

INDEX

	No. of Rule
Alteration of Rules	37
Appeal, Right of	33(o)
Appointment of Delegates	10
Area Council	9 & 12
Area Executive Committee	16 to 21
Area Officer	13 & 15
Arrears of Contributions	6
Auditors	22
Book, Inspection of	38
Bye-Laws	31
Closing of Plants	8
Constitution	2
Contributions	5 & 40(e)
Claims for Damages at Common Law	35
Disciplinary Rule	33
Dissolution	39
Election and Duties of Lodge Officers	27 to 29
Eligibility for Office	24
Finance Committee	17
Funeral Benefits	40
Government of Lodge Meetings	32
Lodge Salaries	30
Lodge Committee	25
Lodges — Formation and Constitution	23
Lodge General Meetings	26
Membership	4
Membership Definitions	7
Name and Address of Area Office	1
Objects of the Union	3
President	14
Relationship of Area Rules to Rules of National Union	34
Salaries — Lodge	30
Secretary — Area	15
Trustees	36
Voting Power of Delegates	11

ALL PREVIOUS RULES RESCINDED

**NATIONAL UNION OF MINeworkERS
(COKEMEN'S AREA)**

RULES

NAME

1. The Union shall be called the "NATIONAL UNION OF MINeworkERS (COKEMEN'S AREA)" and is in these Rules referred to as "The Union" and its registered offices shall be at 17 Victoria Road, Barnsley, South Yorkshire, S70 2BB.

The Union shall be a constituent part of the National Union of Mineworkers (hereinafter in these Rules referred to as "the National Union"). Notice of any change in the situation of the registered offices shall be sent to the Certification Officer in the prescribed form.

CONSTITUTION

2. The Union shall be composed of workers employed in or connected with Coke and By-Product Plants and/or Ancillary Undertakings operating in or connected with the Mining Industry.

OBJECTS

3. The objects of the Union and the purpose to which the funds may be applied shall be :—

(a) To support and put into effect the objects of the National Union in so far as the members of the Union are affected thereby;

(b) To raise funds by contributions, levies, fines and donations for mutual help, industrial and trade union purposes, and for the provision of benefits.

MEMBERSHIP

4. (a) Members of Trade Unions (affiliated to the Trades Union Congress) who become employed in or connected with one of the Coke and By-Product Plants referred to in Rule 2 hereof shall be admitted to membership of the Union upon production of a clearance card or transfer certificate.

The clearance card or transfer certificate must be handed to the Secretary of the appropriate Lodge within twenty-eight days immediately following the date upon which he commenced work in or connected with one of the Coke and By-Product Plants hereinbefore referred to and this provision shall apply to a member transferring his membership from one constituent association to another within the National Union.

(b) Youths under 18 years of age who apply for membership on their entering industry for the first time shall be admitted to membership without being called upon to pay an entrance fee. Application for membership must be made within a period of twenty-eight days from the date upon which the youth entered into employment.

(c) Members covered by (a) and (b) shall be entitled to benefits from the funds of the Union immediately following the date upon which they are admitted to membership.

(d) Entrants who are not covered under Clauses (a) and (b) shall be admitted to membership without being called upon to pay an entrance fee but no benefit shall be payable to such a member out of the funds of the Union for a period of 13 weeks immediately following the date upon which he was admitted to membership and provided he has paid all contributions and levies in accordance with the Rules.

(e) Where in consequence of changes in conditions of employment or otherwise the National Union ceases to be solely or principally responsible for collective bargaining in respect of any member or members, or

where a trade union other than the National Union is recognised by the National Union as the trade union entitled to represent such member or members, the Union shall, if so directed by the National Executive Committee, and after giving such member or members an opportunity of being heard, terminate the membership of such member or members.

Where in the opinion of the National Executive Committee the Union is not the appropriate Constituent Association to act on the National Union's behalf in respect of any member or members, the Union shall, if so directed by the National Executive Committee and after giving such member or members an opportunity of being heard, terminate the membership of such member or members, but any member or members whose membership has been terminated under this Rule shall be eligible for membership of any Constituent Association specified by the National Executive Committee and the Union as specified as such Constituent Association shall, if so directed by the National Executive Committee at the request of such member or members admit the member or members to membership.

CONTRIBUTIONS

5. (a) Each full member and half member shall pay the amount due to the National Union of Mineworkers in accord with National Rules plus any additional amount as decided by Area Conference to meet Area and Lodge requirements.

(b) Contributions as specified in this Rule must be paid during any period of recognised Annual Holiday and any other additional holiday period taken by the member.

ARREARS OF CONTRIBUTIONS

6. If any member allows his contributions, levies and fines to fall into arrears and if such arrears amount to a sum equivalent to eight weeks' contributions, the member shall thereupon cease to be entitled to any

benefits or services until the whole of the arrears are paid and for a period of four weeks after payment of such arrears.

If a member allows the arrears to remain unpaid for a period of three calendar months from the date when his contributions first fell into arrears he shall thereupon cease to be a member of the Union.

A member whose membership has ceased under the provisions of this Rule shall be re-admitted to membership on payment of a fee not to exceed the arrears of contributions.

No benefit shall be payable to any member out of the funds of the Union for a period of 13 weeks immediately following the date upon which the member rejoins the Union and pays all contributions, fines and levies in accordance with the Rules.

