

Accord

Rules

(as updated at conference 2018)



1. NAME AND HEADQUARTERS

- a. The name of the union shall be ACCORD.
- b. The headquarters of the union shall be at such place as the Principal Executive Council may from time to time decide.

2. DEFINITIONS

- a. Throughout these rules:
 - i. "Employer" shall mean the Lloyds Banking Group plc or TSB, and any subsidiary or limited company or firm owned by or under the control of the Lloyds Banking Group plc or TSB and any organisation formed out of the merger of Lloyds Banking Group plc or TSB with any other organisation(s) or such other employers as the Principal Executive Council shall from time to time determine.
 - ii. "Colleague" shall mean any person employed by an employer or who is engaged on the business of an employer or who is employed by a contractor permanently engaged by an employer.
 - iii. A "member" shall include ordinary, associate and honorary members, unless the context otherwise requires.
 - iv. A "fully paid up member" shall mean an ordinary member who is not in arrears with any subscription or levy payable to the union.
 - v. "Section" shall mean a group of members as may from time to time be determined by the Principal Executive Council as comprising a section for the purposes of these rules, by reference to their employer, the part of the business of an employer in which they work, geographical location or otherwise as it may determine.
 - vi. "Representative" shall mean an elected representative of any group of members at any workplace or, if directed by the Principal Executive Council, a combination of workplaces within an employer.
- b. Any notice to be served under these rules shall be sent by prepaid first class mail or delivered by the relevant party to the other and shall be deemed to be served on a member, if posted to the last known residence or place of work of the member, the day after posting and, if personally delivered, at the time of delivery.
- c. Words importing the masculine gender shall include the feminine and words importing the singular shall include the plural where the context so admits and vice-versa.

- d. Any reference to any statute will be construed as including references to any statutory modification, or re-enactment of that provision for the time being in force.

3. AIMS

The aims of the union and the purpose for which its funds may be used shall be:

- a. to regulate the relations between ordinary members and their employer, and to be at all times the body primarily recognised by employers for that purpose.
- b. to protect, promote and represent the interests of its members.
- c. to promote equality for all including but not limited to:
 - i. collective bargaining, publicity material and campaigning, representation, union organisation and structures, education and training, organising and recruitment, the provision of all other services and benefits and all other activities;
 - ii. the union's own employment practices.
- d. to actively oppose all forms of harassment, prejudice and unfair discrimination whether on the grounds of sex, race, ethnic or national origin, religion, colour, class, caring responsibilities, marital status, sexuality, disability, age, or other status or personal characteristic.
- e. To provide a means of communication, consultation and negotiation on matters concerning their employment between ordinary members and their employer.
- f. To negotiate and settle differences and disputes on employment matters which may from time to time arise between ordinary members either individually or collectively and their employer by collective bargaining or otherwise, but so far only as may be lawful.
- g. To bring into the union all colleagues eligible for membership.
- h. To aid or federate with any other organisation of employees having similar objectives.
- i. To foster a spirit of mutual co-operation between ordinary members and their employer.
- j. To maintain a Certificate of Independence under the Trade Union and Labour Relations (Consolidation) Act 1992.

- k. To indemnify the officials and officers of the union against losses, damages, costs and demands made against them in respect of any authorised acts or omissions done by them in the course of their official duties for the union, to the extent that such indemnity is not prohibited by law.
- l. To do all such lawful things as are incidental or conducive to the attainment of the above aims (or any of them) as the Principal Executive Council consider to be in the interests of the members or likely to benefit the union or its members.

In pursuance of these aims the Principal Executive Council may, without prejudice to the generality of their powers:

- i. provide such benefits to members and members' families as it shall think fit.
- ii. provide legal advice and assistance to members where it considers it desirable, necessary or expedient to do so.
- iii. rent, lease or purchase equipment for the use of the union or its employees or advisers.
- iv. transact such business as may be necessary for furtherance of the aims of the union.
- v. make representations to Government, Members of Parliament, statutory bodies and commissions upon matters relating to the interests of members.
- vi. raise funds by levies on members.
- vii. purchase, take on lease, or otherwise acquire for the purposes of the union any estates, lands, buildings, easements or other interests in real estate (including leasehold land or property) and to sell, exchange or let on lease or otherwise dispose of, or grant rights over any real or leasehold property belonging to the union.
- viii. let on lease or on hire the whole or any part of the property of the union on such terms as it shall determine.
- ix. borrow or raise money by way of mortgage for any of the purposes set out above.
- x. advance or lend money when it decides this to be in the interests of the union.
- xi. invest the monies of the union as it may from time to time determine.
- xii. pay to a member or members' dependants a sum of money out of any benevolent fund established under these rules.
- xiii. award in its sole discretion a lump sum payment as hereinafter provided for the benefit of a dependant of a member who died on or after the 1st day of April 1986. No such lump sum payment shall in any circumstances exceed the limits set out in section 981 of the Corporation Taxes Act 2010.

