

SPECIAL DELEGATE CONFERENCE

held in

LONDON

Saturday 20 May 2017

List of Delegates Present

Total 34

<u>Branch</u>	<u>Delegate</u>
Anglia No 3	David Godfrey
Anglia No 3	Andrew Paton
Anglia South General	Bob Davies
Anglia South General	Malcolm Wallace
Crewe and Cheshire	Steven Roberts
Disability Working Group	Cath Murphy
East Midlands Trains No. 1	Melissa Heywood
East Scotland General	Tamsin Clarkson
Future TSSA	Keeley Lipscombe
Lancs & Cumbria General	Frank Ellis
Lancs & Cumbria General	Steve Horsfall
London & Southern Retired	Steve Whitehead
London Bus & Rail Operators	Steve Floyd
London Bus & Rail Operators	Richard Scudder
London Met	Barry James
London NW Retired	Tim Hawkins
LU MATS & OPS Managers	Sharon Simmonds
LU MATS & OPS Managers	Trevor Hickman
Midlands Retired	Peter Vincent
Network Rail London & Anglia South	Richard Magner
Network Rail London & Anglia South	Hugh Roper
North East Operations	Richard Cooper
North East Operations	Judith Rodgers
North East Retired	Tim Bartlett
Retired Members Group	John Rees
South East Metro	Al Stoten
Swindon & Chippenham	Tim Lulham
TfL Central	Hufaifa Essajee
Wales No 1	Gareth Davies

Wales No 1
West Scotland General
Women in Focus
Yorkshire General
Yorkshire General

Paul Jeffries
Lorna Deveaney
Hilary Hosking
David Howarth
Jill Murdoch

EXECUTIVE COMMITTEE (EC)

Mick Carney	President
Jason Turvey	Treasurer
Bob Bayley	Midlands
Chris Clark	London Transport
Gerry Kennedy	Ireland
Cheryl O'Brien	Wales & Western
Stephen Lawrence	Scotland
Steve Leggett	London South
Mike Wood	London North West
Steve Andrews	Anglia & London N. E.
Andi Fox	North East (not present)
Gary Kilroy	North West (not present)

STANDING ORDERS COMMITTEE (SOC)

Joel Kosminsky (Chair)
Luke Howard (Vice Chair)
Andy Bain
Joe Kavanagh (not present)

HEAD OFFICE STAFF

Manuel Cortes	General Secretary
Frank Ward	Assistant General Secretary
Rob Jenks	Policy Officer
Pam Collins	Admin Support
Tony Wheeler	Hall Steward

Proceedings

1. Appointment of Tellers

Tellers were elected by the Hall Steward.

2. Stewards Report on Attendance

Final attendance figures show that 34 delegates representing 25 Branches and SOGs, along with members of the Executive Committee, Standing Orders Committee and the paid staff, there was a total of 52 present.

3. President's Opening Remarks

The President, Mick Carney, welcomed all delegates and opened the Conference by announcing that Conference Standing Orders would be suspended for an open discussion on the proposed Rule Book and Guidance Notes.

4. Joe Kavanagh

Conference agreed to record its best wishes to Joe Kavanagh (SOC) and his family. Joe was unable to attend Conference due to his wife being taken to hospital at short notice.

5. Rule Alteration: Proposed New Rule Book

“That this Conference endorses the EC Report and agrees to adopt the new Rule Book and Guidance Notes with effect from 1 July 2017, *subject to the following changes to the new Rule Book:*

Rule 3.3

To insert at the end of the first paragraph (new paragraph):

‘Any changes to the Guidance Notes proposed or made between the end of the TSSA Annual Conference of any year and March of the following year will be put to the subsequent Annual Conference for ratification. Any changes to the Guidance Notes proposed or made between March and the start of TSSA Annual Conference would be put to TSSA Annual Conference for ratification at the earliest opportunity but no later than the Annual Conference of the year after they have been proposed or made.’.

To delete last sentence.

Rule 14 (3)

To delete sub-paragraphs (ii) and (iii) and substitute (new paragraphs):

‘(ii) The secretary of each branch shall also take steps to secure that every member of the branch, so far as is reasonably practicable, receives a copy of the notice, and shall supply a copy to any member on request;

(iii) The Executive Committee shall provide the secretary of each branch with a number of copies of the notice sufficient for these purposes.’.

Moved by: the General Secretary on behalf of Executive Committee

Seconded by: Catherine Murphy (Disability Working Group)

Supported by: Midlands Retired

Carried

TSSA RULE BOOK REVIEW 2016-17

Background

At its meeting in November, the EC agreed to an updated timetable as part of the progress towards a revised TSSA Rule Book that separates admin procedures into a series of Guidance Notes. The EC went onto authorise a further round of consultation with Branches, SOGs and DCs that concluded on Monday 16th January and resulted in twelve responses. The Rule Book Working Party (RBWP) met to consider those replies on 17th January and has formulated a report that forms the basis of the proposal that follows from the Executive Committee.