**DEFINITION OF "FINANCIAL MEMBER",
"MEMBER", "FULL MEMBER" AND
"HALF MEMBER"**

7. The term "financial member" when used in these Rules shall mean :—

(a) A member who has duly paid all the contributions, levies and fines payable by him; or

(b) A member who has not paid the contributions, levies and fines as they have become due but whose arrears are less than a sum equivalent to eight weeks' contributions.

The term "member" or "full member" when used in these Rules shall mean a member of 18 years of age and over and the term "half member" when used in these Rules shall mean a member under the age of 18 years.

CLOSING OF PLANTS, PARTIALLY OR WHOLLY

8. (a) When a plant or part of a Plant is closed down or dismantled, and the Staff is reduced or totally unemployed, such financial members as may thereupon be dismissed or suspended shall be exempt from payment of contributions specified in Rule 5 and shall be deemed to remain financial so long as they are unemployed.

(b) Should such Members resume work again in the Industry their weekly Union Contributions will become due and must be paid at the end of one week after their re-employment.

AREA COUNCIL

9. Subject to the authority of the National Executive Committee of the National Union the general management of and incidental to the affairs of the Union shall be vested in a Council (hereinafter called the Area Council) which shall be constituted in manner hereinafter mentioned.

The Area Council shall consist of the Area Officer and representatives appointed by the Lodges to represent such Lodges at the Area Council Meeting.

Members of the Executive Committee of the Union (hereinafter called the Area Executive Committee) shall be entitled to attend at meetings of the Area Council but shall have no voting powers at such meetings. The member of the Union who acts as its representative as a member of the National Executive Committee of the National Union shall be entitled to attend at all meetings of the Area Executive Committee or Area Council of the Union.

APPOINTMENT OF DELEGATES

10. Each Lodge (consisting of more than forty-nine members) shall from time to time appoint one of its members to be its representative and to act as its delegate at meetings of the Area Council. No Lodge shall be represented by more than one delegate.

Provision shall be made for the Area Executive Committee to arrange for the grouping of Lodges where the membership of such Lodges is under fifty.

For the purposes of the Rules dealing with this particular question half members shall be considered equal to full members.

VOTING POWER OF DELEGATES

11. The voting power of the Delegates at Council shall be one vote for every ten financial members of the Lodge for which the Delegate acts as representative.

HOLDING OF AREA COUNCILS

12. Area Council Meetings shall be held once every six months. One of such meetings shall be regarded as the Annual Conference and shall be held for a period not exceeding three days. Conferences or Council Meetings other than the Annual Conference shall be held for a period of one day only.

In the event of an emergency situation and the Union desiring a Special Conference, this shall be held only after consent has been given by the National Executive Committee or in its absence, by the National Officials of the National Union.

AREA OFFICER

13. The General Executive Officer of the Union shall be the Secretary and the person holding this office shall be known as Area Officer.

PRESIDENT

14. Nominations shall be invited from Lodges each year for the election by Lodge vote of a President, to serve for twelve months. He shall serve for one year and be eligible for re-election. In addition to performing whatever other duties may from time to time be entrusted to him as a part-time Officer by the Area Executive Committee the President shall preside at all meetings of the Area Executive Committee and at all meetings of the Area Council and see that the business of the Union is conducted in a proper manner and according to the Rules and that in the conduct of affairs of the Union the Rules are duly and properly carried out.

SECRETARY

15. The Secretary shall also act as Treasurer shall be a full time permanent Official of the National Union and shall continue in office during the pleasure of the Union, subject to the Rules governing the appointment of N.U.M. Area Officials. He shall conduct the correspondence for and on behalf of the Union and the Area Executive Committee and shall attend all meetings of the Area Council and the Area Executive Committee and shall keep records of their proceedings.

He shall prepare and submit to the Area Executive Committee and the Auditors a Balance Sheet showing the financial position of the Union for each year ending on the 31st December. He shall receive all monies payable to the Union other than those for which the disposition is otherwise specifically provided for by the Rules. He shall not retain under his control any sum or sums of money not immediately required for the purposes of the Union and shall see that all monies not so required shall be paid into the Co-operative Bank p.l.c., or invested in the names of the Trustees in accordance with Rule 36. He shall also prepare the Annual Returns and transmit them to the Certification Officer, and shall in this respect comply with all the statutory enactments for the time being in force.

AREA EXECUTIVE COMMITTEE

16. Subject to the authority vested in the National Executive Committee of the National Union and in the Area Council, the general business of the Union shall be supervised and dealt with by an Area Executive Committee which shall consist of the Area Officer, referred to in Rule 13 hereof and six members elected on the following basis namely :—

Two representatives from Northern Region.

Two representatives from Midlands Region.

Two representatives from South Western Region.

The Area Executive Committee in addition to being responsible for the administration of the business and the affairs of the Area between Council meetings shall be responsible to the National Executive Committee of the National Union for :— (i) the detailed organisation, membership and contributions, as covered by the Area; (ii) establishment and maintenance of the Lodges within the Area; (iii) all negotiations for wages, compensation and other matters which purely relate in character to a Plant or district; (iv) the submission of reports to the National Executive Committee of work done and proceedings taken at least once every month.

Subject to the overriding authority of the National Executive Committee of the National Union, the Area Executive Committee may delegate to Lodges in the Area such powers as may properly be exercised by the Area Executive Committee itself.

Meetings of the Area Executive Committee shall be held once in every eight weeks.

17. The Area Executive Committee shall from time to time and as may be necessary and from their members appoint a Finance Committee of three persons who

shall every eight weeks examine the accounts and report thereon to the Area Executive Committee and no accounts shall be accepted without the report of at least two of the Finance Committee thereon.

