

UNION OF DEMOCRATIC MINEWORKERS

National



RULES 2015

- (2) In the event of the Union being dissolved each of the Sections thereof shall be deemed, if they have not previously exercised their right to secede under Rule 11(2) hereof, to have effectively exercised such right immediately before the date of the dissolution of the Union.

STANDING ORDERS FOR NATIONAL EXECUTIVE COMMITTEE MEETINGS

1. **Order of Business**
The order of Business of each National Executive Committee Meeting shall be as prescribed by the Agenda supplied to the members at the opening of each meeting and subject to those put on Standing Orders.
2. **Minutes**
All Minutes which have been previously supplied to the members shall be taken as read, the Chairman shall ask whether any Minute or Minutes will be challenged and only such Minutes that are challenged shall be read and a vote taken thereon as necessary. Any member of the Committee will be allowed to ask any question relating to the Minutes.
3. **Departure from Order of Agenda**
Any departure from the specified Order of the Agenda shall only be allowed by consent of the National Executive Committee after the motion to suspend any orders. But such a motion may only be put after at least one hour's written notice together with a copy of the motion, shall have been given to the Chairman, who shall express the urgency thereof, or otherwise, to the National Executive Committee.
4. **Delegates Addressing the National Executive Committee**
Any delegate wishing to speak upon any item shall indicate his intention to address the Committee through the Chair.
5. **Remarks to be Strictly Relative to Business**
All remarks that are addressed to the Chair shall be strictly relevant to the business before the National Executive Committee and it shall be the duty of the Chairman to call any member to Order in violation of this Rule 5 and after two admonitions addressed to any member from the Chair, it shall be the duty of the Chairman to call upon such member to terminate his discussion forthwith.
6. **Addressing the National Executive Committee**
During such time as any delegate is addressing the Committee, no other member of the Committee shall intercede. However, should the Chairman either to point of order or to put a motion or amendment forward, intercede, delegates should cease discussion until indicated by the Chair.
7. **Delegates to Speak Once on One Subject**
No delegate shall speak more than once upon any subject before the National Executive Committee, except to ask a question, unless he is the mover of a motion or amendment under discussion and then only to reply to arguments which may have arisen in the discussion on this motion or amendment.
8. **Point of Order**

attainment of the above objects or any of them.

CONSTITUTION

3. The Union shall be composed of workers employed in or connected with the mining, quarrying and energy industries and ancillary undertakings in the United Kingdom and such other workers who share the democratic ideals of the Union as the National Executive Committee shall resolve to deem to membership.

SECTIONS

4. The Union shall be divided into a number of areas, categories or groups to be known as Sections (in these Rules referred to as 'Sections' or a 'particular Section' as the case may be) and shall consist of the Nottingham Section, the South Derbyshire Section (being Sections corresponding to or based on the respective Areas of the two amalgamating Unions formerly known as the National Union of Mineworkers (Nottingham Area) and the National Union of Mineworkers (South Derbyshire Area).

CONFERENCE

5. (1) The authority and government of the Union shall be vested in a Conference of Delegates (in these Rules referred to as 'Conference') which shall function at the behest of the National Executive Committee.
(2) The National Conference shall be held in June or such other time as the Conference shall resolve. It shall be the duty of the National Conference to:
 - (a) transact the Union's business;
 - (b) discuss all matters affecting the welfare of the members;
 - (c) consider resolutions submitted to it by any Section or the National Executive Committee;
 - (d) receive a report from the National Executive Committee of its proceedings;
 - (e) receive the auditors report on the Union's financial position for the previous year.
- (3) Resolutions to be placed on the agenda of a National Conference:
 - (a) in the case of resolutions (which shall not exceed four in number) proposed by any Section shall be sent to the National President not less than twelve weeks before such Conference and shall within two weeks of receipt be sent to the General Secretaries of each of the other Sections;
 - (b) in the case of resolutions proposed by the National Executive Committee shall be formulated and placed on the agenda not later than eight weeks before such Conference.

Amendments (not exceeding two in the case of any one Section) may be placed on the agenda by any Section or by the National Executive Committee

provision of this sub-Rule.

- (b) In making any investment the Trustees shall have regard to the need for diversification of investments so far as is appropriate to the circumstances of the Union and to the suitability of the Union of investments of the description of investment proposed and before making any investment they shall obtain and consider proper advice on the question whether the investment is satisfactory having regard to matters aforesaid.
 - (c) For the purpose of this Rule proper advice means the advice given in writing or subsequently confirmed in writing of a person who is reasonably believed by the Trustees to be qualified by his ability in and practical experience of financial matters and such advice may be given by a person notwithstanding that he gives it in the course of his employment as an officer or servant.
- (8) The National Executive Committee shall have power to instruct the Trustees to borrow money for the purposes of the Union on such terms as to interest, repayment and otherwise as the National Executive Committee shall think fit and whether or not upon the security of the whole or any part or parts of the real and personal estate of the Union.