Any payment under this rule shall:

- a. be a payment in discharge or aid of funeral expenses on the death of a member or as provision for children under 18 of that member and
 - b. be paid to such persons as the Principal Executive Council may appoint in their absolute discretion as recipient or failing such appointment the deceased member's spouse and
 - c. be met out of the general funds of the union.
- xiv. For the purposes of management and investment of the union's funds and property from time to time:
- a. consult such professional advisers as it sees fit
 - b. appoint subsidiary committees to investigate, review and report upon the union's assets or any part or parts thereof
 - c. form or acquire a subsidiary limited company or companies and delegate to any such company particular functions or property and/or fund management and advice provided that any such company shall always remain in the complete control of nominee shareholders or guarantors appointed by the Principal Executive Council on behalf of the union.

4. POLITICAL MATTERS

The union shall not affiliate to or subscribe to any political party.

5. MEMBERSHIP – ELIGIBILITY

- a. All Colleagues shall be eligible to become an ordinary member of the union.

- b. Associate membership of the union shall be available to such classes of individuals as may be specified by the Principal Executive Council from time to time who are not eligible to be ordinary members.
- c. Honorary membership of the union shall be available to individuals specified by the Principal Executive Council from time to time.

6. ADMISSION TO MEMBERSHIP

- a. Any person applying for ordinary membership ("the applicant") shall complete an application for membership in such terms as may from time to time be determined by the Principal Executive Council and send or deliver the same to the General Secretary at the Headquarters.
 - b. An application for ordinary membership shall not be rejected except for lawful reasons by a decision in writing of the Principal Executive Council, which reasons include:
 - i. if the applicant has previously been expelled from any trade union for misconduct or in order to comply with a finding of a Trades Union Congress Disputes Committee; or
 - ii. if the applicant is a member or supporter of any organisation opposed to the aims of the union.
 - c. An applicant dissatisfied with the decision of the Principal Executive Council may appeal by serving notice of appeal in writing to the General Secretary within 21 days of the giving of written notice of such decision.
 - d. Such appeals will be held in accordance with regulations made by the Principal Executive Council.
 - e. Any application for associate membership will be dealt with in the manner specified from time to time by the Principal Executive Council.
 - f. Membership will commence from the beginning of the month in which the first subscription is received.
- i. are eligible to stand for election or appointment to any position in the union, or as a national or local representative of the union, subject to complying with rules governing the relevant election;
 - ii. shall be entitled to vote in union ballots and elections as provided for under these rules.
 - c. Associate and honorary members shall not be eligible to hold any elected office or have any entitlement to vote, and shall have access to such benefits and services, if any on such terms as the Principal Executive Council shall determine.
 - d. Except at the discretion of the Principal Executive Council, benefits and services will not be available to a member who is in arrears of subscription or once membership has ceased for any reason.
 - e. All members of the union are required to give notice in writing to the General Secretary of any change of workplace and/or private address.
 - f. All members, except honorary members, are required to pay all subscriptions and any levy set by the Principal Executive Council at the appropriate rate by means of monthly transfer direct to the union's bankers or by salary deduction arrangements approved by the Principal Executive Council from time to time.
 - g. All members shall use their best endeavours to recruit further members.
 - h. The union may obtain, store, use and disclose personal information about a member in connection with their membership, for the following purposes (although this list is not exhaustive):
 - i. administering and maintaining membership records;
 - ii. publishing information about the union's activities, events, meetings and services;
 - iii. balloting and otherwise seeking the views of members;
 - iv. providing and administering benefits (including those which may be provided by third parties);
 - v. as required for the purpose of any procedure under these rules;
 - vi. providing support to the member individually or as part of a group of members;
 - vii. for such other purposes as may be necessary in pursuit of the aims of the union.