18. (a) No unfinancial member shall be allowed to vote towards the election of any official or to vote upon any Union matter whatsoever or to hold any office in the Union. All nominations for Committees or for any office in the Union shall be endorsed by three Local Lodge Officials who shall certify that the nominee or nominees are full financial members of the Union at the date of such nomination.

(b) If any member after having been duly nominated but before the date of the election becomes unfinancial he shall not be eligible to stand at such election.

(c) If any member shall become unfinancial between the date of his nomination and the date of the election the member who is eligible at the date of such election and who has received the highest number of votes shall stand in his place.

19. (a) The members of the Area Executive Committee shall be elected every twelve months by Lodge vote previous to the Annual Conference and the results declared immediately. They shall serve for one year and be eligible for re-election. Lodges in each District may nominate candidates who shall be submitted to the exhaustive voting of the Lodges in the District for which they are nominated.

(b) Two Scrutineers shall be elected by exhaustive voting of the Lodges annually for the purpose of counting and declaring the elections as required.

20. The members of the Area Executive Committee for the period immediately following the date of the Annual Conference at which their elections are con-

firmed, shall be those who have been duly elected on the following basis :—

The two with the highest number of votes received in the Northern Region.

The two with the highest number of votes received in the Midlands Region.

The two with the highest number of votes received in the South Western Region.

21. If by reason of the death, resignation or removal of any member of the Area Executive Committee there shall be at any time a vacancy in the membership of such Committee the unsuccessful candidate in the district in which such vacancy occurred who at the election polled the highest number of votes shall be appointed to fill such vacancy.

AUDITORS

22. (a) Subject to the approval of the National Executive Committee of the National Union, qualified accountants shall be appointed by the Area Executive Committee to audit the Area books and accounts of the National Union and such Accountants shall issue their report at such intervals and in such a form as may be prescribed by the National Executive Committee.

(b) Qualified Accountants shall be appointed by the Area Executive Committee to audit the books and accounts of the Union and such Accountants shall issue their reports at such intervals and in such a form as may be prescribed by the Area Executive Committee.

LODGES — FORMATION AND CONSTITUTION

23. The procedure to be followed on the formation of new Lodges shall be decided from time to time by the Area Executive Committee.

ELIGIBILITY FOR OFFICE

24. No person shall be eligible to hold any office in this Union or act as a delegate for any Lodge unless he has been a financial member for at least six months, and attended at least four ordinary monthly General Meetings in the previous year except in the case of a New Lodge; nor shall any member hold more than one office at one time except in the case of emergency when his actions in such emergency shall be reported by him to the next Area Executive Committee Meeting for their approval.

LODGE COMMITTEE

25. (a) Each Lodge shall be conducted by a Committee (of not less than five, nor more than eleven financial members, including a Local President, Secretary and Treasurer), whose duty it shall be to attend all Lodge Meetings, whether General or Committee. Such Committee shall be elected or re-elected every twelve calendar months by Lodge individual Ballot and shall at all times transact the business of the Lodge according to Rule.

(b) No member of the Committee shall, without just cause, absent himself from any meetings, or leave any meeting before the same is closed without leave of the Chairman; and any member breaking this rule for three consecutive meetings shall cease to hold office, and his seat shall become vacant, and he shall not be eligible for re-election thereon for one year thereafter.

LODGE GENERAL MEETING

26. Lodges shall hold a General Meeting at least once every month when the business of the Union and the Lodge shall be laid before the members for their approval or otherwise.

ELECTION AND DUTIES OF LODGE OFFICERS

Lodge President

27. The President of each Lodge shall be elected or re-elected every twelve calendar months, by a Lodge individual Ballot. He shall preside at all meetings, superintend all business connected with his Lodge and see in all cases that the Rules are strictly adhered to.

Lodge Secretary

28. (a) The Secretary of each Lodge shall also be elected or re-elected every twelve calendar months, in the same way as the President. His duties shall be to keep correct accounts of all monies received and expended by the Lodge. He shall keep an accurate record of all monies payable to the Funds of th Union.

(b) He shall make out correct returns of Receipts and Expenditure, or such other returns as may from time to time be required by his General or Committee Meetings and shall furnish the Area Secretary at the beginning of every 3 months (viz., in the first week in April, July, October and January), with the total of men employed, unemployed, financial, unfinancial members, names of retired members and widows of members and non-union men in the cokeyard of his Lodge at the end of the previous Quarter and carry out all other duties by these Rules imposed and on his failure to comply with any such request by the Area Executive Committee they may appoint some other official to prepare such returns and the Local Secretary shall on such appointment hand to such official all Lodge monies, books and papers in his possession.

(c) In case of Fatal and Non-Fatal Accident the Secretary of the Lodge shall forward to the Area Office full particulars of such accident immediately after the same.

Lodge Treasurer

29. (a) The Treasurer of each Lodge shall also be elected or re-elected every twelve calendar months in the same ways as the President and Secretary and shall receive and pay all monies in connection with his Lodge, and keep accurate accounts thereof in proper books kept for the purpose, and produce the same to the Area Secretary when required. He shall not under any circumstances pay, lend or appropriate any of the funds to any member, cause or purpose whatever otherwise than as stated in the rules (or the resolutions of the Council or Lodge Meetings which comply with these Rules). He shall also see the proper receipts for all payments are returned to his Committee and kept in possession of his Lodge.

