

**RULES
OF THE
BRITISH AIR LINE PILOTS
ASSOCIATION
2010 Edition**

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BRITISH AIR LINE PILOTS ASSOCIATION

Rule 1 NAME

- 1.1 The Association formed under these Rules shall be known by the title of "British Air Line Pilots Association", and will be hereinafter called "BALPA". It is a registered trade union.

Rule 2 REGISTERED OFFICE

- 2.1 The Registered Office and place of meeting for the business of BALPA shall be at BALPA House, 5 Heathrow Boulevard, 278 Bath Road, West Drayton, UB7 0DQ or at such other place as the National Executive Council (NEC) shall decide.

Rule 3 OBJECTS

- 3.1 The objects of BALPA shall be:
- 3.1.1 To promote the highest possible level of safety and security within civil aviation.
 - 3.1.2 To advise on all commercial, scientific, educational and technical matters relating to air transport.
 - 3.1.3 To advance the technical knowledge of members, potential members and the aviation industry and to provide training and learning opportunities.
 - 3.1.4 To uphold the interests of members, improve their terms and conditions, regulate relations with their employers and generally to assist them.

Rule 4 METHODS

- 4.1 In pursuit of its objects, BALPA may, at its discretion and so far as permitted by law:
- 4.1.1 Issue suitable literature, publications and technical papers including an official journal.
 - 4.1.2 Promote and assist in securing legislation and regulations in the interests of members and the travelling public.
 - 4.1.3 Co-operate with others in promoting the interests of employees in civil aviation including making contributions to charitable and benevolent institutions.
 - 4.1.4 Represent members in any negotiation and, where appropriate, give them and their dependants support including the provision of legal and financial assistance in the UK and abroad.
 - 4.1.5 Require members to observe BALPA Rules and regulations.

Rule 5 MEMBERS

- 5.1 Subject to the provisions in Rule 8 and Rule 9, the following shall be eligible for membership of BALPA, namely every person who:
- 5.1.1 holds a current professional Pilots Licence issued by the UK or any of the JAA countries and is actively engaged in commercial flying and is based in the UK or is employed by a UK Company abroad, **or**
 - 5.1.2 holds a current Flight Engineers Licence issued by the UK or any of the JAA countries and is actively engaged in commercial flying and is based in the UK or is employed by a UK company abroad, **or**
 - 5.1.3 is employed by any British company or organisation as Service Training or Contract Pilot, or is a pilot who is not required as a condition of employment to hold a current professional Pilots Licence issued by the UK or any of the JAA countries, **or**
 - 5.1.4 Helicopter Winchmen **or**
 - 5.1.5 Airborne Electronic Warfare Officers (AEWO's) **or**
 - 5.1.6 Ground Instructors, where they are part of a bargaining group which includes members in the categories set out in Rule 5.1.1 or 5.1.2 or 5.1.3.
- 5.2 In cases of doubt, eligibility for membership shall be at the absolute discretion of the NEC, subject to a right of appeal under Rule 10.

Rule 6 ASSOCIATE MEMBERS

- 6.1 Any person who fulfils the requirement of any part of this Rule shall be eligible for BALPA Associate Membership.
- 6.2 **Class A Associates.** The following are eligible as class A Associates, namely every person:
- 6.2.1 who is a pilot/flight engineer serving in H.M. Armed Forces, **or**

- 6.2.2 who would otherwise be qualified for membership but for the fact that they are based abroad and is not employed by a UK Company, **or**
- 6.2.3 who is no longer eligible for membership of BALPA, but who has been a member of BALPA.
- 6.3 **Trans-National Associates.** A full member of another pilot association who is employed by a UK company or associated company and where a reciprocal membership agreement exists with the Association concerned.
- 6.4 **Trainee Associates.** A trainee pilot/flight engineer shall be eligible as a trainee associate at the absolute discretion of the NEC.
- 6.5 **Honorary Associates.** The NEC may admit as an honorary associate any person whom it may think fit so to admit, irrespective of such person's qualifications.

Rule 7 ADMISSION OF MEMBERS AND ASSOCIATES

- 7.1 All applications for admission as a member or as an associate member of BALPA shall be made in such form as the NEC may determine. The NEC may require the application to be accompanied by an appropriate payment or authority for payment and may in its discretion accept or reject an application for membership or associate membership on the grounds set out in S174 of the Trade Union and Labour Relations (Consolidation) Act 1992.
- 7.2 An applicant whose application is successful will be notified and will be supplied with a membership card, a receipt for any contribution that may have been paid, and a copy of the Rules.
- 7.3 An applicant whose application is refused will have the right to appeal. The General Secretary will give such an applicant notification in writing of the refusal, stating the reasons for refusal and notifying the applicant of his right of appeal. The General Secretary will also return any contributions that the applicant may have paid.
- 7.4 An appeal against refusal of membership may be made to the NEC. The applicant for membership will have the right to appear before the NEC to state their case. The NEC may prescribe standing orders for any such hearing. The decision of the NEC giving the reasons for rejecting or upholding the appeal will be sent to the applicant by the General Secretary in writing and shall be final.
- 7.5 An applicant, by submitting his application and, if admitted, by his continued membership shall thereby be deemed to agree to and abide by all Rules of BALPA. Ignorance of a Rule will not be an excuse for a breach or failure to comply
- 7.6 It shall be the duty of each member and associate member to notify the General Secretary in writing:
 - 7.6.1 of their postal address for written communications and any change of address, and
 - 7.6.2 of any circumstances affecting their eligibility for membership or associate membership or any category thereof, and
 - 7.6.3 of any circumstances affecting the rate or amount of their contributions due under Rule 8.

Rule 8 CONTRIBUTIONS

Part 1 - Rates of Contribution

- 8.1 Every member falling within Rules 5.1.1 or 5.1.2 shall pay an annual subscription. Subject to Rule 8.6 the subscription shall be 1% of salary. The minimum subscription shall not be less than that paid by class A associate members in accordance with Rule 8.4.
- 8.2 Every member falling within Rules 5.1.3, 5.1.4, 5.1.5, or 5.1.6 shall pay an annual subscription of 0.5% of salary. The minimum subscription shall not be less than that paid by class A associate members, as specified in Rule 8.4.
- 8.3 The NEC may determine that the subscriptions payable by newly joined members who have not previously been members shall be reduced by 50% in the first year of membership, and by 25% in the second year of membership.
- 8.4 Every class A associate member shall, subject to the discretion of the NEC, pay an annual subscription as determined by the NEC.
- 8.5 Trainee associate and honorary associate members shall not be required to pay any subscription.
- 8.6 For the purposes of this Rule, a member's 'salary' means the total annual pensionable emoluments payable to the member, at the rate applicable at 1st January in each year.

Part 2 - Methods of Payment

- 8.7 Contributions shall be payable as the NEC may determine.
- 8.8 Except in the case of deduction from salary, all subscriptions shall be payable in advance. The member or associate member shall be responsible for the correct payment.

Part 3 - Arrears

- 8.9 Any member or associate member whose contributions are in arrears shall (subject to Rule 8.12) automatically be suspended from membership or associate membership of BALPA. A member or associate who is suspended from membership shall not be entitled to receive any benefit of membership
- 8.10 Any member or associate member who has been suspended under Rule 8.9 shall have his membership or associate membership automatically restored upon payment of all arrears, including those incurred during the suspension.
- 8.11 Any member or associate member who has been suspended under Rule 8.9 shall have his membership or associate membership terminated if full payment of his subscription arrears is not received within three months of his suspension.
- 8.12 The NEC shall have discretion to waive the application of Rules 8.9 to 8.11.

Part 4 - General Provisions

- 8.13 The NEC may, at its discretion, refund to the member or associate member or their administrators or executors the number of complete months' subscription as are unexpired at the date of resignation, transfer or death.
- 8.14 Each member and associate member in good standing shall be entitled to free copies of 'The Log'.

Rule 9 DISCIPLINE AND OBLIGATIONS OF MEMBERSHIP

- 9.1 A guide to the ethics and standards expected of elected or appointed representatives, which mirrors those required of staff and consultants employed or engaged by BALPA, is at APPENDIX 2 of this rule book.
- 9.2 The NEC may admonish or reprimand any member or associate member **and/or** impose a disciplinary penalty which may include:
 - 9.2.1 such fine as it may deem fit, and/or
 - 9.2.2 suspension or expulsion from membership or associate membership, and/or
 - 9.2.3 debarment from holding office in BALPA for such period as the NEC shall think fit.
- 9.3 Such disciplinary penalty shall be imposed by the NEC upon such terms and for such periods it may deem fit on any member or associate member who, in its opinion:
 - 9.3.1 has broken, ignored or failed to abide by any Rule, regulation, instruction or directive of BALPA, **or**
 - 9.3.2 has acted to the prejudice of BALPA's objects or policy, **or**
 - 9.3.3 has brought BALPA into disrepute **or**
 - 9.3.4 has flagrantly or wilfully ignored the ethics guide in Appendix 2.Alternatively the NEC may under Rule 9.2 censure any such member or associate member without imposing a disciplinary penalty and, if it does so, the following provisions of this Rule shall not apply:
- 9.4 A member or associate member shall be given notice in writing of the grounds of complaint against him and shall be given an opportunity to be heard by either by the NEC or by a disciplinary tribunal appointed by the NEC, which shall report its findings and recommendations to the NEC. The NEC shall prescribe standing orders for the conduct of hearings before the disciplinary tribunal.
- 9.5 The NEC shall give the member or associate member a written statement of its findings and any penalty imposed. A member or associate member shall have a right of appeal.
- 9.6 A decision to impose a disciplinary penalty will be effective immediately unless the member or associate member appeals against the decision. The disciplinary penalty will be suspended pending the determination of the appeal.
- 9.7 A member or associate member who is suspended or expelled will cease to be entitled to any of the rights and privileges of membership and shall not be entitled to any refund of his subscription. After suspension or expulsion, a member or associate member shall only be entitled to re-admission to membership or associate membership upon payment of all arrears, including those incurred during the suspension or expulsion. A member or associate member who has been suspended or expelled may only apply for re-admission to BALPA in accordance with the procedure provided in Rule 11.

