take place in the year following the first Policy Conference. No member shall be a lay delegate if they are currently employed by the Union.

13.2 The Rules Conference shall be constituted in the same way as the Policy Conference.

13.3 Amendments to rule may be approved by a simple majority of those voting. Only elected lay delegates shall have the right to vote.

13.4 The Executive Council shall be entitled to submit motions and amendments to motions to amend the rules to a Rules Conference and if an urgent issue arises it may do so at short notice.

13.5 If in the opinion of the Executive Council there is an urgent need to amend the rules between Rules Conferences, the Executive Council may amend the rules by a resolution supported by not less than 75% of its members, provided that amendment shall cease to have effect at the end of the next Rules Conference unless it has been ratified by a resolution of that conference.

13.6 The Executive Council shall determine the procedure for nomination, qualification and election of delegates and the constituencies from which they shall be elected.

13.7 The Executive Council shall be in attendance at any Rules Conference, and its members may speak upon but may not vote on any subject.

13.8 Each delegate shall hold office until the next Rules Conference.

13.9 The Executive Council shall determine the number of rules motions which may be submitted by from the Branch; regional; industrial and equalities structures, and from the Executive Council itself.

13.10 The Rules Conference shall be chaired by the Chair of the Executive Council.

13.11 The Rules Conference may be recalled by the Executive Council in an emergency. It shall deal only with the business for which it is summoned.

13.12 The Executive Council shall draft the standing orders for the Rules Conference. A Standing Orders Committee shall be constituted on the basis of one delegate from each Region under a procedure to be agreed by the Executive Council. No member of the Executive Council shall be eligible to serve on the Standing Orders Committee. The Chair of conference may attend the meetings of the Committee.

13.13 No member of the Executive Council, employee of the Union or retired employee of the Union, or any member who is in receipt of a pension from any of the funds of the Union, no tutor employed by the Education Department, and no member who is employed on Union business on a full-time basis with remuneration paid from funds which are raised from special contributions paid by Branch members as distinct from Union contributions, shall be eligible for nomination as a delegate to the Rules Conference.

RULE 14. EXECUTIVE COUNCIL

14.1 Election of the Executive Council

14.1.1 The election of the Executive Council shall be on the basis of representatives from the Union's regional structure, representatives from the Union's Industrial Sectors and National Representatives of the Union's women and black, Asian and ethnic minority, disabled and LGBT membership.

14.1.2 Elections to the Executive Council shall be conducted in conformity with guidance issued by the Executive Council from time to time.

14.2 14.2.1 Election to the Executive Council shall be on the basis of electoral constituencies determined by the Executive Council. These constituencies shall ensure the fair and equitable representation of the working membership and shall include representatives to be elected from the Regions as constituted in the union on the basis of each region with fewer than 150,000 members on the date at which the membership figures are struck having two representatives, each region with 150,000 members but fewer than 200,000 members having three, and each region with 200,000 members or more having four; and shall include representatives from the national industrial sectors, on the basis of each sector with fewer than 50,000 members at the date at which the membership figures is struck having one representative, each sector with 50,000 but fewer than 100,000 members having two and each sector with 100,000 members or more having three. The allocation of constituencies based on this formula will be automatically applied to all Executive Council elections henceforward unless the formula is varied by the Rules Conference.

14.2.2 The Executive Council shall also provide for National Representatives for women and for black, Asian and ethnic minority; Lesbian, Gay, Bisexual & Transgender; and Disabled members to sit on the Executive Council.

14.2.3 The Executive Council of the Union shall include designated seats within the electoral constituencies to ensure the proportionate representation of women members and of black, Asian and ethnic minority members.

14.2.4 The term of office for the Executive Council shall be three years.

14.2.5 No current or former employee of the Union, nor any current employee of any other union, is eligible to stand for, or hold office on, the Executive Council.

14.3 The Executive Council shall meet at least four times a year, with up to a maximum of five days duration per meeting to complete the business at hand. Special meetings of the Executive Council may be called when the General Secretary or when a majority of the Executive Council considers it necessary.

14.4 Members of the Executive Council who do not attend two consecutive meetings to which they are summoned, may be removed from office by the Executive Council if they fail to provide a written explanation of that absence to the General Secretary or if any written explanation provided is in the opinion of the Executive Council unsatisfactory. The Executive Council shall determine the guidance on the application of this rule.

14.5 The Executive Council shall elect a Finance and General Purposes Committee provided that it shall include the Chair of the Executive Council. The Executive Council shall determine the number of members thereof. This committee shall meet not less than six times a year. This Committee shall also act as an emergency committee, and the Executive Council shall delegate to such Committee all or any of its powers and duties as it may determine, and may modify or revoke such powers.

14.6 At the first meeting of the Executive Council following its election there shall be appointed by and from the members a Chair. The Executive Committee will have the power to remove and replace its Chair at any time, and to appoint one or more Vice Chairs for such business and period as it deems fit from time to time.

14.7 The Chair shall preside over all Executive Council meetings, see that the business is properly conducted, and sign the minutes of each meeting when passed. The Chair shall also preside at the Biennial Policy Conference, the Rules Conference, the Finance and General Purposes Committee and in addition shall be a delegate to the Trades Union Congress and Annual Conference of the Labour Party (where appropriate) held during their term of office, and to such other conferences as the Executive Council may determine.

14.8 The Government, management and control of the Union shall be vested in the Executive Council collectively, which may do such things consistent with the rules and objects of the Union as it may consider expedient to promote the interests of the Union or any of its members. In particular and without limiting the general powers conferred on it by these rules the Executive Council shall have the power to:

14.8.1 Ensure that properly prepared management accounts and annual statements of account relating to all financial affairs of the Union are presented at its regular meetings, and it may call for the production of any book, vouchers, or documents.

14.8.2 Direct that special audits or examinations of the books or finances of any part of the Union shall be made by special auditors appointed by the Executive Council.

14.8.3 Appoint and remove the Union’s auditor for which purpose the members of the Executive Council shall act as the delegates of the members by whom they were elected.

14.8.4 Appoint all officers who are employed as such by the Union (who shall have been paying members of this Union or, if employed by Unite, paying members of another trade union recognised by the union for bargaining purposes, for at least two years immediately preceding the date of application) other than the General Secretary. The promotion of individual officers (up to but excluding the level of General Secretary) and the allocation/reallocation of officer roles shall be subject to the approval of the Executive Council in each case.

14.8.5 Determine one or more constitutional committees of lay members to which each officer employed by the Union shall report and be accountable and ensure that the list of these allocation sis available to members.

14.8.6 Consider all appeals and resolutions addressed to it, subject to where it deems appropriate the Council shall have the power to refer such appeals and references to Regional or National Industrial Committees.

14.8.7 Require reports to be submitted to it of all disputes, and shall take such action with regard thereto as it shall deem fit.

14.8.8 Raise or borrow money and secure the payment of money or the carrying out of any other obligation of the Union on any of the properties or securities of the Union in such manner as it shall think fit.