(b) He shall, at the end of each pay day, send through the Lodge Secretary to the Area Secretary all monies payable to the Union and obtain a receipt for the same; if in any way unavoidably prevented from so rendering such monies, he shall do so at the earliest possible time thereafter, and under no circumstances must such monies remain in his hands more than two weeks or after the next succeeding pay day. He shall remit all monies by Post Office Orders or Bank Duplicates.

LODGE SALARIES

30. Subject to the proper fulfilment of the duties of their offices the Lodge Secretary, President, Treasurer and Committee shall receive for their services such salaries and fees as the members of the Lodge may from time to time determine.

LODGE BY-LAWS

31. Any Lodge may have such working By-Laws as its members shall by resolution at a General Meeting deem expedient for improved self-government, and the administration of its affairs, but such By-Laws shall

not become operative until the Area Executive Committee (which shall see that such By-Laws are in harmony with the spirit and fundamental principles of the Rules of the Union) shall have signified its assent thereto. Upon such assent being given any such By-Laws shall be deemed to be accepted by and binding upon all members of the Lodge concerned. Lodges may impose such fines as they think proper for any breach of their By-Laws, not exceeding in any one case, the sum of £2.00.

GOVERNMENT OF LODGE MEETINGS

32. When any motion at a meeting has been decided no further discussion shall be allowed on the subject at the same meeting; and any member becoming disorderly, disobeying the chair, causing a quarrel, swearing, using abusive language, or introducing topics on betting, or any other subject, not relating to the business before the meeting, or to the immediate interests of the Lodge and Union should he continue to be disorderly or disobey the chair, may forthwith be ejected from the meeting for that day.

DISCIPLINARY RULE

33. Disqualification of members, Branches and removal of officers.

(a) There shall be a Disciplinary Committee of the Union consisting of seven members of the Union who each have at least five years unbroken membership at the date of nomination. Members shall be elected by a Branch vote of the Union and the Area Executive Committee shall make such arrangements as it considers appropriate for the conduct of such elections. The membership for the parties of this vote shall be the number for which contributions have been put to the the Union over the last twelve months on the preceding 31st December, or the last available audit figures for such a twelve month period. The

first such election shall take place within six weeks of this rule coming into effect and the Disciplinary Committee shall be dissolved and subject to re-election at dates to be fixed by the Area Council being not less than three years nor more than three and one quarter years after each preceding election. A member shall be eligible for re-election to the Disciplinary Committee

(b) No members of the Area Council shall be eligible for membership of the Disciplinary Committee except as provided in paragraph (c) below. Any member of the Disciplinary Committee who becomes a member of the Area Executive Committee or a delegate to the Area Council shall cease to be a member of the Disciplinary Committee. No member shall be eligible for membership of the Disciplinary Committee if he or she is a full-time official or officer of the National Union. The Area Executive Committee shall arrange as soon as practicable for an election to fill any such vacancy or any vacancy caused by the death, cessation of Union membership or resignation of any member of the Disciplinary Committee.

(c) Subject to paragraph (g) below the Area President shall preside over meetings of the Disciplinary Committee and to the extent provided in this rule shall be a member of it. In the absence of the Area President and in the absence of the Area Vice-President also the Disciplinary Committee shall appoint the Chairman from among its members. A quorum of the Disciplinary Committee shall be three members including the person presiding and shall be selected on a rotating basis.

(d) The Disciplinary Committee shall have power to consider a complaint that a member

(i) has been found guilty by a court of law or a tribunal of any act or omission contrary to Union policy or involving Union funds or property;

(ii) has ceased to be a member of any branch of the Union;

- (iii) is in arrears with his or her contributions to the Union by eight weeks' contributions or more;
 - (iv) has been found guilty by a court of law of any offence involving fraud or dishonesty in circumstances which may affect his/her fitness to hold office in or be a member of the Union;
 - (v) has admitted involvement in any dishonest practice in relation to funds of any description entrusted to him/her;
 - (vi) has disclosed any Union or National Union document to any outside body or person without authorisation from the National Officials or Area Officials of the Union as the case may be;
 - (vii) has done any act (which includes any omission) which may be detrimental to the interests of the Union and which is not specifically provided for in this Rule.
- (e) The Disciplinary Committee shall also have power to consider a complaint that a Branch or Branch Committee
- (i) has been found guilty by a court of law or a tribunal of any act or omission contrary to Union policy or involving Union funds or property;
 - (ii) has admitted involvement in any dishonest practice in relation to funds of any description entrusted to them;
 - (iii) had disclosed any Union or National Union document to any outside body or person without authorisation from the National Officials or Area Officials of the Union as the case may be;
 - (iv) has done any act (which includes any omission) which may be detrimental to the interests of the Union and which is not specifically provided for in this Rule.

(f) A complaint may be put before the Disciplinary Committee by any individual member or members, or by a Branch, a Branch Committee, an Area Council or Area Executive Committee. Any such member, group of members or Union body may appoint a member or Official of the Union (including in the case of a group of members or a Union body, one of themselves) to present their complaint.