- 9.8 If the NEC receives a complaint signed by 10 or more members with regard to the conduct of any member or associate member, it shall inform the complainants accordingly and make enquiries as appropriate, and if it does not find reason to proceed, it shall direct the General Secretary to notify the complainants accordingly. If the NEC does find reason to proceed, it shall direct the General Secretary to write to the member or associate member who is subject of the complaint giving notice of the complaint and details of the grounds.
- 9.9 Where a member has custody, possession or control of information, property or any other material (including electronic images, files or data) owned or partly owned by BALPA, then that member shall surrender the said property, information or other material forthwith at the direction of the NEC. Where a member has custody, possession or control of other property or information outwith the ownership of BALPA but relevant to a legitimate enquiry of the NEC, then the member shall co-operate with any reasonable request of the NEC for disclosure, inspection or publication of the said property or information.

Rule 10 APPEALS

- 10.1 Where these Rules provide for a right of appeal, the appeal shall be conducted in accordance with this Rule and shall be heard by an Appeals Tribunal drawn from an Appeals Panel, both of which shall be constituted under this Rule.
- 10.2 The number of the members of Appeals Panel shall be 6. No person who holds an office in BALPA may be appointed to the Appeals Panel. No person may be appointed to the Appeals Panel unless they have at some time been a member of BALPA for an unbroken period of 10 years.
- 10.3 The Appeals Panel will be elected by the Annual Delegates Conference (ADC) for a period of 3 years. Panel members shall be eligible for re-election for a second term of office, but no member shall remain on the Panel for a period of more than 6 years.
- 10.4 If a Panel member relinquishes his office for any reason, a replacement shall be elected at the following ADC. Until then the position will remain vacant.
- 10.5 An Appeals Tribunal shall consist of 3 members appointed by the NEC from the current members of the Appeals Panel.
- 10.6 An appellant must give notice in writing to the General Secretary within 30 days of the date upon which the disputed decision was communicated. Such notice shall state the grounds and arguments on which the proposed appeal is based. Upon receipt of such notice, the General Secretary shall convene an Appeals Tribunal for a date not later than 45 days after the date they received the notice of appeal and shall give the appellant not less than 30 days notice in writing. The Appeals Tribunal shall appoint a chairman from amongst its number.
- 10.7 The NEC shall appoint a member of the Secretariat of BALPA as the clerk to the Appeals Tribunal.
- 10.8 The Appeals Tribunal shall determine its own procedure with a view to ensuring a fair, honest and unbiased determination of the appeal, provided always that the appellant shall be given a fair opportunity to present his case in person and to answer any case against him.
- 10.9 The Appeals Tribunal shall pay full regard to and shall be guided by the Rules, agreements in force and prevailing policies of BALPA at the relevant times.
- 10.10 The determination of the Appeals Tribunal shall be announced within 28 days of the hearing being concluded and shall, subject to Rule 11, be final. The Appeals Tribunal shall be entitled to vary, quash or uphold the decision against which the appeal is made.

Rule 11 REMISSION OF PENALTIES

- 11.1 Notwithstanding any decision of the Appeals Tribunal under Rule 10, the NEC shall have power to lift any disciplinary penalty (including power to remit or refund any fine). Any penalty imposed will last for a minimum of one year from the date the penalty took effect.
- 11.2 An application under this Rule must be made in writing. The applicant may make a statement to the NEC in support of his application, either orally or in writing. The NEC will not hear appeals and no cross-examination shall be permitted, although the NEC may ask questions of the applicant.
- 11.3 In the case of an applicant who has been expelled from membership or associate membership of BALPA, the NEC may, as a condition of the applicant's re-admission, require that the applicant pay all or part of any subscription arrears.
- 11.4 The decision of the NEC on any application under this Rule shall be final and binding and shall not be subject to a right of appeal.

Rule 12 NATIONAL EXECUTIVE COUNCIL (NEC)

- 12.1 There will be a National Executive Council (NEC) for the general administration of BALPA business and government of BALPA in the periods between ADCs.
- 12.2 The general policy of BALPA will be as determined by the decisions of Annual Delegates Conferences, Special Delegates Conferences and Special General Meetings. In the absence of any such policy the NEC will determine appropriate policy and submit it for approval by the next ADC.

Rule 13 CONSTITUTION OF THE NEC

Part 1 - Members and Elections

- 13.1 The voting members of the NEC:
 - 13.1.1 In this rule, references to members are to members of BALPA as defined in Rule 5. References to "A and B members" are to members other than those in Constituency C i.e. to members other than members employed as helicopter pilots or helicopter winchmen. References to "Y" are to the number obtained by dividing the total number of A and B members (as at 1 August in the year of election) by 13.
 - 13.1.2 The NEC shall consist of 14 voting members, who shall be elected from the following Constituencies:
 - 13.1.2.1 **Constituency A:** Twelve Seats. The number of NEC members elected from any company shall not exceed five and shall be obtained by dividing the number of A and B members in that company by Y, calculating the result to two decimal places and rounding up to the next whole number. Should there be insufficient candidates to fill all 12 seats and/or there be no candidates for Constituency B, the maximum number of NEC members that may be elected from any one company shall (subject always to the maximum of five) be increased by one and a second pass of the election results will take place.
 - 13.1.2.2 **Constituency B:** One Seat: members employed by small companies i.e. those companies the aggregated total of members ("X") in which, starting with the smallest and adding in ascending order, does not cause the result of dividing X by Y to exceed 1.49. The company in which the number of A and B members would if added cause the result of that calculation to exceed 1.49 shall not be a small company.
 - 13.1.2.3 **Constituency C:** One Seat: members employed as helicopter pilots or helicopter winchmen.
- 13.2 The General Secretary shall be a member of the NEC but without a vote.
 - 13.2.1 Ballots shall be conducted in each of the Constituencies above in accordance with APPENDIX 1.
 - 13.2.2 Members of BALPA at the date determined in accordance with APPENDIX 1 shall be entitled to vote.
- 13.3 At the date determined in accordance with APPENDIX 1 and unless barred from holding office under Rule 9 or Rule 10, members shall only be eligible to be candidates for the NEC in the constituency of which they are a member and only if they are currently employed in that constituency.
- 13.4 Dependent on the number to be elected in each constituency, candidates receiving the largest number of votes in the ballot shall be declared elected.
- 13.5 A member of the NEC who ceases to be employed by an employer appropriate to the constituency from which the NEC member was elected shall immediately retire from the NEC and the vacancy thus created shall be filled as a casual vacancy in accordance with this Rule and Rule 21.3
- 13.6 Subject to Rule 13.6.1, the term of office of a member of the NEC shall be two years, starting immediately following the ADC. Members elected under rule 21.3 to fill a casual vacancy shall retire on the close of the ADC following their election.
 - 13.6.1 Elections to the NEC shall take place annually as follows:
 - 13.6.1.1 the member elected in 2009 in Constituency B shall hold office for one year, so that starting with Constituency B in 2010, elections for Constituencies B and C shall take place in alternate years;

- 13.6.1.2 starting in 2010, six Constituency A seats shall be subject to election each year. If the number of members elected to casual vacancies plus the number of members whose two-year term of office is due to expire at ADC in the election year does not total at least six, the member or members (sufficient to bring the total of vacancies to six) who achieved the lowest number of votes at the preceding election shall retire. In the event that two or more such members received the same number of votes when (last) elected, the member or members having the shortest length of continuous membership of BALPA shall retire.

Part 2 - General Provisions

- 13.7 The NEC will meet monthly for the dispatch of its business, adjourn and otherwise regulate its meetings as it thinks fit. A meeting may be requisitioned at any time by:
- 13.7.1 the Chairman, **or**
- 13.7.2 the General Secretary, **or**
- 13.7.3 any two members of the NEC.
- The General Secretary shall convene each meeting of the NEC by communication to each member thereof and, except for urgent business, not less than three days' notice shall be given.
- 13.8 The Chairman and Vice-Chairman of BALPA shall be elected annually by the Annual Delegates Conference and shall be respectively the Chairman and Vice-Chairman of the NEC. The Chairman shall preside at every meeting of the NEC, except that the Vice Chairman shall preside if the Chairman is not present within five minutes of the appointed starting time; or, if neither the Chairman nor the Vice-Chairman is present, the members of the NEC shall choose one of their number to be the Chairman of the meeting.
- 13.9 No business shall be concluded at a meeting of the NEC unless a quorum of members is present. The quorum shall be 7.
- 13.10 Only voting members of the NEC may vote at any of its meetings. This provision shall also apply to casting votes.
- 13.11 The NEC may from time to time afford to the Chairmen (or their nominated representatives) of Company Councils the opportunity to address it in order to provide the NEC with factual information and/or technical or professional advice with respect to matters of concern to the Company Council.