14.8.9 Decide questions of policy which may arise between Policy Conferences and which have not been decided by a previous decision of such a conference.

14.8.10 Send delegates or deputations to represent the Union, and to delegate power to any person to act on behalf of the Union for any purpose.

14.8.11 Sanction payment of benefit in respect of any strike and in respect of any lockout.

14.8.12 Expend moneys on any of the purposes authorised by these rules, or on any other purpose which, in their opinion, is expedient in the interests of the Union or its members, including, at its discretion, the provision of legal services to members (and where it additionally and severally sees fit, to members' families), and the taking and defending of legal action by the Union.

14.8.13 Suspend, or impose any other penalty on any Branch, Region or other administrative section of the Union for such reasons and on such terms as they deem expedient and their decisions, save as herein provided, shall be final and conclusive for all purposes provided that every Branch, Region or other administrative section shall have the right within 14 days, of the date of notification of the decision of the Executive Council to give notice of appeal, and until the hearing of such appeal the decision of the Council shall be binding.

14.8.14 Delegate to any committee constituted under these rules such of their powers as are necessary or expedient and consistent with the powers and duties of such committee as in these rules provided, and may modify or revoke such powers and duties from time to time.

14.8.15 Provide training for lay representatives, activists and its employees.

14.8.16 Decide its own Standing Orders and procedures in all matters not expressly provided for in these rules.

14.8.17 Make standing orders, consistent with these rules, governing the proceedings of Regional Committees, Industrial Committees and any other body provided for by these rules, as it sees fit.

14.8.18 Decide any question relating to the meaning and the interpretation of these rules or any matter not expressly provided for by these rules which decision shall be binding on all members of the Union.

14.9 Recognising the central importance of the organisation of workers into the Union the Executive Council shall devote no less than five per cent of membership income to organising each year and shall aim to move to no less than ten per cent within no less than three years of amalgamation. Organising units shall be maintained by these funds in each Region and shall be controlled by a national organising department under the control of the General Secretary.

14.10 In addition to any express powers in these rules provided, the Executive Council shall have power generally to carry on the business of the Union, as it may deem necessary, and do such things and authorise such acts, including the payment of moneys, on behalf of the Union, as it, in the general interests of the Union, may deem expedient, and to delegate to any person or persons the power to represent and to act on behalf of the Union. Between Executive Council meetings the Executive Council's powers under clause 9 above and this clause are delegated to the General Secretary save the following:

14.10.1 regarding appeals and resolutions

14.10..2 regarding delegation of powers from the Executive to any committee

14.10.3 regarding Executive Council procedures

14.11 The Executive Council may exercise any power given to it by these rules as it sees fit from time to time.

RULE 15. GENERAL SECRETARY

15.1 All elections for the General Secretary shall be on the basis of a ballot of the whole membership of the Union.

15.2 The General Secretary shall not hold office without re-election for more than 5 years from the last day on which the votes were cast in his/her previous election.

15.3 The General Secretary shall be responsible for the administration of the affairs of the Union; including convening the meetings and implementing the decisions of the Executive Council, and such other duties as may be determined by the Executive Council.

15.4 All employees of the Union shall be under ultimate control of the Executive Council whose approval shall be required before changing their terms and conditions of employment or superannuation arrangements. Subject to that ultimate control the General Secretary shall be responsible for managing all employees of the Union who, subject to their terms and conditions of employment, shall perform such duties and work from such locations as the General Secretary may direct.

15.5 The General Secretary shall be under the control of and act in accordance with the directions of the Executive Council.

15.6 The General Secretary may delegate to any employee of the Union such of the General Secretary's powers as the General Secretary may consider appropriate.

15.7 The General Secretary shall be entitled to attend all meetings of the Union and to take part in their deliberations but shall not have a vote.

15.8 Unless otherwise provided for by these rules, the retirement age for the General Secretary shall be 65.

RULE 16. ELECTION OF EXECUTIVE COUNCIL MEMBERS AND THE GENERAL SECRETARY

16.1 Subject to the provisions of these rules and the powers of the independent scrutineer, the election of members of the Executive Council and the General Secretary shall be organised and conducted in accordance with the directions of the Executive Council.

16.2 The Executive Council shall appoint an independent scrutineer to supervise the production, storage and distribution of voting papers, to receive and count the voting papers, to report on the election, to retain the voting papers for an appropriate period and to perform such other duties as the Executive Council may specify.

16.3 The Executive Council shall appoint a suitable, independent person to act as Election Commissioner to adjudicate on any complaints made under clause (23) of this rule relating to the conduct of the election. In the event that the Electoral Commissioner finds it necessary to carry out an investigation in the conduct of his or her duties under rule all members and employees of the Union are required to afford him or her every assistance in this regard.

16.4 The Executive Council shall appoint a Returning Officer to deal with the conduct of the election between the Executive Council meetings and may delegate to him/her its powers relating to the conduct of that election provided that the Returning Officer shall not act inconsistently with any decision of the Executive Council and shall report to the next meeting of the Executive Council all actions taken and decisions made in respect of that election.

16.5 A candidate in an election shall play no part in any deliberations of or decision by the Executive Council which relates specifically to the conduct of an election in the constituency in which an individual is a candidate.

16.6 Executive Council candidates for election to represent a Region shall be nominated by at least three Branches within that Region or that part of a Region as the case may be. A branch shall be entitled to make only such number of nominations as there are members to be elected from that Region or part thereof.

16.7 Executive Council candidates for election to represent a particular Industrial Sector constituency shall be nominated by branches and workplaces consisting of members of the particular Industrial Sector constituency concerned.

16.8 In every case no nomination shall be valid unless a meeting of the Branch, or workplace, has been convened and that nomination has been endorsed by the meeting. The Executive Council guidance shall state whether and how a nomination may be made by a workplace, or Branch (in relation to Industrial Sector seats).

16.9 A member is required to receive at least three nominations. On receipt of such nominations the candidate shall be invited to confirm in writing that she/he accepts the nomination. Each member who does so and who is otherwise eligible shall be a candidate in the election for that constituency.

16.10 Executive Council candidates for election to represent a constituency under any equalities provision of these rules shall be nominated by Branches and workplaces within the particular constituency concerned.

16.11 Executive Council candidates must be a member of the electoral constituency they wish to represent.

16.12 Nominations of Candidates for election of General Secretary may be made by each branch and each workplace. A candidate must be eligible to vote in the election; have at least 10 years continuous membership of the union; and have received at least 50 nominations of which a minimum of 10 must be from either category of branch and workplace, subject to the total including nominations from more than one region. In every case no nomination will be valid unless a meeting of the branch, or workplace, has been convened and that nomination has been endorsed by the meeting. The Executive Council guidance will state whether and how a nomination may be made by a workplace, or branch.

16.13 If the number of candidates does not exceed the number of vacancies to be filled by that constituency, the candidate(s) shall be declared elected. If there are more candidates than vacancies, the election shall be conducted by a secret postal ballot.