(g) The Area General Secretary in person or by a deputy shall act as Secretary to the Disciplinary Committee. Any complaint, together with a statement of the facts to be relied on in support of the complaint, shall first be sent to the Area General Secretary. The Area General Secretary shall consult the Area President and if either of them considers the complaint or statements out of order, the Area General Secretary shall refer it back to the complainant or complainants, the Area Council shall resolve any such dispute if called on by the Area President or Area General Secretary or the complainant or complainants to do so. The Area General Secretary shall convey each valid complaint in writing to each member, Branch or Branch Committee against whom the complaint is made, setting out the complaint in full and either setting out all the facts relied on by the complainant or complainants or, if appropriate, summarising them so as to enable each member, Branch or Branch Committee concerned to know the case he/she/it or they have to meet. The Area General Secretary shall inform each such member, Branch or Branch Committee that he/she/it or they may reply in writing to the complaint in advance of the hearing but this provision is without prejudice to the duty of the Area Officials of the Union to ensure an expeditious hearing of any complaint which they consider requires an urgent hearing. Such Area Officials of the Union shall convene a meeting of the Area Disciplinary Committee to adjudicate on every complaint at such date and place as, having regard to any reasonable request made by the complainant or complainants or member, Branch or Branch Committee concerned, appears to them to be suitable.

(h) No member of the Union shall sit as a member of the Disciplinary Committee or preside at one of its meetings if that member is or has been personally involved in any matter giving rise to the complaint. If the application of this rule makes it impossible to secure a quorum of the Disciplinary Committee, the Area Executive Committee shall have power to nominate as many members of the Union being eligible under paragraphs (a) and (b) of this rule, as will create a quorum, to be temporary members of the Disciplinary Committee. Neither shall any person act as Secretary to the Disciplinary Committee if he or she has been personally involved in any matter giving rise to the complaint.

(i) The Disciplinary Committee shall have power

(i) To call any witness or introduce any evidence not advanced by either party, if the Disciplinary Committee considers such witness or evidence may be material;

(ii) To take any procedural steps, including adjournment, which it considers necessary or advisable in the interests of fairness to either party or of the Union.

(j) When it has heard the evidence and arguments of each party, the Disciplinary Committee shall consider in private whether it finds the complaint proved. No complaint shall be found proved except by a vote of a majority of those present throughout the hearing. The presiding member shall not vote unless those members voting are evenly divided. If a complaint is found proved the member, members or Branch concerned shall be given an opportunity to make any representation they wish as to what penalty if any should be imposed.

(k) The Disciplinary Committee at the conclusion of the above proceedings may impose such of the following penalties as it considers appropriate to the complaint which has been proved :

- (i) Expulsion from the Union;
- (ii) Suspension from membership of the Union;
- (iii) Suspension of a Branch;
- (iv) Dissolution of a Branch;
- (v) Removal from any office held in the Union;
- (vi) Disqualification from holding office, or any specified office or offices, in the Union;
- (vii) Caution.

Any appropriate combination of the foregoing penalties may be imposed. Suspension from membership of the Union means disentitlement to hold office, to attend any Union or Union Committee meetings, and to receive any Union benefits, but without being relieved of the duty to pay contributions to the Union. Any penalty of suspension, removal from office or disqualification from office shall be for a period specified by the Disciplinary Committee, which shall have power to reduce such period if the member concerned subsequently applies through the Area General Secretary showing any new factor not present when the penalty was imposed.

(l) If, on hearing a complaint, it appears to the Disciplinary Committee that the complaint is not only unfounded but has been brought maliciously or frivolously, it shall put the matter to the complainant or complainants, and after considering any representations which they may wish to make, may require the complainant or complainants to pay in whole or in part the cost of a disciplinary hearing.

(m) The Disciplinary Committee shall not exercise jurisdiction over a member under this rule where that member has already been tried under an equivalent National Rule.

(n) Any party to a Disciplinary complaint who is dissatisfied with the decision of the Disciplinary Committee shall have a right of appeal to the National Appeals Committee.

(o) There shall be a National Appeals Committee of the Union consisting of nine members of the Union who each have at least five years' unbroken membership at the date of nomination. Members shall be elected by a Branch vote of the Union in each of the Areas named in the Schedule to the Rules. No Area shall have more than one member on the National Appeals Committee. Voting shall take place on the basis of Area votes, one vote for every thousand members or fraction or part thereof. The membership for the parties of this vote shall be the number for which contributions have been put to the Union over the twelve months on the preceding 31st December, or the last available audit figures for such a twelve month period. The National Executive Committee shall make such arrangements as it considers appropriate for the conduct of such elections. The first such election shall take place within six weeks of this rule coming into effect, and the National Appeals Committee shall be dissolved and subject to re-election at dates to be fixed by the National Executive Committee being not less than three years nor more than three and one quarter years after each preceding election. A member shall be eligible for re-election to the National Appeals Committee.

(p) No member of the National Executive Committee shall be eligible for membership of the National Appeals Committee except as provided in paragraph (q) below. Any member of the National Appeals Committee who becomes a member of the National Executive Committee shall cease to be a member of the National Appeals Committee. No member shall be eligible for membership of the National Appeals Committee if he or she is a full-time official or officer of the National Union. The National

Executive Committee shall arrange as soon as practicable for an election to fill any such vacancy or any vacancy caused by the death, cessation of the Union membership or resignation of any member of the National Appeals Committee.

(q) Subject to paragraph (h) above, the National President shall preside over meetings of the National Appeals Committee and to the extent provided in this rule shall be a member of it. In the absence of the National President the National Appeals Committee shall appoint a chairman from among its members. A quorum of the National Appeals Committee shall be five members including the person presiding and shall be selected on a rotating basis.

(r) An appeal to the National Appeals Committee shall be notified to the Chief Executive Officer of the Union within fourteen days from the notification of the decision of the Disciplinary Committee. The Chief Executive Officer of the Union in person or by a deputy shall act as secretary to the National Appeals Committee. The notice of appeal shall be in writing and shall set out the full grounds of appeal. Paragraphs (h), (i), (j), (k) and (l) above, shall apply to the National Appeals Committee as they apply to the Disciplinary Committee. In addition no member of the National Appeals Committee shall hear an appeal relating to the Area of which he is a member of the Union or if he was a member of the National or Area Disciplinary Committee which decided the matter which is subject to appeal.