Rule 14 GOVERNMENT AND POWERS OF THE NEC

- 14.1 The NEC shall be the principal executive committee of BALPA. Unless these Rules expressly or by implication provide, it shall have control and administration of the affairs and property of BALPA. The following Rules are subject to the same qualifications:
- 14.2 Subject to the provisions of Rule 25, the NEC shall have power to issue instructions to members of BALPA with regard to the taking of any kind of industrial action including strike action when in the opinion of the NEC it is in the interests of members to take such action. No officer or official of BALPA shall be authorised to call upon members to take industrial action save with the express authority of the NEC.
- 14.3 It shall have power to expend monies for any purpose which in its opinion is expedient in the interests of BALPA or its members.
- 14.4 It shall have power to summon any member or members to attend any meeting at which any matter affecting such member will be discussed.
- 14.5 It shall have power to issue instructions to member(s) for regulating the relations between member(s) or between member(s) and employer(s) or between member(s) and any competent authority.
- 14.6 It shall designate those persons who shall have authority on behalf of BALPA to sign and execute all agreements or other legal documents.
- 14.7 The powers and duties of each of the officers and officials of BALPA shall be determined by the NEC and shall be communicated in writing to each officer and official by the General Secretary.
- 14.8 It shall have the power to permit the attendance at its meetings of members and non-members of BALPA for the purpose of financial, legal or other advice or assistance.
- 14.9 It shall have power to direct the BALPA Custodian Trustees (Rule 30).
- 14.10 Any dividends and interest earned will be allocated to the funds of BALPA in such a manner as the NEC shall determine.
- 14.11 It shall have power to raise or borrow money on any of the properties or securities of BALPA by way of mortgage or otherwise as it shall think fit.

- 14.12 All instructions of the NEC issued under the hand of the Chairman or General Secretary (or other person authorised to do so on behalf of the NEC) shall be binding upon every member, associate member and every Company Council and committee of BALPA (as the case may be) to whom it is directed.
- 14.13 It may delegate any of its powers (other than the power to fine, suspend, bar from office or expel) to such committee(s), sub-committee(s) or groups as the NEC shall deem expedient. Any such committee(s), sub-committee(s) or group(s) shall hold office and shall be dissolved at the will of the NEC. The chairman of any such committee(s), subcommittee(s) or group(s) shall be appointed and removed by the NEC. Each year the NEC shall seek nominations from the Annual Delegates Conference for the position of Chairman of each of the following:
- Helicopters Committee
 - Pensions Group
 - Flight Safety Group
 - Scheduling and Limitations Group
 - Security Group
- During the course of Conference, the NEC shall consider the nominations put forward by Conference and shall, unless it determines that there are good reasons for not doing so; appoint each nominee to the post of Chairman of the relevant Committee.
- 14.14 Subject to the overriding control of BALPA and its affairs by the ADC or a Special Delegates Conference (SDC), the NEC shall have power generally to further the objects and to carry on the business of BALPA... It shall have power at any time to negotiate on any matters concerning the interests of members, associate members or of those engaged in aviation generally, and to conclude agreements with persons and associations not members of BALPA and to issue instructions accordingly. It shall have power to sanction the payment of monies. It may likewise institute or defend proceedings or authorise the Chairman **and/or** General Secretary **and/or** BALPA Custodian Trustees to institute or defend legal proceedings. It may send delegates or deputations to represent BALPA for any purpose and may revoke the authority of any delegate or member of a deputation at any time. It shall have power to appoint or suspend any BALPA committee for such reasons and on such terms as it deems expedient, and its decision shall be final and conclusive unless reversed by the decision of an ADC or SDC.
- 14.15 It shall have power and authority to construe the Rules and to determine all questions on which the Rules are silent; and its construction or determination shall be binding and shall remain in operation until the next ADC or SDC to which the issue will be referred.
- 14.16 In the absence of any policy laid down by an ADC or a SDC, the NEC shall have power and authority to formulate policy. Any such decision by the NEC shall be effective until the decision of the next ADC or SDC to which the issue will be referred.

Rule 15 CONFERENCES

- 15.1 The government of BALPA shall be vested in a conference of delegates representing the membership of BALPA. This conference shall be either the Annual Delegates Conference (which shall meet at such place and time as the NEC may deem fit but not earlier than the last Monday of October in each year) or shall be a SDC called under Rule 17.

Rule 16 CONSTITUTION OF THE ANNUAL DELEGATES CONFERENCE (ADC)

The Annual Delegates Conference shall be constituted as follows:

- 16.1 **NEC Delegates**
- 16.1.1 The members of the NEC shall be delegates.
- 16.2 **Company Council Delegates**
- 16.2.1 Each Company Council shall be entitled to send a minimum of 2 delegates with additional delegates at the rate of 1 per 300 members for Company Councils whose membership exceeds 600. Each Company Council shall secure the appointment of such delegates but delegates need not be members of the Company Council.
- 16.3 **National Delegates**
- 16.3.1 Members not represented by a Company Council may nominate themselves to be delegates and the NEC shall hold an election amongst their own number on the basis that there will never be less than 1 delegate opportunity and additional delegates at the rate of 1 delegate for each 300 members.
- 16.4 Where the Chairman of any NEC sub-committee is not a delegate to the ADC in accordance with this Rule, then such a person shall be entitled to receive notice of, and attend and speak at all meetings of the ADC, but shall not be entitled to vote, nor to propose or second nominations for elections, but may propose and second motions.

- 16.5 The President and Vice President of BALPA shall be members of the ADC. They shall be entitled to receive notice of, attend and speak at all meetings of the ADC and SDC, but shall not be entitled to move and second motions, nor to vote, nor to propose or second nominations for elections.
- 16.6 The General Secretary shall be an NEC delegate to Conference, but shall not be entitled to vote, nor to propose or second nominations for elections.
- 16.7 All members of BALPA (not being delegates) shall be entitled to attend the ADC as observers upon presentation of a membership card. They shall not be entitled to speak and shall not have a vote. A proposer or seconder of a private member's motion will be permitted to speak once only in support of the motion before withdrawing to the observers area, and shall not take part in any further debate or discussion on their motion except at the express invitation of the Chairman and except that the proposer (or in his absence, the seconder) shall have the right of reply.
- 16.8 The Retired Flight Crew Committee of BALPA as elected by the retired 'Class A Associate' members shall be entitled to appoint two of its members to attend the ADC. These two Delegates shall be entitled to receive notice of, attend, speak and to move and second motions at all meetings of the ADC and SDC, but shall not be entitled to vote, nor propose or second nominations for elections.
- 16.9 Only delegates entitled to vote shall vote. On a show of hands each delegate shall have 1 vote, save that if a delegate is unable to attend then another delegate from within that same constituency may be nominated to hold and cast a proxy vote. If a card vote is called each voting delegate shall have a voting strength determined by the total number of members covered by the constituency from which the delegate was appointed or elected, divided by the number of delegates to which that constituency is entitled, rounded up to the nearest whole number. Those delegates holding a proxy vote may also hold and cast the associated card vote.
- 16.10 Membership figures for the purposes of card voting shall be determined as those full members in membership on the first day of the month in which the ADC or SDC is held.
- 16.11 The quorum for an ADC shall be two thirds of the total number of delegates entitled to attend and vote.
- 16.12 The Chairman of the ADC shall be the Chairman of BALPA or failing him the Vice Chairman or failing him such delegate as the ADC may appoint. The Chairman and Vice Chairman for the ensuing year shall be elected at Conference by the delegates from among the elected members of the NEC.

Rule 17 SPECIAL DELEGATES CONFERENCE (SDC)

- 17.1 A Special Delegates Conference (SDC) may be requisitioned at any time by any one of the following: the Chairman; the NEC; the General Secretary; any two or more properly established Company Councils whose total joint numerical membership of BALPA exceeds 500; or the Treasurer provided that the NEC has authorised expenditure exceeding by 10% or more the amount budgeted for the matter in question at the preceding ADC.
- 17.2 The delegates to such an SDC shall be the delegates eligible under the Rules to attend an ADC.
- 17.3 The NEC shall prescribe the length of notice to be given to call such an SDC, which in no case shall be less than 14 days. Where practicable the agenda shall be circulated in advance of the SDC.
- 17.4 Where appropriate the provisions of the Rules and Standing Orders applicable to an ADC shall apply equally to an SDC.

Rule 18 BUSINESS AT THE ANNUAL DELEGATES CONFERENCE

- 18.1 Notice of each ADC shall be inserted in 'The Log' and a copy of 'The Log' containing that notice will be circulated to each member of BALPA not less than 120 days before the ADC.
- 18.2 Motions for the agenda may be submitted and moved by the NEC, any Company Council, or a proposer and seconder supported by not less than 20 members. Motions shall be sent to the General Secretary to reach him not later than 60 days before the ADC. Emergency motions may also be moved by the NEC and delegates in accordance with Standing Orders.

- 18.3 Business at the ADC will be run in accordance with Standing Orders and will include the following items:

Appointment of Appeals Panel.
Appointment of BALPA Custodian Trustees.
Report of the NEC to the end of the preceding year.
Presentation of the annual accounts and balance sheet.
Auditors report.
Presentation of the budget.
Motions.
Election of Chairman and Vice Chairman.

Rule 19 POWERS OF THE ANNUAL DELEGATES CONFERENCE

- 19.1 Subject to the provisions of any Standing Orders of the ADC for the time being in force, and provided that such resolution is in accordance with these Rules, the ADC shall have power to pass any resolution for any of the following purposes:

To determine the policy of BALPA on all matters relating to the objects of BALPA.

To recommend or carry out the amendment, rescindment or making of Rules.

To elect the Chairman and Vice Chairman of BALPA.

To appoint members of the Appeals Panel.

To appoint auditors and BALPA Custodian Trustees.

To recommend to the NEC that the NEC should put into operation any of the powers and authorities vested in the NEC.

To recommend to the NEC that a member or associate member of BALPA should be disciplined in accordance with Rule 9.

To accept, reject or remit for further consideration any recommendation of the NEC and to give such directions as may be deemed appropriate.