16.14 The election shall not be concluded until the Executive Council has received the independent scrutineer's report and declared which candidate(s) has been elected. This should take place as soon as reasonably practicable after the votes have been counted. If the Election Commissioner advises the Executive Council that it should not declare the outcome of an election until he/she has adjudicated on a complaint, it shall comply with that request.

16.15 The Executive Council may decide that members who have joined the Union after a prescribed date shall not be eligible to vote, provided the date shall not be more than 13 weeks before the first day on which voting is due to take place in that election.

16.16 Members of a territorial Region shall be accorded equally an entitlement to vote in the election for a representative from their own territorial Region (but no other territorial Region) to the Executive Council. A member's Region for the purposes of this rule shall

be the Region to which their Branch is allocated by the Executive Council. In the case of Branches covering more than one Region the method of establishing a member's individual Region shall be determined by the Executive Council.

16.17 Members of a particular Industrial Sector shall be accorded equally an entitlement to vote in the election for a representative from their own Industrial Sector Constituency (but no other Industrial Sector Constituency) to the Executive Council.

16.18 In relation to the election of the National Representative(s) for Women Members; members who are women shall be accorded equally an entitlement to stand and vote.

16.19 In relation to the election of the National Representative(s) for Black or Asian ethnic minority Members; members who are Black or Asian ethnic minority members shall be accorded equally an entitlement to stand and vote.

16.20 In relation to clauses 18 and 19 above, the Union shall rely on its membership records and shall endeavour to collect and record such relevant information, but shall be entitled to make a presumption of non-entitlement to vote in such election where there is an absence of the relevant qualification information.

16.21 A member who is eligible to vote in an election who does not receive a voting paper should contact the Union but the final decision on whether to issue a further voting paper to that member shall be a matter for the independent scrutineer.

16.22 Each candidate shall be entitled to attend as an observer the counting of the votes from the constituency in which he/she is a candidate.

16.23 If at any stage during an election or within 28 days of the declaration of the outcome a candidate in an election or the Executive Council considers that there has been a breach of these rules or of any other legal requirement relating to the conduct of the election or any other interference with the conduct of the election and that the breach or interference may materially affect or may have materially affected the outcome of the election, he/she or the Executive Council may submit a complaint to the Election Commissioner.

16.24 If the Returning Officer or a member who is not a candidate considers that there are grounds for a complaint to the Election Commissioner, he/she should refer the matter to the Executive Council.

16.25 A complaint to the Election Commissioner should be made as soon as is reasonably practicable. The Election Commissioner shall not consider any complaint made more than 28 days after the date on which the Executive Council declared the outcome of the election.

16.26 A complaint to the Election Commissioner shall be made in writing addressed to the Election Commissioner care of the Returning Officer and accompanied by all the supporting evidence which the complainant wishes to be taken into account.

16.27 If when the Election Commissioner receives a complaint the independent scrutineer has not yet reported on the election and the Election Commissioner considers that the complaint raises matters which fall within the jurisdiction of the independent scrutineer, he/she shall refer the complaint (or the part thereof which raise such matters) to the independent scrutineer unless it is not reasonably practicable to do so. When the Election Commissioner has referred a complaint (or part thereof) to the independent

scrutineer he/she shall not adjudicate on the complaint until the independent scrutineer has expressed a view on that complaint.

16.28 The Election Commissioner may adjudicate on a complaint on the basis of written material submitted with the complaint or, at his/her complete discretion, call for such further information as he/she shall think fit and/or conduct a hearing of the complaint. Subject to the provisions of this rule, the Election Commissioner shall decide his/her own procedures for investigating and adjudicating upon the complaint provided that he/she shall endeavour to adjudicate on the complaint as quickly as is reasonable practicable.

16.29 If after considering a complaint the Election Commissioner considers; that there has been a material breach of these rules or of any other legal requirement relating to the conduct of the election or any other material interference with the conduct of the election; and that the breach or interference may materially affect or has or may have materially affected the outcome of the election; the Election Commissioner may recommend that the Executive Council should take one or more of the following measures:-

16.29.1 Declare the ballot and, if it has been declared, the outcome of the election void and call for a fresh ballot to be held;

16.29.2 Disqualify a candidate or candidates and permit the remaining candidates to go forward in the ballot or in any fresh ballot that may be ordered; or

16.29.3 Such other remedial measures as the Election Commissioner considers appropriate.

16.30 Subject always to any decision to the contrary by a court, the Certification Officer or any other lawful authority, the Executive Council shall give effect to any recommendation by the Election Commissioner made in accordance with clause (29) of this rule.

16.31 If an election is delayed as a result of action taken pursuant to a recommendation by the Election Commissioner, an order of a court, the Certification Officer or other lawful authority, a member who holds the office which is the subject of that election shall be entitled to continue in that office until the election is concluded.

RULE 17. BRANCHES

17.1 Wherever possible, Branches shall be based on the workplace, although provision shall also be made for local Branches, including local industrial sector branches, and National Industrial Branches as appropriate and as approved by the Executive Council.

17.2 Branch membership shall be allocated on the basis of the workplace if there is a workplace branch at the member's workplace, or the local branch most appropriate for their workplace if there is not a workplace or National Industrial branch.

17.3 Branches shall have direct access to a proportion of membership subscriptions. Such a proportion and access arrangements to be determined by the Executive Council, and

may be conditional on performed compliance with financial reporting requirements. These funds may be used to meet the cost of administering the Branch; for recruitment and other campaigns approved by the Executive Council; for local affiliations; to assist members or their dependants who have suffered misfortune; or for any other worthy cause, subject to any provisions elsewhere in these rules, and that no general purposes funds shall be used for political objects. Any payments made in connection with any form of industrial action must be made strictly in line with Executive Council guidance applicable at the time.

17.4 All the property of the Branch including the books and other effects of the Branch, shall be the property of the Union and shall, on request by the Executive Council, be produced for inspection and audit. In the event of a closure, merger or dissolution of the Branch, all property of the Branch shall be dealt with as directed by the Regional Committee subject to the overall control of the Executive Council.

17.5 The Regional Committee shall be required to ensure that each Branch meets at regular intervals and operates in accordance with the standing orders provided for in clause 10 of this rule. Where a Branch fails to convene an Annual General Meeting of all members that Branch shall be suspended and members of the Branch shall be allocated to a Branch which meets subject to the right of the Branch to appeal to the Executive Council.

17.6 Where deemed desirable for organisational and/or administrative reasons the Regional Committee shall be empowered to merge Branches; which shall be implemented in the event of approval by the Executive Council.

17.7 Each Branch shall have for its management a Chair, a Treasurer, an Equality Officer and a Secretary and such other officers as the Branch may elect. They shall be elected at a Branch meeting by show of hands, or by ballot, if so decided by the meeting. The election shall take place and be completed not later than June 30 in each third year, and the elected candidates shall take office the following July for three years. Casual vacancies may be filled at an ordinary Branch meeting, but notice of the impending election must be given to members of the Branch on the notice convening the meeting. The positions of Secretary and Treasurer may be held by the same member if the Branch so chooses.