7. RIGHTS AND DUTIES OF MEMBERS

- a. All members shall abide by the rules of the union during membership and not conduct themselves in any way prejudicial to the interests or aims of the union.
- b. ordinary members shall have access to benefits as set out in these rules or any benefit or services scheme approved by the Principal Executive Council subject to the relevant terms. Except as otherwise provided in these rules, ordinary members, who are fully paid up members:

8. TERMINATION OF MEMBERSHIP

- a. The membership of a member shall cease upon:
 - i. the expiry of not less than one month's prior written notice given by the member to the General Secretary, or
 - ii. the member failing to pay any subscription or levy within one month of notification in writing by the General Secretary that such subscription or levy has become due or
 - iii. the member no longer being eligible for membership under rule 5 or
 - iv. the member being expelled under rule 23.
- b. In the event of resignation by a member, all rights, obligations and duties remain, and subscriptions shall be paid up until the expiry of the notice of resignation.

9. ORGANISATION AND REPRESENTATION

The union shall be so organised as to provide for the representation of members as follows:

- a. By representatives at any workplace or, if directed by the Principal Executive Council, combination of workplaces within an employer elected in accordance with rule 10.
- b. By accredited representatives appointed by the union under arrangements made between the union and an employer (who may or may not be a representative elected under rule 10).
- c. By section executive committees as constituted under rule 12.
- d. By a Principal Executive Council comprising:
 - i. A President; and
 - ii. (subject to rule 14(a)) Seventeen other members.
- e. By a biennial delegate conference held in the first four months of alternate financial years of the union.

10. REPRESENTATIVES

- a. Representatives shall be elected at any workplace (or as directed by the Principal Executive Council any combination of workplaces), in accordance with such regulations as may be issued from time to time by the Principal Executive Council and the following provisions of the rules.

- b. All candidates for nomination must be fully paid up members who have served with an employer for not less than one year.
- c. Nominations must be in writing, signed by both proposer and seconder who must also be fully paid up members of the union, accompanied by the written agreement of the person nominated.
- d. Any representative may be nominated for re-election.
- e. Voting may be by show of hands or secret ballot whichever is required by a simple majority of those entitled to vote and voting.
- f. When a candidate is to be elected to represent a combination of workplaces, voting shall be conducted and counted by two members of the union not being candidates for election appointed by the General Secretary.
- g. At the conclusion of voting, results shall be declared and notice in writing sent to the General Secretary without delay.
- h. The election of representatives wherever required shall be held during the last week in September in each year preceding that in which the biennial delegate conference is held. An elected representative shall take office immediately following election until the declaration of the result of the next following election in the workplace or combination of workplaces in question.
 - i. If an elected representative ceases to be qualified for any reason, resigns or is transferred away, a successor shall be elected as appropriate. The person so elected shall serve for the unexpired period of office.
 - j. Where a representative is elected to office as President or Vice President, the members represented may, if they so wish, elect an alternative representative who may attend meetings to speak on their behalf. That alternative representative may only exercise a vote if delegated to do so by the accredited representative.

11. REPRESENTATIVES - FUNCTIONS AND POWERS

The function of representatives shall be to:

- a. recruit new members into the union and retain existing members.
- b. represent members at meetings of the union or with the employer.

- c. advise members on routine queries and workplace industrial relations issues and to direct members requiring assistance to the relevant part of the union's structure.
- d. carry out such administrative duties as the General Secretary may require from time to time.

12. SECTION EXECUTIVE COMMITTEES – CONSTITUTION

- a. The Principal Executive Council may establish and dis –establish such section executive committees to represent the views of ordinary members in any employer, region or division or subdivision of any employer as they see fit.
- b. A section executive committee shall be constituted and elected in accordance with regulations providing for model rules that may be made from time to time by the Principal Executive Council and these rules.
- c. All candidates for nomination must be fully paid up members who have served with an employer for not less than one year.
- d. Nominations must be in writing, signed by both proposer and seconder who must also be fully paid up members, accompanied by the written agreement of the person nominated.
- e. Any member of a section executive committee may be nominated for re-election.
- f. Voting shall be conducted and counted by two members of the union not being candidates for election, nominated for this purpose by a simple majority of those entitled to vote and voting.
- g. At the conclusion of voting, results shall be declared and notice in writing sent to the General Secretary without delay.
- h. The elections shall be held in the November of each year preceding that in which the biennial delegate conference is held. An elected member of a section executive committee shall take office immediately following election until the declaration of the result of the next following election for members of that section executive committee.
- i. A Principal Executive Council member will be co-opted to membership of the section executive committee. Other members within the section may also be co-opted.
- j. A quorum shall not be less than one half of duly elected members of the section executive committee with a minimum of three persons.