Subject to the powers of the Special General Meeting, to determine BALPA policy.

To do all such other things, as may be necessary or desirable in the interests of BALPA or its members.

Rule 20 SPECIAL GENERAL MEETINGS (SGM)

- 20.1 Unless these Rules expressly or by implication provide, the supreme government of BALPA shall be vested in a Special General Meeting of the whole of the membership of BALPA convened in the manner provided in this Rule. If not less than 10% of the BALPA membership submit to the General Secretary a resolution requiring the cancellation, revision or amendment of any decision or direction of the NEC with a request that an SGM of BALPA shall be called for the purpose of considering the same, then an SGM shall be called at such place and on such date as may be fixed by the NEC, but in no case later than 40 days from the date of the receipt of the resolution by the General Secretary. An SGM called by members pursuant to this sub-Rule shall have all the powers of an ADC provided always that a resolution of an SGM called by members pursuant to this sub-Rule shall not be of any effect whatsoever unless:

20.1.1 the number of votes in favour of the resolution exceeds two-thirds of the number of members present at the meeting and voting, **and**

20.1.2 the resolution is confirmed by a ballot taken under Rule 24.

- 20.2 All Resolutions submitted for the consideration of the SGM shall reach the General Secretary at least 35 days before the date fixed for the meeting and the General Secretary shall forward a notice of the meeting together with a printed agenda of the business to be transacted to every member of BALPA at his last registered address not less than twenty-one days before the date fixed for the meeting.

- 20.3 The President (if he is a member of BALPA) or failing him the Chairman of BALPA, or failing him the Vice Chairman of BALPA, or failing him a member of BALPA present at the meeting and elected by the meeting shall take the Chair at every Special General Meeting of BALPA, and shall on any equality of votes on any question have a second or casting vote in addition to the vote to which he may otherwise be entitled. Every member personally present at any meeting shall have one vote and voting shall be by a show of hands and a count shall be taken if demanded. Proxy voting will not be allowed.

- 20.4 Every member attending the meeting shall produce his membership card, and failure to produce it may, at the discretion of the Chairman presiding, cause him to forfeit his right to vote.

- 20.5 The quorum for Special General Meetings of BALPA shall be 10% of the members at the date of the Requisition, present in person and entitled to vote. If within half an hour from the time appointed for the meeting a quorum is not present the meeting shall be dissolved.

Rule 21 CASUAL VACANCIES

- 21.1 In the event of a vacancy in the office of the Chairman of BALPA, the NEC may, in its discretion, either leave such office vacant until the next ADC; or convene a SDC to elect a Chairman in accordance with the provisions of Rule 17. At any time when the office of the Chairman is vacant, the Vice Chairman of BALPA shall have the powers of the Chairman.
- 21.2 A vacancy for Vice Chairman of BALPA shall be filled by an appointee of the NEC who must be a properly elected member of the NEC. The person appointed shall hold office until the next ADC provided that, if a Special Delegate Conference is held before the next ADC it shall, in accordance with Rule 17, elect an officer to replace the temporary appointee (who, if otherwise eligible and duly proposed and seconded, may be re-elected). An officer so elected shall hold office until the next ADC.
- 21.3 In the event of a casual vacancy arising amongst the voting members of the NEC, the NEC may, in its discretion, either leave such post vacant or cause such vacancy to be filled by means of an election conducted pursuant to APPENDIX 1. For the purposes of this Rule and Rule 13.5 a vacancy shall be regarded as a casual vacancy if it arises due to the death, resignation, barring from office, suspension or expulsion from membership of BALPA of a member of the NEC at a time between the holding of elections (other than an election held under this sub-Rule).
- 21.4 A vacant National Delegate seat occurring through death, resignation or expulsion as a member of BALPA shall be filled by the member who at the immediately preceding election received the next highest number of votes; provided that on a vacancy being created by the suspension of a Delegate from membership, the vacancy shall not be filled for the period of suspension. Any such casual appointment shall remain in force until the announcement of the result of the next election of National Delegates.

Rule 22 ESTABLISHMENT AND CONSTITUTION OF COMPANY COUNCILS (CCs)

22.1 ESTABLISHMENT

- 22.1.1 The NEC may, at its discretion, establish or disestablish a Company Council (CC) wherever 10 or more members of BALPA are based or employed by a United Kingdom aviation company. The number of members of a CC shall in normal circumstances be not less than 3 nor more than 10, although in exceptional circumstances the NEC may increase the total established membership up to a maximum of 20.
- 22.1.2 For the purposes of these Rules and except where the contrary is expressed, the expression 'the total established membership' shall in relation to any CC refer to that number of persons as the NEC shall from time to time authorise to constitute that council.

22.2 ELECTION ARRANGEMENTS

- 22.2.1 Members of every CC established under Rule 22.1.1 shall be elected by the members of BALPA based or employed within the relevant area as determined by the NEC.
- 22.2.2 The sub-Rules relating to annual elections and casual vacancies shall apply to every CC. Where the number of persons eligible and willing to serve is equal to or is less than the number of positions to be filled, those persons shall be deemed to have been elected.
- 22.2.3 A person shall be eligible to be elected to any CC if entitled to vote in the election of members to that CC as determined by Rule 22.2.1. A person shall be considered to be willing to serve, if elected, only if a completed nomination form circulated to all members entitled to vote is returned to the General Secretary by the closing date for nominations.
- 22.2.4 A member of any CC moving from the area appropriate to the council on which they serve, or retiring from their company, shall immediately stand down and the vacancy thus created will be filled as a casual vacancy. The NEC shall, in any individual case, have discretion to Rule.
- 22.2.5 Ballots shall be conducted in accordance with APPENDIX 1, subject to the following overriding conditions:
- 22.2.5.1 The General Secretary shall issue to all electors, at least one month before the election, a ballot paper which states the number of persons to be elected, the latest date for the return of the ballot paper; and the position held by the persons named, their employers and aircraft type(s) currently flown.

- 22.2.5.2 The members elected shall be those members (up to the total number of persons to be elected) who receive the highest number of votes in any election. In cases where 2 or more members receive an equal number of votes for the last vacancy, the member who is the senior (in terms of length of continuous membership as a member) shall be deemed to be elected; and in cases of equal seniority, the matter shall be determined by lot.
- 22.2.5.3 Any votes cast for a candidate who, after the issue of the ballot but before the declaration of result, notifies the General Secretary in writing that he is unable or unwilling to accept election shall be disregarded.

22.3 ANNUAL ELECTIONS AND CASUAL VACANCIES

- 22.3.1 There shall be an election of members to fill vacancies on each CC in every year. In the case of Company Councils, the date of the annual election shall be 1st August, or other such frequency as the NEC may determine, or as soon thereafter as shall be reasonably practicable. The date at which successful candidates take up office shall be at the September meeting of the appropriate CC.
- 22.3.2 The following Rules shall apply with regard to the retirement of members from Company Councils immediately before each Annual Election:
 - 22.3.2.1 All members filling casual vacancies shall retire, **and**
 - 22.3.2.2 No member shall continue in office beyond the second election occurring after the election at which they were elected, **and**
 - 22.3.2.3 If the application of paragraphs 22.3.2.1 and 22.3.2.2 leaves the number of elected members in excess of half the total established membership of the council, then those who achieved the lowest number of votes at the preceding election (or in cases of automatic election under Rule 22.2.2, the most junior in terms of length of continuous membership of BALPA), shall retire in order to reduce the number of elected members continuing in office to not more than half the total established membership.
- 22.3.3 All members retiring from any council shall be eligible for re-election.
- 22.3.4 If any casual vacancy or vacancies arise in the membership of a CC, the member shall be appointed who at the last election failed to be elected but secured the greatest number of votes. In the case of equality of votes the person shall be the senior in terms of length of continuous membership as a member; and in the case of equality of seniority, the matter shall be determined by lot. Where a vacancy cannot be filled in this way, a CC may co-opt any member of BALPA willing to act who is based or employed within the relevant area or areas) as a member of that council. Such co-optee shall be counted for the purposes of calculating the quorum of a meeting but shall hold no voting rights and shall hold office only until the next election.

22.4 PROCEDURE AT COUNCIL MEETINGS

- 22.4.1 Company Councils will be governed by such regulations as are issued from time to time by the NEC. No business shall be concluded at any meeting of any council in the absence of a quorum of members. A quorum consists of half the total established membership of the council rounded up to the next whole number.
- 22.4.2 The first item of business, immediately after each annual election, shall be to appoint from amongst those elected a chairman and a vice chairman by a simple majority of those eligible to vote. The Chair will be taken for this purpose only by the senior member present, in terms of continuous membership of BALPA. Any member of a council unable to attend the meeting at which the appointments of chairman and vice chairman are to be made may submit to the chairman of that meeting a written and signed nomination or seconding and a written and signed vote.
- 22.4.3 In the absence of the chairman at a properly convened meeting of a council, the vice chairman of the council shall act as chairman for that meeting. In the absence of both the chairman and the vice chairman at a properly convened meeting of a council, the members of the council present at the meeting shall, from amongst themselves, appoint a Chairman for the meeting.
- 22.4.4 It shall be the duty of the chairman of each council to cause proper minutes of all meetings to be kept, and, with the prior approval of the NEC, to be made available to any member of BALPA who requests them; and to notify the General Secretary of BALPA of any change which may be made in the membership of that council. The members of every council shall comply with Rules and regulations issued by the NEC and the acceptance of office on a council shall be deemed to constitute an undertaking by each member to abide by such Rules and regulations.

22.4.5 The Chairman or Vice Chairman of any council may be removed from such office at any time either with or without cause by a majority vote of the members of the council.