17.8 The Regional Committee shall be required to ensure that branches meet at regular intervals; at a minimum they shall convene an Annual General Meeting of all members. Where a branch fails to convene such a meeting the branch will be suspended and members of the branch shall be allocated to a branch which meets the requirements of rule subject to the right of the branch to appeal to the Executive Council. Branches, shall, with the assistance of the Region advise their members of the venue, time and date of branch meetings, this may be by post or by posting the information on the union's website. It shall be the responsibility of the branch secretary to ensure that up to date information abut branch meetings is held by the Union.

17.10 The Executive Council shall issue standing orders to regulate the conduct of Branch meetings and business and may amend the standing orders from time to time. Those standing orders may only be varied in respect of a Branch with the prior approval of the Executive Council. The quorum for a Branch meeting to make a decision on any matter shall be 5 members and all matters should be decided by a simple majority of those voting. If the votes are equal the proposition before the meeting shall fail.

17.11 The Branch chair shall preside over all meetings of the Branch and shall ensure that business is conducted in accordance with the rules and Branch standing orders. If the chair is absent from a Branch meeting, those present shall elect a substitute to take his/her place for that meeting. The chair shall be entitled to vote on all matters to be decided by the Branch but he/she shall not have a second or casting vote. The Branch secretary shall be responsible for the general administration of the Branch including maintaining the Branch membership, financial and other records in the manner required by the Executive Council, taking and preserving Branch minutes and conducting all correspondence on behalf of the Branch. On taking office the branch secretary shall provide an address where members can contact him or her. This information shall be posted on the Union's website.

17.12 The Branch treasurer shall be responsible for dealing with financial transactions concerning the Branch, ensuring that all payments are made in accordance with the rules of the Union, receiving contributions from members who pay at the Branch and banking monies. He/she shall provide the Branch secretary with a record of all financial transactions and shall ensure that they are accurately recorded in the Branch records and that all monies are dealt with in accordance with the rules and the instructions of the Executive Council.

17.13 If a Branch is unable to fill a vacancy for secretary or treasurer, the Executive Council may appoint a full time officer to fulfil the duties of that office until such time as the Branch is able to fill the position.

17.14 All references to "Branch" throughout these rules refer to lay member organisations. All references to Branch secretaries refer to lay officials.

RULE 18. WORKPLACE REPRESENTATION

18.1 At each workplace, the members employed at that workplace, shall elect from amongst themselves, at least every 3 years, 1 or more of the following representatives:

18.1.1 Shop stewards/workplace representatives

18.1.2 Safety representatives

18.1.3 Learning representatives

18.1.4 Equality representatives

18.1.5 Environment representatives

The election shall take place and be completed not later than June 31 in each third year, and the elected candidates shall take office the following July for three years.

18.2 The election of workplace representatives shall, where practicable, have a gender and ethnic balance at least reflecting the proportion of black, Asian and ethnic minority and female members which they represent. Election to one representative role shall not preclude election to another such role within the same workplace.

18.3 The method of election shall be by such means as authorised by relevant guidance which shall be issued by the Executive Council from time to time.

18.4 The Executive Council may group workplaces together for the purposes of representation where the number of members at each workplace is so small that representation and bargaining for the individual workplaces is not, in the opinion of the Executive Council, practicable.

18.5 The constituency of a workplace representative shall be the workplace from which they were elected, or such grouping of workplaces as was defined by the Executive Council under clause 4 of this rule.

18.6 Following election of a workplace representative the appropriate Regional Officer shall be informed of the election by the elected representative without delay. The Regional Officer shall ensure that the Regional Industrial Sector Committee and the Union's membership department are informed of the date of the election and the identity, constituency and contact details of the elected workplace representative.

18.7 The Executive Council may issue guidance on the powers and procedures of the Regional Industrial Sector Committee in relation to ratification of such election. The Regional Industrial Sector Committee shall ensure compliance with such procedures.

18.8 Shop stewards/workplace representatives shall receive the fullest support and protection from the union, and an immediate inquiry shall be undertaken by the appropriate regional industrial sector or regional committee into every case of dismissal of a shop steward with a view to preventing victimisation, either open or concealed. If it is deemed necessary, a ballot for industrial action will be convened.

RULE 19. FUNDS

19.1 The General Secretary and employees of the Union authorised by him/her shall subject to the endorsement of the Executive Council have authority to open and operate such bank accounts on behalf of the Union as he/she may consider appropriate.

19.2 Subject to clause 3 of this rule, the funds of the Union may be used in accordance with the provisions of these rules for the payment of provident benefits as defined in Section 467(2) Income and Corporation Taxes Act 1988, as that section may be amended, consolidated or re-enacted from time to time. Such provident benefits shall include the provision of legal advice and assistance.

19.3 No member shall be entitled to sums in excess of the limits set out in section 467(1) of the Income and Corporation Taxes Act 1988 as that section may be amended, consolidated or re-enacted from time to time.

19.4 There shall be a provident benefits fund which shall only be used for paying provident benefits expressly authorised by these rules.

19.5 The Executive Council shall publish an annual financial report providing details of the Union's income and expenditure in the previous year, this shall include an audited account of all Officers and Organisers remuneration including the pay, benefits and

expenses – up to and including all Unite the Union Regional Secretaries, National Officers, Directors, Executives, Assistant General Secretaries, Deputy General Secretaries and the General Secretary, as well as details of Departmental and Regional spending, campaign costs and any other significant union expenditure.

19.6 All property (including all books, effects, funds or other assets) which immediately prior to the date of these rules coming in to effect was held by or in trust for or otherwise on behalf of the Amicus or TGWU Sections of the Union or the former trade unions Amicus or TGWU, or any committee, council, Branch, or other body of one of those sections or unions, shall be the property of the Union and shall be dealt with in accordance with the instructions of the Executive Council.

19.7 The Executive Council shall cause to be kept proper accounting records with respect to the Union's transactions, assets and liabilities and establish and maintain a satisfactory system of control of its accounting records, its cash holdings and all receipts and payments in accordance with Sections 28 and 29 of the Trade Union and Labour Relations (Consolidation) Act 1992.

19.8 The Accounts of the Union shall be audited at least once a year. The auditor shall be qualified in accordance with Section 34 of the Trade Union and Labour Relations Act (Consolidation) 1992. The appointment and removal of the auditor shall be subject to the provisions Section 35 of the Trade Union and Labour Relations (Consolidation) Act 1992.

19.9 No member or members, or Branch, or any committee of members shall be permitted to use the name of the Union, or any machinery of the Union, in connection with any appeal for funds or establishment of any subsidiary benefit connected with a Branch, unless the conditions stated hereunder are accepted and the requisite official sanction obtained:-

19.9.1 That the accounts of such funds and all documents in connection therewith shall be open at all times to inspection by the Union accountants.

19.9.2 That in the case of a regional or local appeal the permission and sanction of the Regional Committee shall be first obtained, and thereafter is subject to the endorsement of the Executive Council.

19.9.3 That in the case of a national appeal the permission and sanction of the Executive Council shall be first obtained.