- k. If any elected member of a section executive committee ceases to be qualified for any reason, resigns or is transferred to another section, a successor shall be elected. The person so elected shall serve for the unexpired period of office.

13. SECTION EXECUTIVE COMMITTEES - FUNCTIONS AND POWERS

The Functions of a section executive committee shall be to:

- a. consider all industrial relations issues of exclusive concern to members of the union within the section and, if appropriate, to make representations to the Principal Executive Council.
- b. recruit and maintain membership within the section.
- c. develop and maintain appropriate and effective structures for communications within the section.
- d. where authorised by the Principal Executive Council, negotiate with the appropriate employer on matters of exclusive concern to members within the section.
- e. formulate representations for consideration by the Principal Executive Council.
- f. inform all members within the section of activities undertaken on their behalf.
- g. appoint health and safety representatives and ensure that health and safety representatives are appointed at all workplaces within the section.

14. PRINCIPAL EXECUTIVE COUNCIL – CONSTITUTION

- a. The Principal Executive Council shall consist of the President and seventeen members elected in accordance with this rule. The said number of seventeen members may be increased or reduced at the sole discretion of the Principal Executive Council in the event that the representational requirements of the union vary over time. Any additional seat so created shall be filled as soon as reasonably possible after creation by election.
- b. The President shall be elected by secret ballot of all fully paid up ordinary members conducted in accordance with regulations agreed by the Principal Executive Council but in such manner as to comply with any statutory requirements applicable. No nomination of a candidate for election as President shall be accepted where such nominee has already served two consecutive terms of office as President immediately prior to such election.

- c. The members of the Principal Executive Council shall be elected by secret ballot of fully paid up ordinary members conducted in accordance with regulations agreed by the Principal Executive Council but in such manner as to comply with any statutory requirements applicable.
- d. Such elections shall be held between January 1st and the date of each biennial delegate conference in accordance with a timetable decided by the Principal Executive Council.
- e. Notice of nomination for President or membership of the Principal Executive Council shall be given to the General Secretary in writing by the due date published in accordance with rule 14d.
- f. The elections for members of the Principal Executive Council shall be held simultaneously throughout the membership of the union and the results of these elections shall be announced to the membership at large by the General Secretary as soon as is practicable.
- g. The Principal Executive Council, once elected, shall elect two Vice Presidents and one member who shall be required to take lead responsibility on the Principal Executive Council for equality and diversity matters, by and from the members of the Principal Executive Council.
- h. The normal meetings of the Principal Executive Council shall take place at least quarterly. Special meetings shall be convened at the discretion of the President or the General Secretary or when demanded in writing by not less than half of the elected members of the Principal Executive Council.
- i. A quorum shall not be less than half of the elected members of the Principal Executive Council entitled to attend the meetings.
- j. The General Secretary and such other members of the union's staff as the General Secretary may from time to time determine shall be entitled to be present and speak at Principal Executive Council meetings but shall not be entitled to vote.
- k. The term of office of members of the Principal Executive Council shall start at the time of closure of the biennial delegate conference immediately following the election of that Principal Executive Council and shall end at the closure of the following biennial delegate conference.
- l. Principal Executive Council vacancies shall be filled by secret ballot in accordance with rule 14(c). The persons so elected shall serve for the unexpired period of office.

- m. It shall be open to the Principal Executive Council to appoint such sub-committees and advisory committees as it deems appropriate.