22.4.6 Every council shall meet not less than once in every 3 months.

22.5 INTERPRETATION

22.5.1 In the case of doubt or dispute as to the interpretation or application of the above Rule, the decision of the NEC shall be final.

Rule 23 DUTIES OF COMPANY COUNCILS

23.1 Every CC shall meet for discussions and for the information of the members it represents on all matters relating to BALPA and the interests of members and associate members of BALPA within its area.

23.2 It shall further be the duty of each CC (to endeavour to establish and maintain contact with the management of any organisation which employs any member of BALPA represented by the council. However no CC nor any member of BALPA may take any executive action whatsoever relating to or connected with the objects of BALPA without the express authority of the NEC.

23.3 Company Councils may carry out consultative ballots of their members to assist in determining issues under discussion or to be discussed with their employer. In carrying out the ballot the CC may ask such questions in such form as appropriate and in keeping with NEC policy.

Rule 24 THE DETERMINATION OF QUESTIONS BY BALLOT OF BALPA MEMBERS

24.1 The NEC shall have power to submit any matter or question, including any election or ballot required under these Rules, to a ballot vote of members of BALPA in accordance with this Rule. The provisions of APPENDIX 1 to these Rules shall have effect for the purposes of any ballot conducted under this Rule and shall be construed as if they formed part of this Rule. Nothing in these Rules shall be taken to require a ballot to be held at an uncontested election.

24.2 Before the ballot papers are issued for a ballot under this Rule, the NEC shall determine:

24.2.1 the date by which ballot papers shall be sent to members, **and**

24.2.2 the place to which and the date and time by which the ballot paper must be returned (the 'closing date'), **and**

24.2.3 if different, the place, date and time at which the counting of the ballot papers will take place.

24.2.4 In the absence of any other determination by the NEC, the place to which ballot papers are to be returned and where the counting of the ballot papers is to take place shall be BALPA's registered office.

24.3 Entitlement to vote in any ballot conducted under this Rule shall be accorded equally to all persons who, at the date determined under Rule 24.2.1, are:

24.3.1 members of BALPA, **or**

24.3.2 members of BALPA falling within an identifiable section of membership defined for the purposes of that ballot.

A member who at the date of the issue of the ballot paper in question has been suspended from membership (under Rule 8.9 or otherwise) shall not be entitled to vote in that ballot; and nothing in these Rules shall entitle an associate of BALPA to vote in any ballot.

24.4 If, before or after the result of a ballot conducted under this Rule has been announced, it appears to the NEC that any irregularity may have occurred which could materially affect the result or validity of that ballot, the NEC shall have power:

24.4.1 to suspend the conduct of the ballot for such period not exceeding one month as it may determine, **and/or**

24.4.2 to declare such ballot void.

If the NEC declares a ballot void it may, and, if so required by these Rules, shall, cause a further ballot to be conducted as soon as possible, in accordance with this Rule.

24.5 The following irregularities may be disregarded for the purpose of any ballot conducted under this Rule:

24.5.1 the fact that any member who is outside Great Britain throughout the period during which votes may be cast has not had a reasonable opportunity to vote in the ballot, **and**

24.5.2 any inaccuracy in counting the votes cast in the ballot, if such inaccuracy is accidental and on a scale which is unlikely to affect the result of the ballot.

Rule 25 INDUSTRIAL ACTION

- 25.1 Subject to the provisions of sub-Rules 25.2 and 25.3, when a CC so recommends, or when it appears to the NEC that a strike or other industrial action is or may be necessary, the NEC shall determine the nature of such industrial action to be applied. It shall give directions for the action and such directions shall be communicated to the affected members by the General Secretary.
- 25.2 The NEC shall not give any such directions as are mentioned in Rule 25.1 unless the industrial action determined upon has previously been authorised by a ballot conducted in accordance with Rule 24. The members of BALPA who shall be entitled to vote in any ballot for the purposes of this Rule shall be all those members (and those members alone) whom it is reasonable, at the time of that ballot for the NEC to believe will be called upon in the strike or other industrial action to act in breach of, or to interfere with the performance of, their contracts of employment.
- 25.3 For the purposes of Rule 25.2, industrial action shall only be regarded as having been authorised by a ballot if:
- 25.3.1 the direction for the purpose of putting the NEC's determination into effect was issued within 4 weeks from the date of the ballot. 'The date of the ballot' means the last day upon which, if a vote were posted on that day, it would in the ordinary course of first-class post arrive at the place and by the closing date determined by the NEC under Rule 24.2.
- 25.3.2 the first action required by such direction was required to have taken place within that period.
- 25.4 If, in accordance with Rule 25.1 the NEC directs that any member or members should take strike action, it may:
- 25.4.1 impose a levy upon members of BALPA or upon such group or groups of members of BALPA as it may determine to enable benefit to be paid during the strike,
- 25.4.2 pay benefit to those members rendered idle by the strike,
- 25.4.3 terminate the strike when it thinks fit.
- 25.5 Notwithstanding any other provision of these Rules, no industrial action may be authorised or endorsed otherwise than by the NEC in accordance with this Rule.
- 25.6 In the event of any member disregarding any direction or order made in accordance with Rule 25.1, he shall be liable to disciplinary action under Rule 9.

Rule 26 LEGAL ASSISTANCE

- 26.1 A member may apply for Legal Assistance in matters arising from the member's employment, including criminal proceedings against the member relating to his professional duties which qualified him as a member under Rule 5 and/or matters arising from an authorised trade dispute, by writing to the General Secretary. Such application may also be made by the Personal Representatives, Dependents, Receiver, Litigation Friend or Attorney of a member where a member has died or is incapable of making an application personally, in which case the expression 'member' shall include such an applicant in sub-rules 5, 6 and 7 below.
- 26.2 For the purposes of this rule Legal Assistance shall be provided by BALPA's officers or legal adviser and shall comprise (but not be limited to), initial legal advice and subsequent legal advice and representation in both contentious and non-contentious matters and proceedings. The extent of the Legal Assistance granted, and the means by which it is provided, shall be at the absolute discretion of the NEC, but no Legal Assistance will be provided in respect of matters or events arising or known to the member prior to his membership of BALPA.
- 26.3 To be eligible to receive Legal Assistance a member must normally have three months' continuous full membership of BALPA at the time of application. Members or other applicants who do not meet this criterion may, exceptionally, have their application considered at the discretion of the NEC.
- 26.4 Initial legal advice shall be given by BALPA to any member who is, or may be, prosecuted for an offence, or alleged offence, relating to their professional duties as a Flight Crew Member who has made an application for such assistance in accordance with sub-rules (1) and (3) above. Further legal advice and assistance in criminal matters and all legal advice and assistance in all other matters shall be granted at the absolute discretion of the NEC.

- 26.5 Where an external legal advisor or solicitor is instructed by BALPA on behalf of the member, then any Legal Assistance provided by the legal advisor or solicitor is provided personally for the member. The member will be protected from his/her resulting financial liability to pay costs by such means provided or approved by BALPA as the Union may determine: such means may be varied or amended by BALPA during the course of the case. This liability also includes legal disbursements, the premium for any policy of legal expenses insurance and opponents' costs where applicable. For the avoidance of doubt Legal Assistance granted is subject to any general conditions agreed with the solicitors instructed (and specific additional conditions may be attached in individual cases).
- 26.6 The grant of Legal Assistance shall be subject to the member abiding by the following conditions and any such other conditions as may be prescribed by the NEC:-
- 26.6.1 The member shall permit BALPA and its legal advisors to have sole conduct of the matter and agrees to instruct solicitors nominated by BALPA and cooperate fully and honestly with BALPA and BALPA's legal advisors and solicitors. The member further agrees not to refuse unreasonably or act against the advice of the solicitors appointed by BALPA to advise him or to act on their behalf.
- 26.6.2 The member shall consent to the sharing and processing of information (including personal or sensitive information) by and between BALPA and its legal advisors for the purpose of providing the Legal Assistance.
- 26.6.3 The member shall accept the obligation that, if successful in pursuing their claim or part of their claim, they shall take all necessary and sufficient steps to recover the legal costs incurred on their behalf whilst in receipt of Legal Assistance wherever, and to the full extent possible and, where indemnified by BALPA in pursuing the claim, shall repay any costs so recovered to BALPA forthwith.
- 26.6.4 The member shall maintain their membership of BALPA throughout the duration of the Legal Assistance, save where Legal Assistance is provided to a personal representative or other non member as outlined in sub-rule (1) above.
- 26.7 Should the member fail to abide by any of the conditions referred to in sub-clause (6) above:
- 26.7.1 BALPA may withdraw the Legal Assistance forthwith and with effect from the date of the application for Legal Assistance or such other date as BALPA may specify. With effect from the same date the member will also have no BALPA indemnity in respect of the costs incurred by any other party to a case in which BALPA had agreed to provide such indemnity.
- 26.7.2 The member shall, in any event, be obliged, upon the written request of BALPA, to repay to BALPA all legal costs expended in indemnifying him in respect of both their own costs and disbursements and in respect of any liability to pay the costs and disbursements of any other party in proceedings in which the member is a party whether such costs arose before or after the withdrawal of the Legal Assistance or the breach of the conditions referred to in sub-rule (6) above

Rule 27 VICTIMISATION PAY

- 27.1 Where a member of BALPA acting under the advice or instruction of the NEC in order to further the interests of BALPA shall by reason thereof sustain financial loss, he may apply to the NEC for compensation. The NEC may pay to him such sums as it considers proper according to the circumstances of the case.