19.9.4 Where such funds are properly raised they are included in the consolidated accounts of the Union and be subject to the requirements in clauses 1 and 2 of this rule.

19.10 In accordance with Section 30 of the Trade Union and Labour Relations (Consolidation) Act, 1992, any member of the Union has the right to access to any accounting records of the Union which are available for inspection and which relate to periods including a time when that person was a member of the Union.

RULE 20. ASSETS AND TRUSTEE PROVISION

20.1 All property of the Union shall be held by a trustee company specified by the Executive Council (hereinafter called the Trustee Company) in trust for the Union in accordance with the provisions of these rules. For the avoidance of doubt, the property of the Union includes all funds and assets of the Union and its constituent bodies.

20.2 The Trustee Company shall invest, dispose of or otherwise deal with the funds and other assets of the Union in accordance with the instructions of the Executive Council. Subject to the provisions of these rules, the Executive Council shall have complete discretion how to instruct the Trustee Company to invest, dispose of or otherwise deal with the property of the Union.

20.3 All property (including all books, effects, funds or other assets) which immediately prior to the date of these rules coming in to effect was held by or in trust for or otherwise on behalf of the Amicus or TGWU Sections of the Union or the former trade unions Amicus or TGWU, or any committee, council, Branch, or other body of one of those sections or unions, shall be the property of the Union and shall be dealt with in accordance with the instructions of the Executive Council.

20.4 Trustee

20.4.1 The Trustee Company is the trustee of the Union.

20.4.2 The Executive Council may appoint and remove a second trustee where necessary to facilitate disposal of Union property, and solely for such purpose.

20.5 Trustee Company

20.5.1 The Directors of the Trustee Company shall consist of

20.5.1.1 Directors appointed by and from the Executive Council.

20.5.1.2 The General Secretary .

20.5.2 A Director appointed by the Executive Council may be replaced by the Executive Council at any time.

20.5.3 Subject to the provisions of the Companies Act 2006, the Executive Council shall appoint and may at any time replace the company secretary of the Trustee Company.

20.5.4 Property which immediately prior to the coming into force of these rules was vested in other trustees (whether individual or corporate) in trust for the Union shall on the date of the coming into force of these rules vest in the Trustee Company.

RULE 21. EXPENSES

A lay member engaged on Union business shall be entitled to such reasonable expenses and in such circumstances as may be decided by the Executive Council provided that the method of calculating such expenses and any subsequent alteration thereto must be reported to and shall cease to have effect unless ratified by the next Policy Conference of the Union.

RULE 22. POLITICAL ORGANISATION – THE LABOUR PARTY

22.1 There shall be Regional and National Political Committees composed of individual members of the Labour Party to co-ordinate the Union's work in the Labour Party, acting under the direction of the Executive Council.

22.2 Neither the Union, nor any constituent part of the Union, shall affiliate to or give support to the candidates of any other political party in Great Britain and Northern Ireland other than the Labour Party.

22.3 Each Branch of the Union in Great Britain and Northern Ireland shall be entitled to affiliate and elect delegates to Constituency Labour Parties in appropriate areas subject to agreement by the Regional Political Committee and approval of the Executive Council.

22.4 A portion of the political fund, to be determined by the Executive Council, shall be remitted to each Region.

22.5 All Branch Constituency Labour Party delegates together with representatives from the Regional Industrial Sector Committees, Area Activist Committees and the Regional Committee, who are Labour Party members, shall be entitled to attend annual Regional Political Conferences. The Regional Political Conferences shall elect Regional Political Committees. Retired members and who conform with Rule 10.3.4 and community members who confirm with rule 3.3 are eligible to stand for election for Regional Political Committees. The size and composition of the Regional Political Committees shall be determined by the Executive Council from time to time. The Regional Political Conferences shall also elect delegates who, together with delegates from the Executive Council, shall form a National Political Committee, the size of which shall be determined by Executive Council.

22.6 The Executive Council shall designate a Regional Political officer in each Region, who shall act as Secretary to the Regional Political Conference and Regional Political Committee. Any individual Regional Political Officer may also have other responsibilities. The Executive Council is free to designate this role to a different employee at any time as it sees fit.

22.7 The Union shall be represented at the Labour Party Annual Conference by delegates elected by the Regional Political Conferences, the National Political Committee and others as determined by the Executive Council. The Regional Political Committees shall represent the Union at the Labour Party regional conference.

22.8 The Union shall enter into Labour Party Constituency Development Plans subject to agreement by the Regional and National Political Committees and sanction of the Executive Council.

22.9 The Union shall support a parliamentary group of Labour Party MPs who are members of the Union. Such support shall be determined by the Executive Council.

22.10 The Union shall maintain a panel of members wishing to seek political office including becoming member of the UK, Scottish, Welsh Assembly and European Parliaments and any such other public bodies as the Executive Council may decide. The composition, including the process and the qualifications required to become a member of the panel, shall be determined by the Executive Council.

RULE 23. POLITICAL FUND

Political Fund – Other than in Northern Ireland

23.1 The objects of the Union shall include the furtherance of the political objects to which section 72 of the Trade Union and Labour Relations (Consolidation) Act 1992 (the Act) applies, that is to say the expenditure of money:

23.1.1 on any contribution to the funds of, or on the payment of expenses incurred directly or indirectly by, a political party;

23.1.2 on the provision of any service or property for use by or on behalf of any political party;

23.1.3 in connection with the registration of electors, the candidature of any person, the selection of any candidate or the holding of any ballot by the Union in connection with any election to a political office;

23.1.4 on the maintenance of any holder of a political office;

23.1.5 on the holding of any conference or meeting by or on behalf of a political party or of any other meeting the main purpose of which is the transaction of business in connection with a political party;

23.1.6 on the production, publication or distribution of any literature, document, film, sound recording or advertisement the main purpose of which is to persuade people to vote for a political party or candidate or to persuade them not to vote for a political party or candidate.

Where a person attends a conference or meeting as a delegate or otherwise as a participator in the proceedings, any expenditure incurred in connection with his/her attendance as such shall, for the purposes of paragraph 1.5 above, be taken to be expenditure incurred on the holding of the conference or meeting.

In determining, for the purposes of paragraphs 1.1 to 1.6, whether the Union has incurred expenditure of a kind mentioned in those paragraphs no account shall be taken of the ordinary administrative expenses of the Union.

In these objects:-

"candidate" means a candidate for election to a political office and includes a prospective candidate;

"contribution", in relation to the funds of a political party, includes any fee payable for affiliation to, or membership of, the party and any loan made to the party;

"electors" means electors at any election to a political office;

"film" includes any record, however made, of a sequence of visual images, which is capable of being used as a means of showing that sequence as a moving picture;

"local authority" means a local authority within the meaning of section 270 of the Local Government Act 1972 or section 235 of the Local Government (Scotland) Act 1973; and

"political office" means the office of member of Parliament, member of the European Parliament or member of a local authority or any position within a political party.

23.2 Any payments in the furtherance of such political objects shall be made out of a separate fund of the Union (hereinafter called the political fund).