Rule Book Working Party Report

As part of the process of considering the responses received, the RBWP reviewed all the submissions to establish what themes were common to most before then looking at the concerns raised by one or two respondents.

Using this approach, it was readily identified that the main issue raised by most participants in the consultation was that relating to who would have authority to change Guidance Notes, with concern expressed that in the proposal to date, the supreme authority of Annual Conference would be lost. Two branches went onto suggest amendments to Rule 3.3 in the revised Rule Book. The RBWP endorses these comments and is proposing that the last sentence of the proposed rule is changed to read:

“Each Guidance Note will be reviewed by the EC whenever the EC decide this is appropriate, or upon request from a branch, and at least every five years in line with the Rule change cycle, during which time they will be opened up for consultation with branches. Any changes proposed and made by March would be endorsed by the subsequent Annual Conference.”

Amongst other matters were:

- Two respondents questioned why membership categories (proposed to move to the Guidance Notes) had been separated from subscriptions (retained in the Rule Book). The RBWP proposes to maintain this split because it gives flexibility to adjust membership categories whilst ensuring that Conference retains the ability to agree subscription increases. Rule changes are also being proposed to the 2017 Annual Conference that, if accepted, will see some changes to membership categories in the light of the move to banded subs.
- There were also calls for a table of which elements of Guidance Notes were to be binding, discretionary or advisory. Annual Conference has already agreed that amongst the principles guiding the change to the Rule Book are those of flexibility and devolution which endorses this approach but at this stage the principle of the separation between Rules and Guidance Notes is being worked through. The RBWP is willing to give a commitment to produce a further document in time for the 2018 Annual Conference and which would give the clarity being requested;
- Inclusion of additional policies such as the disciplinary policy for members (not TSSA employees), together with those related to communications, data protection and equal opportunities and diversity. Currently, such policies are produced by the EC but are not part of TSSA Rules and are not subject to amendment by Annual Conference. The RBWP felt that this should continue but that there should be greater visibility of the policies applied to members. It is proposed that this matter should be considered again for 2018. In the meantime, the current Equal Opportunities Statement will be removed from the proposed Rule Book;
- One Branch (London North West Retired) suggested that there should be a contingency arrangement put in place because in the timescales that have been adopted in the move to the new Rule Book, some anomalies may not be identified and corrected, potentially causing problems in the future. The RBWP recognises the concern here and proposes the following commitment:

“Where the new Rules and Guidance notes cause anomalies, the intent of the existing Rule Book will take precedence until it is properly replaced by amendments to the new Rules and Guidance Notes at the 2018 Annual Conference.”
- Another issue raised was in relation to existing Rule 4 which makes no allowance for any Rule changes to be made outwith a normal Annual Conference. This could cause issues for what is debated and agreed at the

Special Delegates Conference and so the RBWP is proposing that a motion will be put before the 2017 Annual Conference that says:

“That this Conference endorses decisions made at the Special Delegates Conference in May 2017”

- A request was also made for a better indexed Rule Book. The index is not currently part of the Rules but the RBWP acknowledge that the new documents will require this facility to be provided and is proposing that it will be picked up as part of the tidying up that will be sorted out by 2018 (the tidying up phase was previously agreed in the timetable);
- Several branches (TfL Central and Wales No1) commented on the style of language in the Guidance Notes and asked for words like “shall” and “will” to be amended to reflect the stated purpose of the new document. Midlands Retired Branch also proposed a change to the language in new Rule 6.1(a) to reflect the requirement to produce branch by-laws. The RBWP acknowledged these points but noted that in order to be open with Branches, SOGs and DCs as part of the consultation it had been stated that changes to rules would be kept to an absolute minimum. The proposal before the EC now is that as part of the tidying up process the style of language will be reviewed and proposals brought to the 2018 Conference;
- London North West Retired also queried the fact that new Rule 4.1(f) and the 4th paragraph of Section 2 in Guidance Note 1 are the same. The paragraph in question says: “A Branch Meeting and/or the Executive Committee may decide to accept or reject any application.” In recognition of the conflict, and because of the complicated legal position, the RBWP propose to retain the item within the new Rule Book and will delete it from the Guidance Notes;
- Midlands Retired Branch raised a series of point about the role of the Branch Financial Secretary that has been retained in the Rule Book whilst all others have been moved to the Guidance Notes. In part this was because of a recognition of small branch freedoms to combine roles. The RBWP propose to clarify the situation by adding to new Rule 6.3(a) the sentence “Each branch must have a Financial Secretary;”
- In the contents page of the Guidance Notes there is a reference to GN5 but no description of what it relates to. This was put in place for any Guidance Notes applicable for the General Secretary or staff but none have come forward. The RBWP propose to add the title to GN5 but with the comment “Not Used.” It is likely that GN5 will be deleted as part of the tidying up exercise and all the following Guidance Notes re-numbered
- Several branches also highlighted some incorrect cross references in the text, especially around Rule 9. All of these will be reviewed and corrected as appropriate.