(s) The National Appeals Committee shall not be obliged to conduct a re-hearing, but shall review as much of the material considered by the Disciplinary Committee as the parties to the appeal put before it, or as the National Appeals Committee itself considers relevant. It may consider any record of the Disciplinary Committee proceedings, and may call on the person who presided at the Disciplinary Committee hearing to inform the National Appeals Committee

in the presence of the parties, of any relevant matters transacted at the hearing. It may hear or call for fresh evidence if in its discretion it considers it appropriate to do so. The National Appeals Committee may uphold a decision of the Disciplinary Committee or may allow an appeal in part or in whole, and may, if it thinks right, substitute for any penalty or combination of penalties imposed by the Disciplinary Committee such penalty or combination of penalties as the National Appeals Committee considers appropriate in all the circumstances of the case at the date of the appeal.

(t) There shall be no right of appeal against a decision of the National Appeals Committee which shall be final and binding on all parties.

(u) Members of the National Appeals Committee and Disciplinary Committee and members required to attend any hearing shall be paid in accordance with Rule.

RELATIONSHIP OF AREA RULES TO RULES OF NATIONAL UNION

34. In any matter in which there is a conflict as between the Rules of the Union and those of the National Union, the Rules of the National Union shall apply; in cases of doubt the matter shall be decided by the National Executive Committee. Such decision shall be subject to the right of appeal set out in Rule 30 of the Rules of the National Union.

CLAIMS FOR DAMAGES AT COMMON LAW

35. No assistance shall be given by the Union to any member in respect of any claim for damages unless the member concerned makes application through his Lodge on a specific form which will be provided on

request by his Lodge Secretary for this purpose, and also notifies the Area General Secretary, on a specific form which will also be provided by his Lodge Secretary on request, that he (the member) has made application for assistance to his Lodge.

If the Lodge fails to act on the member's application or if the member is informed that such assistance will not be given, he shall have the right of appeal to the Area Executive Committee whose decision as to whether or not the Union shall give assistance shall be final.

TRUSTEES

36. There shall be three Trustees in whom all the Funds and property of the Union shall be vested. Trustees shall be appointed by Annual Conference and shall continue in the office of Trustees during the pleasure of the Union. A Conference may remove a Trustee from office and appoint any member of the Union in his place. A Trustee may resign his office by notice in writing to the Union.

In the event of a casual vacancy in the office of Trustee arising from the death or resignation of a Trustee, the Area Executive Committee shall elect a member to fill the vacancy and to hold office as Trustee until the Annual Conference to be next held after the expiration of four calendar months thereafter. A retiring Trustee shall be eligible for re-election, but no member other than a retiring Trustee shall be eligible to be elected as a Trustee by the Annual Conference unless he has been duly nominated as a candidate by the Area Executive Committee or nominated (by a nomination received by the Area Secretary eight weeks at least before the date of the Annual Conference) by a Lodge so that in either case the names of the persons nominated, or eligible for re-election, shall appear on the final Agenda of business to be transacted at such Annual Conference. A Trustee must be, and remain, a member of the Union, and on ceasing to be a member of the Union shall automatically cease to hold the office of Trustee.

All the real and personal property of the Union shall be vested in the Trustees in accordance with the Rules of the Union, and subject to the direction of the Area Executive Committee. The Trustees shall in connection with the property and funds of the Union at all times observe and carry out in all respects the lawful orders and directions of the Area Executive Committee, subject, nevertheless, to the authority of Conference. The Trustees shall retain the custody of all deeds, certificates, or scrip, representing the investments of the Union funds in some bank or other independent safe place or deposit.

So much of the funds of the Union as may not be wanted for immediate use shall be invested in such of the following ways as the Area Executive Committee shall direct :—

- (a) Upon deposit with the Co-operative Bank p.l.c.
- (b) Any investments from time to time sanctioned by law for the investment of trust funds.
- (c) Any public stocks or funds or Government securities of Great Britain or of any British Dominion.
- (d) Stocks, shares or securities the capital whereof or a minimum rate of interest or dividend thereon is guaranteed by the British Government.
- (e) Stocks, shares or securities the capital whereof or a minimum rate of interest or dividend thereon is guaranteed by the Government of any British Dominion.
- (f) Stocks, bonds, mortgages or securities (by whatsoever name they might be called) of any public municipal or local body or authority situated in Great Britain.
- (g) Stocks, bonds, debentures, debenture stock or mortgage or securities (by whatsoever name they might be called) of the Co-operative Bank p.l.c. or of any Building Society in Great

Britain or of any railway, shipping canal, dock, harbour, gas, water, electric light or power or wireless company or other public utility company or any banking or insurance company incorporated by Royal Charter or by Special Act of Parliament at Westminster or incorporated under any general Act of such Parliament.

- (h) In the purchase of freehold or leasehold property or the erection of buildings.
- (i) On loan to, or in the stocks, shares, debentures or securities (by whatsoever name they may be called) of any limited company or otherwise incorporated body formed to carry on any newspaper publishing, or printing business the activities of which (in the opinion of the Area Executive Committee) are calculated to assist and advance the objects of the Union or the interests of workmen in general.
- (j) On Loan to any other Trade Union (whether registered or unregistered).