23.3 As soon as is practicable after the passing of a resolution approving the furtherance of such political objects as an object of the Union the Executive Council shall ensure that a notice in the following form is given to all members of the Union in accordance with this rule:-

Trade Union and Labour Relations (Consolidation) Act 1992

A resolution approving the furtherance of political objects within the meaning of the above Act as an object of the Union has been adopted by a ballot under the Act. Any payments in the furtherance of any of those 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 branch office of the Union or from the Certification Office for Trade Unions and Employers' Associations, 22nd Floor, Euston Tower, 286 Euston Road, London NW1 3JJ.

This form, when filled in, or a written request in a form to the like effect, should be handed or sent to the secretary of the branch to which the member belongs.

The notice shall be published to members by such methods as are customarily used by the Union to publish notices of importance to members and shall include the following minimum requirements. The notice shall be published in the Union's main journal which is circulated to members. A copy of the notice shall be posted up and kept posted up for at least 12 months in a conspicuous place, accessible to members at the office or meeting place of each Branch of the Union. The secretary of each Branch shall also

take steps to secure that every member of the Branch, so far as is reasonably practicable, receives a copy of the notice and shall supply a copy to any member on request. The Executive Council shall provide the secretary of each Branch with a number of copies of the notice sufficient for these purposes.

23.4 Any member of the Union may at any time give notice on the form of exemption notice specified in Clause (5) or by a written request in a form to the like effect, that he/she objects to contribute to the political fund. A form of exemption notice may be obtained by, or on behalf of, any member, either by application at, or by post from, the head office or any Branch office of the Union, or from the Certification Office for Trade Unions and Employers' Associations, Brandon House, 180 Borough High Street, London SE1 1LW.

23.5 The form of exemption notice shall be as follows:-

Unite the Union

POLITICAL FUND EXEMPTION NOTICE

I hereby give notice that I object to contributing to the political fund of the Union and am in consequence exempt, in the manner provided by Chapter VI of the Trade Union and Labour Relations (Consolidation) Act 1992, from contributing to that fund.

Signature.....

Name.....

Address .....

Name of Branch .....

Membership No..... **Date** .....

23.6 Any member may obtain exemption by sending such notice to the secretary of the Branch to which the member belongs and, on receiving it, the secretary shall send an acknowledgement of its receipt to the member at the address in the notice, and shall inform the General Secretary of the name and address of that member.

23.7 On giving such notice, a member shall be exempt, so long as his/her notice is not withdrawn, from contributing to the political fund of the Union as from either: (a) the first day of January next after notice by the member is given, or, (b) in the case of a notice given within one month after the notice given to members under Clause (3) or after the date on which a new member admitted to the Union is supplied with a copy of these rules under Clause (17), as from the date on which the member's notice is given.

23.8 The Executive Council shall give effect to the exemption of members to contribute to the political fund of the Union by relieving any members who are exempt from the payment of part of any periodical contributions required from the members of the Union towards the expenses of the Union as provided and such relief shall be given as far as

possible to all members who are exempt on the occasion of the same periodical payment.

For the purposes of enabling each member of the Union to know as respects any such periodical contribution what portion, if any, of the sum payable by him/her is a contribution to the political fund of the Union, it is hereby provided that a sum equal to seventy percent of the weekly contribution rate of a full time member payable in the first week of each quarter is a contribution to the political fund and any member who is exempt shall be relieved from the payment of the said sum and shall pay the remainder of such contribution only.

23.9 A member who is exempt from the obligation to contribute to the political fund of the Union shall not be excluded from any benefits 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) by reason of his/her being so exempt.

23.10 Contribution to the political fund of the Union shall not be made a condition for admission to the Union.

23.11 If any member alleges that he/she is aggrieved by a breach of any provision of this rule for the political fund, being a rule made pursuant to section 82 of the Act, he/she may complain to the Certification Officer, and the Certification Officer, after making such enquiries as he/she thinks fit and after giving the complainant and any representative of the Union an opportunity of being heard, may, if he/she considers that such a breach has been committed, make such order for remedying the breach as he/she thinks just in the circumstances. Any such order of the Certification Officer may, subject to the right of appeal provided by section 95 of the Act, be enforced in the manner provided for in section 82(4) of the Act.

23.12 Any member may withdraw his/her notice of exemption on notifying his/her desire to that effect to the secretary of his/her Branch, who shall on receiving it send the member an acknowledgement of receipt of the notification and inform the General Secretary of the name and address of that member.

23.13 The Executive Council shall ensure that a copy of this rule is available, free of charge, to any member of the Union who requests a copy.

23.14 The Executive Council shall, so far as possible, secure that each member of the Union receives a copy of this rule.

23.15 The Executive Council shall also send to the secretary of each Branch sufficient copies of this rule to satisfy any requests for a copy by members of the Branch.

23.16 The secretary of each Branch shall supply a copy of this rule free of charge to each member who requests a copy.

23.17 A copy of this rule shall also be supplied by the secretary of each Branch to every new member on his/her admission to the Union.

Political Fund – Northern Ireland

23.18 Under Article 59 of the Trade Union and Labour Relations (Northern Ireland) Order 1995 no Northern Ireland member of the Union shall be required to make any contribution to the political fund of the Union as defined by Clauses (1) and (2) of this rule unless he/she delivered, as provided in Clause (20), to the Head Office or some Branch office of the Union, a notice in writing, in the form set out below, of his/her willingness to contribute to that Fund, and has not withdrawn the notice in the manner provided in Clause (19). Every member of the Union who has not delivered such a notice or who, having delivered such a notice, has withdrawn it in the manner provided in Clause (19), is to be deemed for the purpose of these rules to be a member who is exempt from the obligation to contribute to the political fund of the Union.

The form of the notice of willingness to contribute to the political fund of the Union is as follows:-

POLITICAL FUND NOTICE – NORTHERN IRELAND

I HEREBY give notice that I am willing, and agree, to contribute to the political fund of Unite the Union, and I understand that I shall in consequence, be liable to contribute to that fund and shall continue to be so liable, unless I deliver to the head office or some branch office of the Union, a written notice of withdrawal. I also understand that after delivering such a notice of withdrawal I shall continue to be liable to contribute to the political fund until the next following first day of January.

Signature.....

Name.....

Address .....

Name of Branch .....

Membership No (if known)..... **Date** .....

23.19 If at any time a member of the Union, who has delivered such a notice as is provided for in Clause (18) gives notice of withdrawal thereof, delivered as provided in Clause (20), to the head office or at any Branch office of the Union, he/she shall be deemed to have withdrawn the notice as from the first day of January next after the delivery of the notice of withdrawal.

23.20 The notices referred to in Clauses (18) and (19) may be delivered personally by the member or by an authorised agent of the member, and any notice shall be deemed to have been delivered at the head or Branch office of the Union if it has been sent by post properly addressed to that office.