Rule 28 THE GENERAL SECRETARY

- 28.1 The General Secretary need not necessarily be a member of BALPA.
- 28.2 He shall be appointed by the NEC after a ballot of the membership undertaken in accordance with the provisions of this Rule, Rule 24 and APPENDIX 1. The General Secretary shall thereafter be appointed by the NEC for a period of five years commencing upon the date of the declaration of the result of the election.
- 28.3 Any person (whether or not he is a member of BALPA) may stand as a candidate in the election, provided that he is nominated as a candidate in accordance with Rules 28.3.1, 28.3.2 or 28.3.3 but not otherwise:
- 28.3.1 the NEC may nominate one candidate for the post of General Secretary to stand in an election under this Rule, **and**
- 28.3.2 any one or more properly established Company Councils whose total joint numerical membership of BALPA exceeds 500 may together nominate one candidate for the post of General Secretary to stand in an election under this Rule.

- 28.3.3 should a standing member of the NEC be elected as General Secretary he will resign from their NEC position on taking up the appointment.
- 28.4 The election shall be conducted in accordance with Rule 24 save that the NEC shall appoint a Returning Officer who shall be a person or organisation qualified to act as independent scrutineer in accordance with the provisions of S49 of the Trade Union and Labour Relations (Consolidation) Act 1992. The NEC shall at the same time determine the timetable for the election including the date by which valid nominations shall be received at Head Office. Any nomination received later than noon on the date prescribed shall not be valid.
- 28.5 The duties of the General Secretary shall include the following powers and duties: to carry out the instructions of the NEC; to attend regularly at the office of BALPA; to keep records of all correspondence connected with the affairs of BALPA; to issue all notices as may be required to be given by statute or otherwise; to keep minutes of the proceedings of any conferences or NEC meetings, and to circulate the agenda for such Conferences and meetings; and to bring up for the consideration of the NEC any matters that should be considered and dealt with by it, and as shall be prescribed by the NEC. In conjunction with the Treasurer he will keep an accurate record and account of all monies received and disbursements made; and of any other fund from time to time authorised by the NEC; and he will be responsible for the books, documents, monies and such property of BALPA as may be in his charge.
- 28.6 The General Secretary shall be a member of the NEC but shall not be entitled to a vote.
- 28.7 The General Secretary shall maintain a register of the names and addresses of members and associates of BALPA and shall secure, so far as is reasonably practicable, that the entries in such register are accurate and are kept up to date.

Rule 29 THE TREASURER

The NEC will appoint a Treasurer (who may or may not be a member of BALPA) who shall hold office for a period determined by NEC. The duties of the Treasurer shall be:

- 29.1 To receive subscriptions, **and**
- 29.2 To keep a proper account of all monies received and to pay such monies to the bank as and when appropriate, **and**
- 29.3 To join in signing cheques and other documents as directed by the NEC, **and**
- 29.4 To keep current books, records and documents as directed by the NEC or the BALPA auditors. The Treasurer shall arrange for payment of sums authorised by the NEC out of BALPA funds.

Rule 30 BALPA CUSTODIAN TRUSTEES

- 30.1 There shall be 4 BALPA Custodian Trustees, who must be BALPA members as defined in rules 5 and 6 of these rules. Upon appointment each Trustee will become a Director of BALPA Custodian Trustees Ltd for the duration of their appointment as a Trustee. They shall be appointed by the ADC for a period of 3 years. They shall be eligible for re-election for a second term of office, but no Trustee shall remain in office for a period of more than 6 years. No paid employee of BALPA shall act as Trustee. No person can be both a member of the NEC and a Custodian Trustee at the same time. The ADC shall also have the power by resolution to appoint a Bank or other Trust Corporation as a Corporate Trustee.
- 30.2 If a BALPA Custodian Trustee relinquishes his office for any reason, a replacement will be elected at the next ADC.
- 30.3 Subject to Rule 14.9, deeds, documents of title and securities for money and other BALPA property may be held by the BALPA Custodian Trustees or by nominees under their joint control via BALPA Custodian Trustees Ltd.. They will take such measures for the safe custody and preservation thereof at the expense of BALPA as they shall think fit. They shall be responsible for the safe custody of all such deeds, documents, and securities as are placed in their hands or under their custody. They shall produce them for inspection when required by the auditor or by the NEC.

Rule 31 AUDITORS

- 31.1 The accounts of BALPA shall be made up to December 31st and audited each year by a qualified auditor or auditors who shall be members of the Institute of Chartered Accountants of England and Wales. The General Secretary and Treasurer shall produce all books and papers necessary for the complete examination of BALPA's accounts. Such auditors shall be appointed at the ADC.

Rule 32 BALPA FUNDS

- 32.1 The NEC shall cause to be opened an account or accounts at such bank or banks as it may determine, into which BALPA funds will be paid. All withdrawals from the bank shall be made as directed by the NEC.
- 32.2 BALPA funds which are not required for immediate use or to meet accruing liabilities may, with the sanction of the NEC, be invested in the purchase of funds, shares or like securities, or such other property (including freehold or leasehold land or property) as the NEC shall think fit.
- 32.3 The income and property of BALPA shall be applied solely towards the promotion of the objects of, and in the administration of BALPA. No portion thereof shall be paid directly or indirectly by way of profit to the members, provided that nothing shall prevent the payment in good faith of remuneration or reimbursement of reasonable expenses incurred on BALPA's behalf to any officer, official or member of BALPA in accordance with expenses claim guidelines which are issued for time to time by the NEC.

Rule 33 ACCOUNTS

- 33.1 The NEC shall ensure that true accounts are kept of all monies received and expenditure incurred by BALPA, the matters in respect of which such receipts and expenditure take place, and of the assets, credits and liabilities of BALPA. The accounts shall be kept at the registered office of BALPA or at such other place or places as the NEC may deem fit.

Rule 34 INSPECTION OF BOOKS

- 34.1 Every member shall be entitled to a copy of the annual balance sheet of BALPA and any member may inspect at the Registered Office, at any reasonable time and with the prior approval of the NEC, the accounting records of BALPA.

Rule 35 ALTERATION TO RULES

- 35.1 New Rules may be made, or any current Rule may be amended or rescinded, but only in accordance with a resolution duly passed at the ADC or SDC and subsequently confirmed by a ballot taken under Rule 24. All statutory requirements shall be complied with in respect of all new Rules, amendments and rescindments, none of which shall take effect unless and until such requirements have been complied with and the necessary steps have been initiated to seek approval, consent or registration.

Rule 36 PROVISIONS AS TO RULES, NOTICES, RESOLUTIONS AND MINUTES

- 36.1 Each member and associate member shall be supplied with a free copy of the Rules when joining BALPA, and each member and associate member shall be supplied with a free copy of amendments to the Rules.
- 36.2 Except as expressly provided in these Rules, any notice required to be given under these Rules shall be deemed to have been properly given if notice is set out in the official journal of BALPA (The Log) or in such other manner as the NEC may decide. Any Rule which requires a ballot list, ballot paper, circular or notice to be sent to a member shall be deemed to have been complied with if that is sent by pre-paid letter in the ordinary post, addressed to the latest postal address registered with BALPA. In the event of accidental omission, the NEC shall decide if any ballot, proceedings or resolutions are thereby invalidated.
- 36.3 The declaration made by the chairman of any conference as to the result of any ballot, vote, or resolution shall be conclusive.
- 36.4 Minutes shall be kept for all BALPA meetings in such form as may be decided by the NEC.

Rule 37 DISSOLUTION

- 37.1 BALPA may at any time be dissolved by the consent of three-quarters of its members. Such consent shall be obtained by ballot taken in accordance with Rule 24. Its assets shall thereupon be realised and all the debts and liabilities satisfied. The remaining assets shall then be divided among the members existing at the date of the resolution for dissolution in proportion to the amount of the subscriptions paid by them respectively during their respective periods of membership.

Rule 38 PRESIDENT

- 38.1 The President need not be a member of BALPA.
- 38.2 He shall be appointed by the NEC after a ballot of the membership undertaken in accordance with the provisions of this Rule and Rule 24. The President shall be appointed by the NEC for a period of 5 years from the date of the election.
- 38.3 Any person (whether they are a member of BALPA or not) may stand as a candidate in the election, provided that they are nominated in accordance with Rules 38.3.1 or 38.3.2:
 - 38.3.1 The NEC may nominate one candidate to stand for election for the post of President.
 - 38.3.2 Any one or more Company Councils whose total joint numerical membership of BALPA exceeds 500 may jointly nominate one candidate to stand for election for the post of President.