15. PRINCIPAL EXECUTIVE COUNCIL - FUNCTIONS AND POWERS

Subject only to the overriding authority of the biennial delegate conference the Principal Executive Council is the policy forming body of the union. It shall:

- a. Consider all matters affecting the members brought to its notice.
- b. Direct section executive committees and other representatives to supervise elections or ballots as and when necessary.
- c. Approve the annual financial report of the union.
- d. Convene and recommend activities to the biennial delegate conference.
- e. Be responsible for the organisation of the union and for recommending to the biennial delegate conference any additions, alterations or deletions to the rules of the union.
- f. Ensure that an appeal by a member is dealt with in accordance with the rules.
- g. Decide the rates of subscriptions for members, and may determine different rates of subscription for different categories of member.
- h. Call for the application and decide the amount of any levy considered necessary to further the aims of the union.
- i. Direct the manner in which the funds of the union may be used in support of its aims.
- j. Set up a general fund of the union which may be used for any purpose that the Principal Executive Council in its discretion considers to be conducive or incidental to the attainments of the aims of the union.
- k. Give directions to the trustees as to the investment of surplus funds.
- l. Employ persons to carry out Union administration and business upon such terms and conditions as it may decide.
- m. Determine or agree salaries, fees or retainers paid to employees of the union or its professional advisers.
- n. Determine from time to time who shall be authorised to sign documents on behalf of the union.

- o. Authorise industrial action by members either locally, regionally or nationally when authorised to do so by the rules.
 - p. Call a special delegate conference, if required under these rules.
 - q. Have the power to co-opt up to five additional members. Co-opted members shall not have voting rights and may only attend and speak for the purpose of providing the Principal Executive Council with factual information or with technical or professional advice with respect to matters taken into account by the Principal Executive Council in carrying out its function.
 - r. Enter into any procedure agreement and substantive agreement with the employer.
 - s. Take any lawful action consistent with the aims and rules of the union to further the interests of members.
 - t. Appoint each year an appropriately qualified person or body to act as Auditor in accordance with statutory requirements. Any auditor so appointed by the Principal Executive Council may not be removed from office except by resolution consistent with statutory requirements.
 - u. Appoint each year an appropriately qualified person or body to act as assurer in accordance with statutory requirements. Any assurer so appointed by the Principal Executive Council may not be removed from office except by resolution consistent with statutory requirements.
 - v. Make such regulations as they may from time to time determine, on any matter not provided by within these rules and which may include, without prejudice to the generality of the foregoing, model rules for the operation of section executive committees, and the terms upon which benefits to members are to be made available.
- c. The General Secretary's duties shall include advising upon and implementing policy and other decisions of Conference and the Principal Executive Council; ensuring the minutes and decisions of all meetings are properly recorded; acting as principal spokesman for the union and controlling the Headquarters and staff of the union including making recommendations on engagement or dismissal of staff to the Principal Executive Council.
 - d. The General Secretary shall have power to delegate all such duties whenever necessary or desirable to do so.
 - e. The Principal Executive Council shall have power to determine the terms and conditions of the General Secretary and of the other employees of the union.
 - f. Such employees may be eligible to receive such personal services which are available from time to time to members of the union as the Principal Executive Council may in their discretion determine.

17. DELEGATE CONFERENCES - BIENNIAL AND SPECIAL

- a. The governing body of the union shall be Conference which shall normally be held biennially within four months of the commencement of each alternate financial year at a place to be decided by the Principal Executive Council.
 - b. A Special Delegate Conference may be called at the request of the Principal Executive Council or if a request in writing supported by the signatures of not less than 1,000 ordinary members is received by the General Secretary. Such a request must state the reason for the meeting and be accompanied by any resolution to be put to such a meeting.
 - c. Representation at Conference shall be determined in accordance with regulations made by the Principal Executive Council from time to time.
 - d. The election of delegates to Conference shall be by show of hands or by secret ballot whichever is required by a simple majority of the members.
 - e. Delegates attending Conference shall act for and on behalf of the members they represent and when called upon to do so, shall move motions on behalf of those members. Each Delegate shall have one vote only regardless of the number of members they represent.
 - f. The Principal Executive Council shall be present at Conference and may appoint speakers to represent its views. Members of the Principal Executive Council shall not vote.
- a. There shall be a General Secretary who shall be elected by secret ballot of all fully paid up members conducted in accordance with regulations made by the Principal Executive Council but in such manner as to comply with any statutory requirements applicable.
 - b. The General Secretary shall be the union's Chief Executive Officer and shall be responsible to Conference when sitting and at all other times to the Principal Executive Council.

- g. Decisions taken and resolutions adopted at Conference shall form the basis of the policy of the union to be pursued by the Principal Executive Council and other Committees of the union and by its officials.
- h. The procedures for the biennial delegate conference or any special delegate conference will be determined from time to time by the Principal Executive Council subject to the rules of the union.