23.21 The Executive Council shall give effect to the exemption of Northern Ireland members to contribute to the political fund of the Union by relieving those members who are legally exempt from the payment of part of any periodical contributions required from the members of the Union towards the expenses of the Union as provided and such relief shall be given as far as possible to all members who are exempt on the occasion of the same periodical payment.

23.22 For the purpose of enabling each Northern Ireland member, who has opted to pay to the political fund, to know as respects any such periodical contribution what portion of the sum payable by him/her is a contribution to the political fund of the Union, it is hereby provided that a sum equal to seventy percent of the weekly contribution rate of a full time member payable in the first week of each quarter is a contribution to the political fund and any member who is exempt shall be relieved from the payment of the said sum and shall pay the remainder of such contribution only.

23.23 Northern Ireland members who are statutorily exempt from the obligation to contribute to the political fund of the Union shall not be excluded from any benefits 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) by reason of their being exempt.

23.24 Contribution to the political fund of the Union shall not be made a condition for admission to the Union.

23.25 If any Northern Ireland member alleges that he/she is aggrieved by a breach of any of the rules made pursuant to Article 59 of the Trade Union and Labour Relations (Northern Ireland) Order 1995 he/she may complain to the Northern Ireland Certification Officer, 10-12 Gordon Street, Belfast, BT1 2LG, under Article 57 (2) to (4) of that Order.

23.26 If after giving the complainant and a representative of the Union an opportunity to be heard, the Certification Officer considers that a breach has been committed, he/she may make an order for remedying it as he/she thinks just in the circumstances. Under Article 70 the Industrial Relations (N.I.) Order 1992 (as amended) an appeal against any decision of the Certification Officer may be made to the Court of Appeal on a question of law.

23.27 Additionally, if any Northern Ireland member alleges that he/she is aggrieved by a breach of the political fund rules made pursuant to section 82 of the Trade Union and Labour Relations (Consolidation) Act 1992 he/she may complain to the GB Certification Officer, 22nd Floor, Euston Tower, 286 Euston Road, London NW1 3JJ. If, after giving the complainant and representative of the Union an opportunity of being heard, the GB Certification Officer considers that a breach has been committed, he/she may make an order for remedying it as he/she thinks just in the circumstances. Any such order of the GB Certification Officer is subject to the right of appeal provided for by section 82 (4) of the 1992 Act.

Political Fund – Republic of Ireland

23.28 Clauses (1) – (17) of this rule shall have effect in the Republic of Ireland subject to the following modifications:

23.28.1 all references to statutory provisions therein shall be construed as references to the appropriate legislation in the Republic of Ireland.

23.28.2 "political office" means the office of President, member of Dail Eireann, member of Seanad Eireann, member of the European Parliament, or any member of a local authority.

23.28.3 Forms of exemption notice may be obtained at or by post from any Union office within the Republic of Ireland.

23.28.4 A sufficient number of the forms of exemption notice shall be available at each office of the Union within the Republic of Ireland and any member shall be provided with a copy of such form on his/her request.

RULE 24. IRELAND

24.1 There shall be an Irish Executive Committee which shall make decisions in matters of an industrial or political nature which arise out of and in connection with the economic or political condition of the Republic of Ireland or Northern Ireland and which are of direct concern to members of the Union resident in the Republic of Ireland or Northern Ireland and which do not affect members of the Union not so resident. Each member of the Irish Executive Committee shall be resident in the Republic of Ireland or Northern Ireland.

24.2 The Irish Executive Committee shall be composed of elected lay members who are resident in the Republic of Ireland or Northern Ireland.

24.3 The size and composition of the Irish Executive Committee shall be determined by the Executive Council provided that the gender and ethnic balance of elected representatives at least reflect proportionality of the membership they represent.

24.4 The procedure for qualifications, election and nomination of representatives to the Irish Executive Committee shall be determined by the Executive Council. The Executive Council may organise constituencies both by reference to Industrial Sectors and geographic area following consultation with appropriate constitutional committees in Ireland.

24.5 The Irish Executive Committee shall take the place and have the powers, duties and responsibilities of the Regional Committee for Ireland. The Regional Secretary shall act as secretary to the Irish Executive Committee and shall be responsible for implementing its decisions.

24.6 The Irish Executive Committee shall meet once a quarter or more frequently if, in the opinion of the Regional Secretary, the business renders it necessary. The Regional Secretary is responsible for convening all meetings.

24.7 The Irish Executive Committee shall have power to appoint one or more sub-committees from among its members and, except where otherwise determined by the Executive Council, shall have the power to delegate to any such sub-committee all or any of its powers including therein the conduct of hearings, appeals, inquiries, investigations or any other proceedings or functions whatever which it is authorised by these rules to undertake.

24.8 The Executive Council, in consultation with the Irish Executive Committee, shall determine the number of delegates to be elected to the conferences/congresses of organisations in Ireland to which the Union is affiliated.

24.9 In alternate years to the Union's Policy Conference there shall be Irish Policy Conference, the size and composition of which shall be determined by the Executive Council provided that the gender and ethnic balance of elected representatives at least reflect proportionality of the membership they represent.

24.10 For the purpose of electing delegates to the Irish Policy Conference the Executive Council may organise constituencies both by reference to Industrial Sectors and geographic area following consultation with Irish Executive Committee.

24.11 The procedure for qualifications, election and nomination of representatives to the Irish Policy Conference shall be determined by the Executive Council in consultation with the Irish Executive Committee.

24.12 The Irish Executive Committee shall determine the number of policy motions which may be submitted by the Branch; area regional; industrial and equalities structures, and from the Irish Executive Committee itself. The Irish Executive Committee shall submit a report to the Irish Policy Conference on the activities of the Union within Ireland.

24.13 The chair of the Irish Executive Committee shall chair the Irish Conference.

24.14 Resolutions of the Irish Conference concerning general policy matters affecting members employed in the Republic shall, provided they are not inconsistent with the general policy and objectives of the Union, constitute the policy of the Union in the Republic and shall be binding upon the Irish Executive Committee.

24.15 In respect of each Industrial Sector, the Executive Council shall determine, in consultation with the Irish Executive Committee, whether to convene separate Sector Conferences for the Republic of Ireland and Northern Ireland instead of convening a Regional Sector Conference for the whole of Ireland. Policy decisions of a Sector Conference for the Republic of Ireland shall decide the Union's policy in the Republic for that sector provided they are not inconsistent with the general policy and objectives of the Union.

RULE 25. REPUBLIC OF IRELAND – STRIKES AND OTHER INDUSTRIAL ACTION

25.1 The provisions of this rule shall apply notwithstanding any other provision contained in these rules.

25.2 In this rule the terms “strike” and “industrial action” shall have the same meaning as in the Industrial Relations Act 1990 of the Republic of Ireland.

25.3 In this rule the term “member” shall have the same meaning as elsewhere in these rules.

25.4 The provisions of this rule shall apply to the Republic of Ireland only.

25.5 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 whom it is reasonable at the time of the ballot to believe will be called upon to engage in the strike or other industrial action.

25.6 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.

25.7 The Irish Executive Committee 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 clause (8) of this rule, favours such strike or other industrial action.