APPENDIX 1 REGULATIONS FOR THE CONDUCT OF BALLOTS UNDER RULE 24

1 Issue of Ballot Papers

- 1.1 In the case of an election for the position of General Secretary or President or the election of NEC members, the NEC shall appoint an independent scrutineer to act as Returning Officer for the ballot. The Returning Officer shall conduct the election within the terms of this Appendix and shall carry out the following functions in relation to the election:
- 1.1.1 to be the person who supervises the production and distribution of all the voting papers and the person to whom the voting papers are returned by those voting, **and**
 - 1.1.2 to take such steps as appear to be appropriate for the purpose of enabling him to make any report required by statute, **and**
 - 1.1.3 as soon as reasonably practicable after the last date for the return of voting papers to make the report required under paragraph (ii) to the NEC, **and**
 - 1.1.4 to retain custody of all voting papers returned for the purposes of the election until the period of one year beginning with the announcement by the NEC of the election result..
- 1.2 The independent scrutineer will be qualified in accordance with the requirements laid down by the Secretary of State under Section 49 of the Trade Union and Labour Relations (Consolidation) Act 1992.
- 1.3 In the case of any election or ballot other than those covered by the provisions of Regulation 1.1 the NEC shall appoint an officer of BALPA to act as Returning Officer for the ballot. The Returning Officer shall conduct the election or ballot in accordance with the provisions of this Appendix.
- 1.4 In the case of an election the Returning Officer shall supervise the nomination process in accordance with the timetable prescribed by the NEC. The Returning Officer shall have power to determine any question concerning the validity of any particular nomination and the decision of the Returning Officer on any such question shall be final. The Returning Officer shall issue to each member entitled to vote in the ballot and post to each such member, at his postal address, (unless Regulation 1.7 applies) by the date determined under Rule 24.2.1:
- 1.4.1 a ballot paper validated in accordance with Regulation 7.1; **and**
 - 1.4.2 an envelope (hereinafter called a "ballot envelope"), as referred to in Regulation 5.2, provided that where more than one ballot is conducted at the same time, the member need only be sent one ballot envelope.
- 1.5 A list of those members to whom the ballot is sent shall be prepared and retained by the Returning Officer.
- 1.6 The period between the dates fixed by the NEC under Rules 24.2.1 and 24.2.2 shall be long enough to afford members entitled to vote in the ballot a reasonable opportunity of doing so. In the case of a ballot conducted for the purposes of Rule 13.1, such period shall not be less than three weeks.
- 1.7 When (in the particular circumstances relating to any member entitled to vote in the ballot) it is not or it is no longer reasonably practicable for him to be sent a ballot paper and ballot envelope by the date determined under Rule 24.2.1, then a ballot paper and ballot envelope shall be sent to him as soon as is reasonably practicable after that date, so as to give him a convenient opportunity to vote by post.
- 1.8 For the issue of ballot papers, a member's postal address shall be the address registered under Rule 28.7 or such other address as the member may have notified to the General Secretary in writing.

2 Contents of Ballot Papers

- 2.1 In the case of a ballot conducted for the purposes of Rule 13 or any other election, the ballot paper shall contain where appropriate:
- 2.1.1 a list of the candidates in alphabetical order of surname and, against each candidate's name, a box in which a voting mark may be written, **and**
 - 2.1.2 a clear statement as to the Constituency in which each candidate is standing and a clear statement of the number of candidates to be elected to each Constituency; or a statement of the number of candidates to be elected, **and**

- 2.1.3 next to or immediately above the list of candidates' names and voting boxes, there shall appear the words:
'Mark "X" against each of the candidates of your choice, up to a maximum of [the number of vacancies to be filled in the election] candidates. Do not vote more than once for the same candidate'.
Members entitled to vote in the ballot shall cast their votes by writing "X" in the voting box next to the name of each candidate for which they wish to vote, up to a maximum of the number of vacancies to be filled in the election.
- 2.2 In the case of a ballot conducted for the purposes of Rule 24 and where industrial action (whether a strike or industrial action falling short of a strike) is under consideration:
- 2.2.1 The ballot shall include a question to which the answer is 'Yes' or 'No'. There shall appear after each of the words 'Yes' and 'No' a box in which a voting mark may be written and next to the two such boxes there shall appear the words: 'Mark your preferred answer with a cross'.
- 2.2.2 Two or more questions may be included in a single ballot paper, provided that every member who is entitled to vote in the ballot is entitled to vote in answer to all the questions included in the ballot paper. In any such case, each question shall be treated as a separate ballot for the purposes of voting in the ballot, counting the votes cast and declaring the result thereof.
- 2.3 The ballot paper shall contain in clear type and in a prominent position the following wording: "In answering the following question(s), remember that any industrial action directed by the NEC and authorised by this ballot may involve you in a breach of your contract of employment."
- 2.4 In the case of a ballot conducted for the purposes of Rule 25 and where the industrial action in question is or includes industrial action falling short of a strike, the ballot paper shall contain a question however framed which requires, the member to say, by answering 'Yes' or 'No' whether he is prepared to take part or (as the case may be) to continue to take part, in industrial action falling short of a strike, but involving him in a breach of his contract of employment.
- 2.5 In the case of any other ballot paper, the ballot paper shall contain such question or questions as may be appropriate.
- 2.6 The ballot paper shall contain instructions on how to vote (in accordance with Regulation 2.7.
- 2.7 The ballot paper shall contain a mark or stamp, in accordance with Regulation 7.1 together with the instructions for voting referred to in Regulation 2.1 as are appropriate in any given case and the following instructions (or instructions to like effect):
'Do not make any mark on the ballot paper or envelope by which you can be identified. When you have voted, place the ballot paper (and nothing else) in the envelope provided, seal it and post it to [the place determined under Rule 24.2.2] to arrive not later than [the date and time determined under Rule 24.2.2]. The ballot papers will be counted at [the place, date and time determined under Rule 24.2.3]. Any failure to comply with these instructions may result in your ballot paper not being counted'.
- 3 Statements circulated with ballot papers**
- 3.1 In the case of a ballot conducted for the purposes of Rule 13, or any other election, the NEC will make provision to permit each candidate in the election to submit a statement in support of his candidacy. In the case of elections for the President and the General Secretary a statement shall be no longer than 1000 words. In the case of all other elections such a statement shall be no longer than 400 words. Statements submitted in writing will only be accepted on the understanding that BALPA will not be responsible for any errors of interpretation when they are reproduced for circulation. Statements shall be sent to each member entitled to vote in the ballot together with the ballot paper.
- 3.2 In the case of an election for the position of President, General Secretary or member of the NEC, the NEC will ensure that none of the candidates is required to bear any of the expense of producing copies of the election statement. The NEC will also ensure that no modification of any election statement so submitted is made by any person in any copy of the statement unless at the request or with the consent of the candidate, or where the modification is necessarily incidental to the method adopted for producing that copy.
- 3.3 The NEC will ensure so far as is reasonably practicable, that the same facilities and restrictions with respect to the preparation, submission, length of modification of an election statement and with respect to the incorporation of any such statement, of a photograph or of any other matter not in words, are provided or applied equally to each of the candidates.
- 3.4 In the case of a ballot conducted for the purposes of Rule 25, or any other ballot, the NEC may make such provision (if any) as it may determine for an explanatory statement of the issues touched upon by the ballot and of its recommendations (if any) in relation thereto to be sent to each member entitled to vote in the ballot, together with the ballot paper.

4 Method of Voting

- 4.1 The method of voting in any ballot shall be by the marking of the ballot paper by the member voting in person.
- 4.2 Each ballot shall be conducted in accordance with the Regulations in this Appendix.
- 4.3 Each member entitled to vote in the ballot shall be allowed to vote without interference from, or constraint imposed by, BALPA or any of its members, officials or employees; and for this purpose the NEC may make such directions as it may in its discretion decide.
- 4.4 Every member who is entitled to vote in the ballot and desires to do so must return his ballot paper by post, duly marked and in the ballot envelope provided under Regulation (3)(ii) above, to arrive at the place determined under Rule 24.2.2 by the closing date.

5 Ballot Envelopes and Return of Ballot Papers

- 5.1 The NEC may, and in the case of any ballot conducted for the purposes of Rule 13, Rule 25, Rule 28 or Rule 38 shall make such arrangements as may so far as is reasonably practicable be necessary for ensuring that each member entitled to vote in the ballot is able to do so without incurring any direct cost to himself, including arrangements for the costs of postage to be met in the first instance by BALPA.
- 5.2 The ballot envelope referred to in Regulation 1.4.1 shall be capable of being sealed and shall be addressed to the Returning Officer at the place determined under Rule 24.2.2. It shall bear, in bold letters, such words as may be necessary to identify the ballot or ballots in respect of which it has been issued.
- 5.3 In any case where the NEC is required by Regulation 5.1 (or so determines) to make arrangements for the costs of postage to be met in the first instance by BALPA, the ballot envelope shall bear a postage stamp or other stamp or mark showing that the envelope may be returned by post without direct cost to the voter.
- 5.4 The Returning Officer shall secure that the ballot envelopes returned under Regulation 4.4 are placed unopened, as and when received, in a secure place and are so retained (save only for the purpose of scrutiny under Regulation 8.2) until the time fixed for the counting of votes.

6 Tellers

- 6.1 In the case of any election or ballot not covered by the provisions of Regulation 1.1, the NEC may appoint two or more persons who are not members of the NEC to act as Tellers for the purpose of scrutinising and counting the votes cast in any ballot. The Tellers and such persons as they may appoint under Regulation 9.1 shall keep secret any information which they may acquire as to the manner in which any given member or group of members voted.

7 Validation of Ballot Papers

- 7.1 Each ballot paper shall be stamped with the stamp or seal of BALPA or with some other mark capable of authenticating that particular ballot paper. No ballot paper shall be used for voting which is not so stamped or marked.
- 7.2 If in relation to any ballot and subject to Regulation 7.3, the Returning Officer so determines, each ballot envelope shall bear a mark or number unique to the member to whom such an envelope is sent. Such mark or number shall be recorded against such member's name on the list or other record of members referred to in Regulation 1.5.
- 7.3 In addition to any other conditions of validity under these Regulations, a ballot paper shall only be regarded as valid if:
 - 7.3.1 it is contained in the ballot envelope provided under Regulation 1.4.1 and such envelope is sealed, **and**
 - 7.3.2 the ballot envelope and the ballot paper have been returned by post to the General Secretary at the address on the envelope, by the date and time specified on the ballot paper for that purpose, **and**
 - 7.3.3 the ballot paper bears the stamp or mark required by Regulation 7.1, **and**
 - 7.3.4 no mark is made on any part of the ballot paper or envelope inserted in the envelope which might in any way identify the voter, provided this condition shall not apply to any mark or number placed on the ballot envelope pursuant to a determination by the Returning Officer under Regulation 7.2.