18. FINANCE

- a. Accounts in the name of the union shall be maintained at such bank or banks as the Principal Executive Council may from time to time decide.
- b. The financial year of the union shall be from 1st January to 31st December.
- c. Every member, other than an honorary member, shall pay to the union a subscription of such amount and in such manner as may be determined by the Principal Executive Council from time to time.
- d. The General Secretary shall ensure that proper records of account are kept setting out:
 - i. all sums of money received and expended by the union and the matters in respect of which the receipt and expenditure takes place,
 - ii. all sales and purchases of goods and services by the union,
 - iii. the assets and liabilities of the union, and
 - iv. all such other matters as, according to good accountancy practice, should be set out in the books of account.

19. TRUSTEES

- a. There shall be four trustees of the union appointed by the Principal Executive Council in whom all the property and funds of the union shall be vested, on such terms as may be determined by the Principal Executive Council. A person appointed trustee need not be a member.
- b. A person appointed trustee shall hold office commencing from the end of the meeting of the Principal Executive Council at which appointed for a period of 5 years, after which s/he may be reappointed for a further 5 year term.
- c. The Principal Executive Council may at any time remove a person from the office of trustee for any reason. In the event of a casual vacancy occurring for whatever reason, the Principal Executive Council

shall appoint a trustee to fill that vacancy at the next Principal Executive Council meeting. In the event of a vacancy occurring, the remaining trustees may continue to act for a period of three months.

- d. Acting on the direction of the Principal Executive Council, the trustees shall have authority to enter into such transactions and to execute such documents as may be necessary for the proper management and investment of the funds of the union and, the power to borrow money on security or otherwise and to dispose of any assets of the union.
- e. The trustees shall, subject to any direction of the Principal Executive Council, be authorised to take such professional advice as they shall deem necessary, from time to time, to ensure the proper investment and management of the funds of the union and to defray any expense of taking such advice out of the funds of the union.

20. BALLOTS

A ballot of members may be called by the Principal Executive Council or the General Secretary on behalf of the Principal Executive Council on any matter at any time. Unless otherwise required by statute, such a ballot of members shall be secret and determined on a simple majority basis.

21. INDUSTRIAL ACTION

- a. Industrial action, whether strike action or action short of strike, shall only be called on by the authority of the Principal Executive Council or by the General Secretary or in his or her absence, another official of the union, and shall not be taken until the Principal Executive Council considers that either all stages of any relevant procedural agreement have been exhausted or that in the circumstances any further stages of the relevant procedural agreement are unlikely to resolve the dispute.
- b. Before any industrial action the union shall take steps to comply with all relevant legal requirements preceding the taking of industrial action.

22. RESOLUTION OF DISPUTES

The following procedures shall apply for the resolution of disputes within the union. Disputes covered by this rule shall be disputes between members, disputes between members and the Principal Executive Council, disputes between members and a section executive committee, disputes between members and representatives, and includes when any member has a complaint that action contrary to the rules of the union has been taken:

- a. A written statement giving precise details of the issue complained of shall be submitted to both the General Secretary and the President.
- b. The General Secretary and the President shall cause such enquiries as they consider necessary to be undertaken and advise the member(s) of their findings.
- c. If the member remains dissatisfied the matter shall be placed before the next meeting of the Principal Executive Council.
- d. The views of the Principal Executive Council shall be made known in writing to the member who raised the issue.
- e. No application shall be made to the High Court arising out of a complaint that action contrary to the rules of the union has been taken by any officer or member until the period of four weeks has elapsed since the complaint was considered by the Principal Executive Council.
- e. The member shall be given notice in writing by the General Secretary setting out the charge(s) and the grounds for the charge(s), and the penalties that may be imposed and the date of the meeting when the charge(s) will be heard (which will be at least 21 days after the date of the notice) by three members of the Principal Executive Council appointed by them as the disciplinary committee. The member shall also be notified of the right to be represented by another member of the union at the hearing before the disciplinary committee.
- f. The disciplinary committee shall give full consideration to any representations made by or on behalf of the member in writing or in person. Any decision as to whether any charge is upheld may be made unanimously or by a majority. The disciplinary committee shall notify the member in writing of their decision as soon as practicable after the meeting of the disciplinary committee.
- g. If the member, or a member nominated to act as his representative, fails to attend in person the disciplinary committee may proceed to deal with the matter in the member's absence.