ALTERATION OF RULES

37. No new Rule shall be made nor shall any of the Rules herein contained or hereafter to be made be amended, altered or rescinded otherwise than with the consent of a Council Meeting.

INSPECTION OF BOOKS

38. Any member or any person having an interest in the funds of the Union shall at all reasonable times be entitled to inspect the books and the names of members of the Union at the registered office of the Union.

DISSOLUTION

39. The Union may be dissolved with the consent of four-fifths of the members ascertained by Ballot vote, the voting upon which shall be under the supervision and control of the Area Executive Committee.

FUNERAL BENEFITS

40. (a) On the death of a Member or his Wife, who is in compliance with this Rule, the Funeral Benefit shall be paid in accordance with the following Scale to a person nominated by him or her :—

Scale

Full Member	
After one year's membership	£30.00
Wife	
After one year's membership	£25.00
Half Member	
After six months' membership	£10.00

(b) All applicants for the above must give notice to the Secretary of the Lodge at which the Contributions are paid and he will supply an official application form. The Form, when completed, together with a Death Certificate, must be sent direct to the Area Office. The applicant must fill in particulars of claim, which must be endorsed by the three Lodge Officials. This endorsement must certify that the claim is in financial order and is valid in accordance with these Rules. Should any doubt arise as to the claim being in order, the Members' Card or the Lodger Ledger, together with any necessary statement on the claim, must be sent to the Area Office, and the case referred to the Area Executive Committee for decision. All claims shall be paid by cheque made payable to the applicant, less any arrears owing at date of death of Member.

(c) Any Member of the Union not being under the age of 16 years, may, by writing under his hand, delivered at, or sent to, the Area Office of the Union, nominate any person not being an Officer or Servant of the Union (unless such Officer or Servant is the Husband, Wife, Father, Mother, Child, Brother, Sister, Nephew, or Niece of the Nominator) to whom any monies payable on the death of such member not exceeding the amount for the time being prescribed by law shall be paid at his decease, and may from time to

time revoke or vary such nomination by a writing under his hand similarly delivered or sent, and on receiving satisfactory proof of the death of a Nominator, the Union shall pay the nominee the amount due, not exceeding the sum aforesaid.

Nomination Forms will be supplied to the Lodges from the Area Office. After completion, all Forms must be returned to the Area Office to be kept in the filed Records.

(d) In the absence of a Nomination and of a Will, the Area Trustees shall decide who is the next of kin, and Funeral Benefit shall be paid accordingly.

(e) Disabled, Unemployed or Retired Members or the Widows of Members shall continue in membership with the Union solely for the purposes of this Rule and shall be exempted from paying contributions.

(f) Lodge Secretaries and Area Office Staff who are responsible for the administration of Funeral Benefits shall be paid 10% on the proportion of the weekly contributions which is attributable to those Benefits.

(g) Full Benefits will be paid irrespective of the qualifying period of membership being fulfilled if a Financial Member dies as a result of an accident at work or dies from natural causes at work.

Form in which Nomination may be made.

**NATIONAL UNION OF MINEWORKERS
(Cokemen's Area)**

FUNERAL BENEFIT NOMINATION FORM

I, of.....
..... hereby
nominate
of in the
County of

to receive all monies payable at my death, under the
Rules of the above-named Trade Union.

Signature
Date 19.....
Witness to the Signature of the above-named.
Name
Address
Occupation

APPENDIX A

The objects of the National Union are as follows :—

(a) To secure the complete organisation in the Union of all workers employed in or connected with the mining industry of Great Britain and ancillary undertakings, and membership of the organisation shall be a condition of employment in the industry.

(b) To advance and protect the interests of members in relation to questions of wages, hours, holidays, conditions of employment, safety, compensation, and all other questions arising out of and/or in connection with the members' employment or occupation.

(c) To negotiate and settle either nationally or locally (as may be necessary or expedient) all disputes arising between members and employers on questions specified in sub-section (b) above.

(d) To provide for members' victimisation benefit, trade dispute benefit, legal assistance, pensions, and any other benefits as may be determined in accordance with the rules and constitution of the Union.

(e) To promote legislation in the interests of members and the mining industry and ancillary undertakings.

(f) To act as an association, organisation or intermediary for the purposes of any Conciliation Schemes for the Mining Industry of Great Britain and ancillary undertakings.

(g) To employ and organise the appointment of persons on the workmen's behalf to make inspection under the provisions of the Coal Mines Act, 1911 (and any other enactments which may be for the time being in force) or in pursuance of any agreement or arrangements with mineowners or association of mineowners of any coal mines.

(h) To represent members of the Union and the interests of the Mining Industry and ancillary undertakings before and present evidence and information to Government, Parliamentary, Municipal, Local Government, Official and other Commissions, Committees and bodies of Enquiry or investigation or authorities.

(i) To assist members or their dependants in obtaining compensation for accidents under the Workmen's Compensations Acts which are now or may hereafter be in operation or at Common Law and to contest any legal question affecting the interest of members or their dependants or the mining industry and ancillary undertakings.

(j) To raise funds by contributions, levies and donations or otherwise for mutual benefits.

(k) To establish and maintain a fund in accordance with the Trade Union Act, 1913, and any amendment thereof, and to apply such fund (and any other funds that may be legally applied thereto under the Statutes for the time being in force) for the furtherance in the interests of the members or the industry of any political object within the meaning of the Trade Union Act, 1913.

(l) To federate with and assist associations that have the same or similar objects in view.