8 Conduct of the Count

- 8.1 In any ballot, where pursuant to Regulation 7.2, the ballot envelopes have been uniquely marked or numbered, the Returning Officer shall scrutinise the marks or numbers on the ballot envelopes returned under Regulation 4.4, and check them off against the list or other record of members handed to them under Regulation 1.5 above.
- 8.2 At the place date and time determined for the counting of ballot papers, and after completion of any scrutiny required by Regulation 8.1, the Returning Officer shall, in the following order:
- 8.2.1 open the ballot envelopes which have been returned under Regulation 4.4, **and**
 - 8.2.2 clear away such ballot envelopes, **and**
 - 8.2.3 count the votes.
- 8.3 Any member shall be entitled to attend the counting of the ballot papers, but shall comply with such directions as the Returning Officer may give for the purpose of securing that:
- 8.3.1 the count is conducted in an orderly manner, **and**
 - 8.3.2 no person (other than any Tellers and persons appointed by them under Regulation 8.6) can discover how any given member or group of members has voted.
- 8.4 The Returning Officer shall decide whether any ballot paper is to be Ruled invalid under the Rules and shall forthwith separate any such paper and mark it 'Invalid'. The Returning Officer shall Rule as invalid any ballot paper which:
- 8.4.1 does not indicate any vote, **or**
 - 8.4.2 indicates in a given voting box more than one vote, **or**
 - 8.4.3 contains more votes than the number of vacancies to be filled in the election, **or**
 - 8.4.4 does not comply with the conditions of validity set out in Regulation 7.3.
- 8.5 At the conclusion of the count, the Returning Officer shall place the ballot papers which have been counted and those which have been Ruled invalid in separate sealed parcels and shall then retain them and the list referred to in Regulation 1.5 in a secure place for at least 90 days after the closing date for the ballot and shall then hand them to the General Secretary who shall destroy them. In the case of an election under the provisions of Rule 13, Rule 28 or Rule 38 the Returning Officer shall retain the ballot papers in a secure place for a period of 12 months.
- 8.6 Any Tellers appointed under Regulation 6.1 may wholly or partly delegate the performance of their duties under Regulations 8.1 and 8.2 to such persons as they may determine (not being persons who, by reason of Regulations 6.1 **and/or** 7.3 would not be eligible to be Tellers), provided that the performance of such duties is at all times supervised by the Tellers.

9 The Result

- 9.1 The Returning Officer shall record the result of the ballot, including:
- 9.1.1 in the case of an election, the number of ballot papers declared invalid and the number of votes cast for each candidate. Subject to any other provision of these Rules whereby a candidate's eligibility for election is defined or limited, the candidates (up to the number of vacancies to be filled in the election) receiving the largest number of votes shall be declared elected.
 - 9.1.2 in the case of any other ballot, the number of votes cast in the ballot, the number of members voting 'Yes', the number of members voting 'No', and the number of individual ballot papers. They shall declare the result of the ballot to be whichever of the answers receives the largest number of votes.
- 9.2 The Returning Officer shall declare such results in a written return signed by him and deliver the same to the General Secretary for transmission to the NEC. Where required by statute the return shall incorporate the information required by S52 of the Trade Union and Labour Relations (Consolidation) Act 1992.
- 9.3 Without prejudice to any powers in relation to any other ballot, the General Secretary shall:
- 9.3.1 in the case of a ballot conducted for the purposes of Rule 25, take, as soon as is reasonably practicable such steps as are reasonably necessary after the holding of the ballot, to ensure that all members who were entitled to vote in the ballot (other than those who were outside Great Britain throughout the period during which votes might be cast), are informed of the result of the ballot, as specified in Regulation 9.1.2, **and**
 - 9.3.2 in the case of an election inform the candidates in the election of the result thereof, as specified in Regulation 9.1.1.

**APPENDIX 2 CODE OF CONDUCT FOR ELECTED AND APPOINTED REPRESENTATIVES,
STAFF AND CONSULTANTS**

1 Purpose of the Code

- 1.1 The purpose of this Code of Conduct is to assist Representatives, staff and consultants in the discharge of their obligations to BALPA and their constituents by:
- 1.1.1 Providing guidance on the standards of conduct expected in discharging their BALPA duties, and in so doing
 - 1.1.2 b) Providing the openness and accountability necessary to reinforce member's' confidence in the way in which they perform those duties.

2 Scope of the Code

- 2.1 The Code applies to representatives, staff and consultants in all aspects of their Association life. It does not seek to regulate what representatives, staff and consultants do in their purely private and personal lives.

3 Public Duties of Representatives, staff and consultants

- 3.1 Representatives, staff and consultants have a duty to uphold the law, including the general law against discrimination, and to act on all occasions in accordance with the trust placed in them.
- 3.2 Representatives, staff and consultants have a general duty to act in the interests of the membership as a whole; and a special duty to their constituents.

4 General Principles of Conduct

- 4.1 In carrying out their BALPA duties, representatives, staff and consultants will be expected to observe the following general principles. These principles will be taken into consideration when any complaint is received of breaches of the provisions in other sections of the Code.

Selflessness

Representatives, staff and consultants should take decisions solely in terms of the members' interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity

Representatives, staff and consultants should not place themselves under any financial or other obligation to outside individuals or organizations that might influence them in the performance of their official BALPA duties.

Objectivity

In carrying out BALPA business, including making appointments, awarding contracts, or recommending individuals for rewards and benefits, representatives, staff and consultants should make choices on merit.

Accountability

Representatives, staff and consultants are accountable for their decisions and actions to the membership and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Representatives, staff and consultants should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider members' interest clearly demands.

Honesty

Representatives, staff and consultants have a duty to declare any private interests relating to their BALPA duties and to take steps to resolve any conflicts arising in a way that protects the members' interest.

Leadership

Representatives, staff and consultants should promote and support these principles by leadership and example.

5 Rules of Conduct

- 5.1 Representatives, staff and consultants are expected in particular to observe the following:
- 5.2 Representatives, staff and consultants shall base their conduct on a consideration of the members' interest, avoid conflict between personal interest and the members' interest and resolve any conflict between the two, at once, and in favour of the members' interest.

- 5.3 No member shall act as a paid advocate for an outside agency in any of the proceedings or business within BALPA.
- 5.4 The acceptance by a representative, member of staff or consultant of a bribe to influence his or her conduct as a rep or member of staff, including any fee, compensation or reward in connection with the promotion of, or opposition to, any Motion, contract or other matter submitted, or intended to be submitted to BALPA, or to any Committee, group or council of BALPA, will be subject to the deliberation of the NEC under Rule 9.3 (iv) and for staff and consultants disciplinary or breach of contract proceedings may result.
- 5.5 In any activities with, or on behalf of, an organisation with which a representative, member of staff or consultant has a financial relationship, including activities which may not be a matter of public record such as informal meetings and functions, he or she must always bear in mind the need to be open and frank with the NEC, other Representatives and staff.
- 5.6 Representatives, staff and consultants must bear in mind that information which they receive in confidence in the course of their BALPA duties should be used only in connection with those duties, and that such information must never be used for the purpose of financial gain.
- 5.7 Representatives, staff and consultants shall at all times ensure that their use of expenses, allowances, facilities and services provided by BALPA is strictly in accordance with the rules and Policy laid down on these matters, and that they observe any limits placed by BALPA on the use of such expenses, allowances, facilities and services.
- 5.8 Representatives, staff and consultants shall at all times conduct themselves in a manner which will tend to maintain and strengthen the members' trust and confidence in the integrity of BALPA and never undertake any action which would bring the BALPA, or its Representatives, staff and consultants generally, into disrepute.

6 Registration and Declaration of Interests

- 6.1 Representatives, staff and consultants shall fulfil conscientiously the requirements of BALPA in respect of the registration of interests in the Register of Representatives, staff and consultants interests and shall always draw attention to any relevant interest in any proceeding of the BALPA or its Committees groups or councils, or in any internal or external communications.

7 Duties when the National Executive Council (NEC) is acting in accordance with Rule 9

- 7.1 Representatives, staff and consultants shall cooperate, at all stages, with any investigation into their conduct by or under the authority of the NEC.
- 7.2 No Rep or member of staff shall lobby a member of the NEC in a manner calculated or intended to influence their consideration of a complaint of a breach of this Code.

8 Duties in respect of the NEC & Company Councils

- 8.1 The success of the NEC and Company Councils in delivering for their members rests on trust between individual NEC/CC members, the encouragement of differences combined with a high degree of team working. At all times NEC/CC members will maintain high professional and ethical standards towards each other.
- 8.2 Much information received by the NEC/Company Councils is of a sensitive or confidential nature and should be treated in confidence unless otherwise agreed.
- 8.3 The NEC/Company Councils should welcome debate and discussion and the expression of all points of view, whether they are a majority view or a minority. But once a decision has been made collective cabinet responsibility will apply with decisions accepted and supported by all. Minority views may be explained, but not advocated.
- 8.4 No sub-committee appointed by the NEC or a Company Council should include a majority of the total NEC or Company Council membership, nor will collective responsibility apply to any report to the parent committee.
- 8.5 Attendance at NEC/Company Council meetings and on the business of BALPA members within the respective business is important and needs to be treated with the honour it deserves. NEC/Company Council members are expected to attend all meetings and, where this is not possible, absences should be explained to the relevant chairman in advance. Absences should be rare.
- 8.6 In recognition of the importance of these principles any member who fails to live up to these standards would be expected to resign his post.

9 Leaving Office

- 9.1 Elected and appointed representatives will normally be expected to leave a 'decency' gap between serving as a representative and taking any remunerated office in an aviation related or other business or organisation or setting up business on their own or with others.