23. DISCIPLINARY PROCEDURES

- a. The Principal Executive Council may resolve of their own volition at any time or following receipt of a written complaint from a member to be made under this rule 23 to investigate the conduct of any member who is alleged to be in breach of these rules or to have acted in a manner contrary to the interests or aims of the union.
- b. The President or another member of the Principal Executive Council shall then carry out an investigation and shall notify the member whose conduct is being investigated of the investigation and of the reason for it.
- c. If the conduct alleged against the member is deemed at any stage to be of a nature that requires it, then the Principal Executive Council may resolve to suspend the member from any office held by the member pending the outcome of the disciplinary process. A resolution to suspend will require a two thirds majority of the members of the Principal Executive Council present and voting in favour.
- d. At the conclusion of the investigation the President or another member of the Principal Executive Council who conducted the investigation will report to a specially appointed sub-committee of 3 members of the Principal Executive Council (none of whom shall be members of the disciplinary committee) who will determine whether to lay formal charges against the member. If the sub-committee resolves to lay a charge it shall specify the charge in writing and the grounds for the charge.
- h. If the disciplinary committee by a majority finds that one or more charges against the member is upheld it may impose one or more of the following:
 - i. a reprimand
 - ii. a fine not exceeding one year's subscriptions as applicable at that time
 - iii. suspension from membership for such time as the Principal Executive Council in its sole discretion may see fit or
 - iv. suspension from holding office or any representative position within the union for a specified period or
 - v. expulsion from membership.
- i. No penalty shall take effect until the end of the period fixed for serving a notice of appeal and the service of a notice of appeal shall act to postpone the penalty until the notice of appeal is withdrawn or the appeal has been dealt with by the appeals committee, whichever shall be the later.
- j. The member may appeal against the decision of the disciplinary committee. Such appeal shall be in writing and delivered to the General Secretary within 21 days of the giving of notice of the decision of the Principal Executive Council as to sanction.

- k. Such appeal shall be heard by an appeals committee comprising five members of the union (not being members of the Principal Executive Council) chosen by the President. The General Secretary shall summon members for this purpose and give not less than 21 days' notice to the appellant member of the date, time and place of the meeting of the appeals committee. The members of the appeals committee will elect a Chair from amongst their members who will control proceedings and deliver the findings.
- l. The appeal to the appeals committee shall (in the event of an appeal against a finding that a charge be upheld) be by way of a rehearing and (in the event of an appeal against sentence) be by way of oral submissions by the member.
- m. The member shall have the right to be represented by another member of the union at the hearing before the appeals committee. If the member, or a member nominated to act as his representative, fails to attend in person the appeals committee may proceed to deal with the matter in the member's absence.
- n. The appeals committee may resolve to reject or accept the appeal in whole or in part or to vary the penalty imposed.
- o. All notices or other communications to be sent to the member under these procedures shall be sent to the member at the member's address entered for the time being in the register of members.

24. AVAILABILITY AND INTERPRETATION OF THE RULES

- a. A copy of the rules shall be made available to any member on request and shall be published on the website of the union.
- b. The register of members of the union may be inspected by an ordinary member on application to the General Secretary, giving reasonable notice of his intention.
- c. The interpretation of any matter arising under these rules shall be determined by the Principal Executive Council.
- d. If any matter arises for determination which is not provided for in these rules, that matter should be referred to the Principal Executive Council whose decision shall be final. Decisions of the Principal Executive Council in relation to the interpretation of rules, or matters not provided for in the rules, shall be published in the minutes of the Principal Executive Council meeting.

25. CHANGE OF RULES

The rules of the union may be amended only by a vote of not less than two-thirds of the delegates at conference or by not less than two-thirds of those voting in a postal ballot of all ordinary members.

26. DISSOLUTION OF THE UNION

- a. The union may only be dissolved by a resolution to that effect that is:
 - i. passed by both conference and
 - ii. approved by three-quarters of the ordinary members entitled to vote and voting for dissolution by postal ballot.
- b. In the event that such a resolution is passed and approved, the Principal Executive Council shall remain in office until the affairs of the union are wound up.
- c. The union's surplus funds, after providing for all known liabilities, shall be distributed to the ordinary members of the union as at the date that the result of the postal ballot is declared, in such manner as is determined at the discretion of the Principal Executive Council.