AUDITORS AND ACCOUNTS

- 15.(1) The accounts of the Union shall be examined and audited annually by a professionally qualified, independent and reputable accountant or firm of accountants (herein called 'the Union's Auditor') who shall be appointed by the National Executive Committee. The Union's Auditor may only be removed by a resolution of the National Conference.
- (2) The accounts of any Section relating to its own separate property may, if decided upon by any Section, be examined and audited by a professionally qualified, independent and reputable accountant or firm of accountants (hereinafter called 'a Section's Auditor') other than the Union's Auditor provided that the Union's Auditor shall be given by the Section in question full and free access at all reasonable times to all books and records of the Section relating to the contributions (including payments to the Union in respect of levies) of the members of that Section to the general funds of the Union or to any other matter which is the proper concern of the Union in relation to the financial affairs of the Section.
 - (3) The Union's Auditor shall examine and audit annually all the accounts of each Section unless the Section in question has a Section's Auditor in which case the work and duties of the Union's Auditor shall be restricted to the matters referred to in the proviso to sub-Rule (2) of this Rule.
 - (4) The Union and each Section thereof shall keep proper accounting records which give a true and fair view of their financial affairs and shall at all reasonable times give to the Unions Auditor (and where appropriate a Sections Auditor) all necessary and reasonable access thereto. The Union's Auditor may in relation to such records question the Officials and Trustees of the Union.
 - (5) The report of the Union's Auditor on the Union's financial position for the previous year shall be placed before the National Conference of the Union.

shall take office from the end of the last day of the 1996 Annual Conference. The members elected in April 1996 shall hold office for a 5-year period concluding on the last day of June that year. Retiring members shall be eligible for re-election.

- (4) For the purpose of sub-Rule (2)(c) of this Rule when a Section has more than 7,000 members numbers above 7,000 shall be rounded up or down in accordance with the normal rules of arithmetic and shall be based on the smallest number of members of the Section in question for which contributions have been paid to the Union during the year ending 31st January in the year in question.
- (5) Notwithstanding the above requirement of a ballot vote for the period from the formation of the Union until the 30th April 1986 the members under sub-Rule (2)(b) and (c) hereof shall be the persons who before the formation of the Union were chosen as such members by the respective Executive Committees of each of the Amalgamating Unions named in the Schedule hereto from among the members of such Committees.
- (6) No member shall be eligible for membership of the National Executive Committee unless such member has either been in the industry for an unbroken period of at least five years or has continuously been a member of the Union since its formation.
- (7) Meetings of the National Executive Committee shall be held once every two months and more frequently if the National Executive Committee shall so decide from time to time. In addition, the President in agreement with the Vice-President shall have the power to convene such a meeting at any time and shall be obliged to convene such a meeting to be held on the earliest practicable date on the written request of any Section or of the majority of members of the National Executive Committee who are entitled to vote at meetings thereof.
- (8) The meetings of the National Executive Committee shall be chaired by the President of the Union or in his absence the Vice-President but in the event of both of them failing to be present within fifteen minutes of the time appointed for the meeting to begin or both having previously stated that they would be unable to attend then the Committee shall appoint a chairman for the meeting in question from among its members present.
- (9) The quorum necessary before any meeting of the National Executive Committee may transact business shall be half the number of members thereof who are entitled to vote at its meetings save that if a quorum is not present for a meeting within thirty minutes of the time appointed for the meeting the members present shall be empowered to adjourn the meeting to such other date and time as they shall decide and if after reasonable notice of the adjourned time and date has been given to the absent members of the Committee there is still no quorum at such adjourned meeting then the members of the Committee present at the meeting shall, fifteen minutes after the appointed time, therefore constitute a quorum.
- (10) Matters arising before the National Executive Committee shall be decided by the majority of votes of the members thereof who are entitled to vote and in the event of equality of votes the President (or in his absence the Vice-President) shall have an additional casting vote.
- (11) All members of the National Executive Committee shall be entitled to one vote each, the Presidents and General Secretaries of the Section shall not be entitled to vote.
- (12) Any member of the National Executive Committee chosen by a Section in the manner