25.8 The Irish Executive Committee shall not organise, participate in, sanction or support a strike or other industrial action against the wishes of a majority of the Union’s members voting in a secret ballot, except where, in the case of a ballot by more than 1 trade union, an aggregate majority of all the votes cast favours such strike or other industrial action.

25.9 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.

25.10 As soon as practicable after the conduct of a secret ballot the Union shall take reasonable steps to make known to the members of the Union entitled to vote in the ballot:

25.10.1 the number of ballot papers issued

25.10.2 the number of votes cast

25.10.3 the number of votes in favour of the proposal

25.10.4 the number of votes against the proposal, and

25.10.5 the number of spoiled votes.

25.11 Nothing in this rule shall constitute an obstacle to negotiations for the settlement of a trade dispute nor the return to work by members of the Union party to the trade dispute, and any decision take in accordance with this rule to organise, participate in, sanction or support a strike or industrial action may be rescinded or amended without the necessity of a further ballot of the members concerned.

RULE 26. ISLE OF MAN

The Union shall Register with the relevant Isle of Man authorities in accordance with the laws applying thereto including the Trade Unions Act 1991.

RULE 27. MEMBERSHIP DISCIPLINE

27.1 A member may be charged with:

27.1.1 Acting in any way contrary to the rules or any duty or obligation imposed on that member by or pursuant to these rules whether in his/her capacity as a member, a holder of a lay office or a representative of the Union.

27.1.2 Being a party to any fraud on the Union or any misappropriation or misuse of its funds or property.

27.1.3 Knowingly, recklessly or in bad faith providing the Union with false or misleading information relating to a member or any other aspect of the Union's activities.

27.1.4 Inciting, espousing or practising discrimination or intolerance amongst members on grounds of race, ethnic origin, religion, age, gender, disability or sexual orientation.

27.1.5 Bringing about injury to or discredit upon the Union or any member of the Union.

27.1.6 Obtaining membership of the Union by false statement material to their admission into the Union or any evasion in that regard.

27.2 Disciplinary Hearings shall be organised and conducted under directions issued by the Executive Council. These directions ensure that the process is fair and conducted in accordance with the principles of natural justice.

27.3 A charge under this rule may be heard by a Branch, Branch Committee (where so determined by the Branch), Regional Committee or the Executive Council. The Executive Council may delegate to a sub-committee of the Executive Council.

27.4 The Executive Council or the relevant Regional Committee may suspend a member charged under this rule from holding any office or representing the Union in any capacity pending its decision. A member shall be given written notice (or, if the member was informed verbally confirmation in writing) of any such suspension as soon as is reasonably practicable.

27.5 The range of disciplinary sanctions shall include the following:

27.5.1 censure;

27.5.2 withdrawal of workplace credentials;

27.5.3 removal from office;

27.5.4 barring from holding office and

27.5.5 expulsion.

27.6 The full range of disciplinary sanctions shall be available to the Executive Council, however the range of disciplinary sanctions for other bodies shall be limited to the following:

27.6.1 Branch, shall have the power to censure;

27.6.2 Regional Committee, shall have the power to censure and withdraw workplace credentials.

27.7 Appeals

27.7.1 A member shall have the right to appeal against any disciplinary sanctions.

27.7.2 In the case of a sanction imposed by a Branch, or Branch Committee, the appeal shall be to the Regional Committee, whose decision shall be final.

27.7.3 In the case of a sanction imposed by a Regional Committee the appeal to shall be to the Executive Council, whose decision shall be final.

27.7.4 In the case of a sanction imposed by the Executive Council the appeal to shall be to the Appeals' Tribunal, whose decision shall be final.

27.7.5 An Appeal against a decision of the Executive Council shall be heard by an Appeals' Tribunal consisting of an individual nominated by the Chair of ACAS. The Appeals' Tribunal shall hear and adjudicate on an appeal as quickly as is reasonably practicable.

27.7.6 Unless and until annulled or varied by the Appeals' Tribunal, the decision of the Executive Council shall remain in force.

27.7.7 The Appeals' Tribunal shall have the power to decide its own procedures for dealing with the appeal. Providing that the process is fair and conducted in accordance with the principles of natural justice.

27.7.8 The Appeals' Tribunal shall have the power to annul the Executive Council's decision that the charge was proven or to uphold that decision and either confirm or vary the penalties imposed pursuant to this rule.

27.7.9 There shall be no further appeal from a decision of the Appeals' Tribunal.

27.7.10 The Executive Council shall comply with any decision of the Appeals' Tribunal made in accordance with this rule.

27.8 A member may not be charged under this rule in respect of any alleged act or omission in connection with the performance of his/her duties as a full time officer and/or employee of the Union.

27.9 If, prior to these rules coming in to force, a member was charged or disciplined under the rules of one of the predecessor unions, or the Union's sectional or general rules in force at the time; that charge or complaint shall continue to be dealt with under the applicable predecessor rules, except that:

27.9.1 any references to the Joint Executive Council of the Union, to the General Executive Council of the TGWU or TGWU Section or to the National Executive Committee of Amicus or the Amicus Section shall be construed as references to the Executive Council of the Union; and

27.9.2 any appeal against a decision on a charge or a complaint shall be referred to the Appeal Tribunal constituted in accordance with the provisions of this rule and shall be dealt with in accordance with the provisions of this rule.

27.9.3 Penalties imposed pursuant to the rules of the Union prior to the effective date shall remain in force.

RULE 28. OFFICIAL ANNOUNCEMENTS

The Union shall maintain a website and posting information on this website, together with posting to Branch secretaries, shall be the official means of making announcements to members on matters of general interest concerning the affairs of the Union.

RULE 29. VOLUNTARY DISSOLUTION

29.1 The Union may be dissolved by a resolution supported by not less than 80% of votes cast in a postal ballot of all the members.

29.2 After discharging all debts and liabilities the remaining assets of the Union, if any, shall be distributed equally between the members at the date of dissolution unless the members when voting for dissolution shall have resolved to the contrary.

RULE 30. TRANSITIONAL PROVISIONS FOR SUPERANNUATION SCHEMES

The Union hereby adopts the trust deeds and rules (including any amendments) which respectively govern the Unite Amicus Section Pension Scheme, the Officials and Staff Superannuation Fund, the MSF Staff Pension Scheme (NUIW Section) and the Unite Ireland Pension Scheme (together the “Scheme Rules”) provided that: references in the Scheme Rules to Amicus, TGWU and/or their predecessors or any body, officer or employee of Amicus, TGWU and/or their predecessors and references to the Amicus Section of the Union or the TGWU Section of the Union or any body, officer or employee of those Sections shall be construed respectively as references to the Union or the equivalent body, officer or employee of the Union; and further provided that any consent required under the Scheme Rules from Amicus, TGWU and/or their predecessors to an amendment to the Scheme Rules shall be dispensed with and the trustees of the relevant pension scheme may with the consent of only the Executive Council of the Union exercise the powers to amend the Scheme Rules contained therein.