(m) To engage in any educational work whether by furnishing support (financial or otherwise) as determined by the National Executive Committee and/or a Conference of Delegates.

(n) To enter into, or participate in, the business of the publishing of a journal or other publications the main purpose whereof is to further or promote the interests of the Union and the members thereof whether solely or as part of the interests of workmen generally.

(o) To contribute from the funds of the Union to any International Trade Union Movement.

(p) To establish superannuation and pensions funds for the benefit of Officials or Employees of the Union or their dependants and to make grants from the funds thereto or for the benefit of Officials or Employees of the Union or their dependants.

(q) To raise levies on behalf of and to make grants to any charitable or other purpose (but except out of the political fund not including political objects within the meaning of the Trade Union Act, 1913) in conformity with the Rules and principles of the Union.

(r) To seek the establishment of Public Ownership and Control of the Mining Industry.

(s) To promote and secure the passing of legislation for improving the condition of the members and ensuring them a guaranteed week's wage with protective clauses for the miners even when they cease work, when cessation is due to causes beyond the immediate control of the members, and to join in with other organisations for the purpose of and with the view to the complete abolition of Capitalism.

(t) To negotiate a National Wages Agreement with a national ascertainment covering the whole of the British Coalfield.

Signed :—

~~W. O'NEILL~~

~~L. GASSOR~~

~~A. MAIDEN~~

~~D. ALLEN~~

~~J. NICHOLSON~~

~~K. LANG~~

~~M. BRADY~~

10 AUG 1984
date

IDWAL MORGAN
Area Secretary.

BYE LAWS AND STANDING ORDERS

1. A report showing the membership of the Area Region by Region shall be given by the Area Secretary to the Lodges every six months i.e. June and December.
2. Balance Sheet and Statement of Accounts shall be circulated to Lodges and discussed at the Half Yearly and Annual Council Meetings.
3. Statements to the press, radio or television about any Area Conference must only be given by the President or Area Secretary.

STANDING ORDERS FOR THE GOVERNMENT OF COUNCIL MEETINGS AND CONFERENCES

1. A ticket of admission for each delegate and visitor be prepared by the Area Secretary for Council Meetings and issued to the respective Lodges. The ticket must be signed by the local President and Secretary.
2. That no motion be brought before a Council Meeting in the first instance before being circulated to all Lodges at least one calendar month before the date of the Council Meeting, except in the case of an urgent necessity, where the President and Area Secretary have been given previous notice of the item and the Council accepts on a simple majority of a card vote, that it be included in the agenda. No change of rule shall be permitted under this Standing Order.
3. The decision of Council shall be sent to all Lodges and all votes recorded.
4. Doorkeepers shall be appointed for all Council and Conferences and shall be on a rota basis.

5. Any delegate or visitor presenting himself late at a Council Meeting shall only take part in Council Business if Council accepts the reason for late attendance. If Council decide not to allow the delegate to attend that day, no vote from that Lodge will be recorded and the delegate or visitor deducted a T.U. day of payment.

6. No delegate or visitor shall be allowed to leave the Meeting previous to the conclusion of its sitting unless he has first procured the sanction of the Meeting. Any delegate or visitor acting contrary to this shall be deducted one day's T.U. wages, reported to his Lodge and shall not be allowed to attend Council Meetings or Conferences for one year as delegate or visitor.

7. No delegate shall be allowed to speak on any subject which is not before the Meeting.

8. All speakers must speak from the rostrum and addressing the President give his name and the Lodge he represents confine himself to question under consideration and avoid personalities or unbecoming language or introducing topics on betting or racing. Should any member fail to do so or attend under the influence of drink, or otherwise misconducts himself, the Council shall have the power in the instance of the President to order him to leave the Meeting. Any member so ejected shall not be allowed to attend another Council Meeting for twelve months thereafter.

9. No delegate shall be allowed to speak more than once on any subject except the mover or seconder of an original proposition as may be agreed between them. If a motion is formally seconded only the mover shall be allowed to speak again. No further discussion shall be allowed after the mover or seconder, as agreed between them, has spoken for the second time and on his conclusion an immediate vote must be taken.

10. No speaker shall be allowed to address the Meeting for a longer period of five minutes except the mover who may speak on bringing forward a motion for a period of not more than ten minutes.

11. No delegate or officer shall be allowed to interrupt a speaker in the course of his address, the President alone, for the time being, having the power to check a speaker who may be out of order. On any delegate, however, raising a point of order, the person addressing the Meeting must resume his seat whilst the point of order is explained by the delegate from the rostrum. After hearing the point of order the President shall make his ruling. If the ruling is questioned the President shall without further discussion take a vote of the delegates present for or against the President's ruling.

12. One amendment only to a proposition shall be entertained at one time which shall be put for and against and if carried shall become the proposition, subject to an amendment or if lost any other amendment may be offered to original proposition.

13. The President shall have a casting vote at all Council and Conferences when after a card vote there is no majority.

14. The President shall have a casting vote at A.E.C. Meetings if the vote is equal.

15. The Officer and Executive Members shall have the same right of speaking as the delegates but shall have no votes. Any Officer or Executive Member speaking or giving a report on behalf of the Executive shall not be limited to time.

16. Any subject matter contained in a resolution having been discussed and defeated at any Council Meeting be not allowed on the Agenda until the second succeeding Council except in the case of an emergency resolution submitted in time for circulation to all Lodges and accepted by the A.E.C.

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**NATIONAL UNION OF
MINEWORKERS**

(COKEMEN'S AREA)



RULES

(Register No. 182T)



1984