- (6) There shall be payable by each of the Sections to the Union out of the funds of the Sections within one month of the formation of the Union and as part of its general funds an initial levy based on the number of members in each of its Section at the date of the formation of the Union, of such amount as shall be decided upon by the National Executive Committee. The National Executive Committee may in its discretion extend the said period of one month to a period not exceeding six months in the case of any Section whose numbers during that period do not exceed 5,000.
- (7) The National Executive Committee shall have power to call for and impose levies on its members for the benefit of the general funds of the Union but no levy shall be imposed by it without the prior approval of a resolution of Conference supported by a two-thirds majority on a card vote.
- (8) The Section Rules of any Section may contain provisions for making a levy for the benefit of the Section in question.
- (9) All contributions shall be collected by the Sections which as soon as possible shall pay to the Union and render an account in respect of, the production of the contributions payable to the Union as the General Fund Contribution.
- (10) All levies payable under sub-Rule (7) hereof shall be collected in the manner from time to time directed by the National Executive Committee.
- (11) Subject to sub-Rule (12) and (13) of this Rule if any member allows his contributions or levies payable under this Rule to fall into arrears and if such arrears amount to a sum equivalent to 8 weekly contributions payable under sub-Rules (1) or (4) hereof the member shall thereupon cease to be entitled to any benefits or services whether under the general rules of the Union or the Rules of his Section and shall be deemed unfinancial until the whole of the arrears are paid and for a period of 4 weeks after payment of such arrears. He shall also be disqualified from holding office or taking part in any negotiations during such period as he is unfinancial; nor shall any unfinancial member be accepted as a nominee for any office or service which involves payment out of the funds of the Union. Subject to sub-Rule (12) and (13) of this Rule if a member allows the arrears to remain unpaid for a period of 3 calendar months from the date when his contributions first fell into arrears he shall thereupon cease to be a member of the Union. A member whose membership has ceased under the provisions of this Rule may be readmitted to membership by his Section on payment of a fee to the Union as part of its general funds of a sum equal to the amount by which those funds would have increased but for his default together with such further sum not exceeding the total of his arrears as his Section shall decide. No benefit shall be payable to any member out of the general funds of the Union until after a period of 13 weeks immediately following the date upon which the member rejoins the Union and pays all contributions and levies in accordance with these Rules and those of his Section nor shall he, until after such period, be eligible for nomination as a candidate for any office in the Union.
- (12) If a member shall become incapacitated for work by reason of sickness or injury then, in each week for which he shall receive no wages by reason of such incapacity, he shall not be liable to pay the weekly contribution which would otherwise be due from him under sub-Rule (1) or (4) hereof. If any such member shall be incapacitated as aforesaid

five years or has continuously been a member of the Union since its formation.

- (2) A National Official shall be remunerated in the manner decided upon by the National Executive Committee prior to his election and otherwise as shall from time to time be agreed between the National Official in question and the National Executive Committee.
- (3) Any National Official may retire from office before the expiration of his term of appointment on giving not less than three months notice to the National Executive Committee or such shorter period as that Committee may agree and may be removed from office at any time and with immediate effect by a vote in favour of such removal given by 55% of those voting in a ballot of all members of the Union held pursuant to a decision of the National Conference (or Special Conference) to hold such a ballot, or by a resolution of Conference supported by at least two-thirds majority on a card vote.
- (4) Every National Official who attains the age of 65 whilst in office shall retire on attaining that age.
- (5) A National Official who is also an Official of a Section shall serve upon such terms as to his remuneration and the division of his time as shall from time to time be agreed between the National Executive Committee, the Section in question and the particular National Official.
- (6) A National Official shall subject to the approval of the National Executive Committee be paid any expenses which are properly and reasonably incurred by him in the performance of his duties.
- (7) The National Executive Committee shall have power to make such provision as it shall consider reasonable for the retirement of any National Official whether by way of pension, pension scheme, superannuation fund or gratuity.

MEMBERSHIP

- 9.(1) The members of the Union shall be all persons who, for the time being, are members of any Section of the Union.
 - (2) Each application for membership shall be made to a Section and be considered and decided upon by the Section in accordance with its Rules.
 - (3) If a member ceases for any cause to be a member of any Section of the Union he shall automatically cease to be a member of the Union.
 - (4) If a Section is expelled or suspended from the Union in accordance with these Rules then the membership in the Union of the members of such Section shall cease or be suspended as the case may be.
 - (5) If a Section secedes from the Union in accordance with the provisions of Rule 11(2)(a) hereof then the members of such Section shall thereupon cease to be members of the Union.
 - (6) Any member who is expelled or suspended from membership of his Section under the Rules thereof shall have a right of appeal within fourteen days of the final decision by his Section on his expulsion or suspension to the National Executive Committee which may either uphold, reverse or vary, as it sees fit, the decision of the Section on the