TSSA

RULE BOOK

PREFACE

The Transport Salaried Staffs' Association is a trade union with a long and proud history.

It was founded in Sheffield on 9 May 1897 as the National Association of General Railway Clerks. The first delegate conference was held in 1898, when the name was changed to the Railway Clerks Association.

In 1951, to meet the changing face of the union and reflect its increasing involvement outside the railway industry, the name was again changed to the Transport Salaried Staffs' Association.

Today, our members work for a wide range of transport, engineering and travel trade companies, and specialised organisations providing support to these companies, throughout the United Kingdom and the Republic of Ireland.

Like every other trade union and voluntary organisation, TSSA has rules which lay down how it is managed and regulated.

These rules have been agreed by the members for the members, and set out rights, protection and entitlements for all the Association's members. These Rules set out, on sound democratic principles, how the officers of TSSA are elected and how TSSA decides its policies and procedures.

Only via Annual Conference, at which every Branch has the right to be represented, can the Association's Rules be amended.

All members are encouraged to play an active part in the affairs of TSSA, whether through being involved in workplace organising activities or via the democratic structures of the union.

If any members have any queries or comments on this revised Rule Book, they should be forwarded to Head Office.

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All previous Rules rescinded as from 16 May 2013

**(includes amendments approved by 2009, 2010, 2011, 2012 and 2013 Annual Conference)
(to be updated)**

RULES

1 NAME and OBJECTS of TSSA

1.1 Name

This Association is a Trades Union called The Transport Salaried Staffs' Association ("TSSA" in this Rule Book).

1.2 Objects

TSSA's objects are

Former Rule 2

- (a) To organise its members. 2(a)
- (b) To improve the conditions and protect the interests of its members. 2(b)
- (c) To regulate the relations between employers and employees and between members and others in similar employment, including, if necessary, by collectively withholding labour. 2(c)
- (d) To assist in Movements for the betterment of industrial conditions and to take such steps as may be necessary to operate the national negotiating machinery provided for in any relevant legislation, or to safeguard the interests of its members in connection with pensions. 2(d)
- (e) To help its members when unemployed. 2(e)
- (f) To create Benevolent and Death Benefits. 2(f)
- (g) To secure or help to secure legislation and the more effective administration of existing laws which may affect the welfare of its members and other workers. 2(i)
- (h) To promote equality for all in all ways including, for example: 2(n)

(1) collective bargaining, publicity material and campaigning, representations, union organisation and structures, education and training, organising and recruitment, the provision of all other services and benefits and all other activities, and 2(n) -1

(2) TSSA's own employment practices. 2(n) -2

(i) To oppose actively all forms of harassment, prejudice and unfair discrimination. 2(o)

1.3 ISSUE OF CIRCULARS AND USE OF ASSOCIATION'S NAME 55

(a) No Officer, Member, Branch, SOG or Divisional Council shall issue any circular relating to TSSA in general unless the Executive Committee or the General Secretary has given permission in writing. 55

(b) No member shall claim to represent TSSA without TSSA's express permission. 55

2 POWERS OF THE UNION

2.1 Powers of the Union

For the purpose of promoting any of the objects specified above, TSSA may

(a) establish a Fund, or Funds, including the Political Fund referred to in Rules 14 and 15.3 2(g)

(b) give legal assistance in connection with the above objects. 2(h)

(c) give financial help and lend money, with or without interest or other equivalent, to any organisation, as the Executive Committee may think fit in the interests of or for carrying out the objects of TSSA. 2(j)

(d) purchase, lease, exchange, hire or otherwise acquire, build, alter, manage, maintain, sell, lease out, mortgage or charge any buildings or parts of buildings, offices, halls, clubs, hotels, or residences and to lend money or property of TSSA upon such terms and for such purposes as the Executive Committee may direct. 2(k)

(e) invest any monies belonging to TSSA upon such terms as the Executive Committee may think fit in the purchase of or secured upon any shares, bonds, debentures, stocks, loans, deposits, mortgages, or securities of any Government, State, Dependency, Public Utility Company, Local Authority, Limited Liability Company, or Society registered under the Industrial and Provident Societies legislation, and in mortgages of Freehold or Leasehold property or in any units of a Unit Trust, Investment Trust or similar Scheme approved by the Department of Trade. 2(l)

(f) To borrow any monies required for TSSA's purposes upon such terms and on such securities as may be determined and to do all such other things permitted by the law for the time being in force as are identical or conducive to the attainment of the above objects, or

any of them, or may be deemed to be advisable in the interests of its members or to be calculated directly or indirectly to benefit TSSA or any of its members. In particular TSSA may print, publish, issue and circulate such papers, periodicals and other literature as may seem conducive to any of the above Objects. 2(m)

(g) aid and join with other Trade Unions or other Societies or Federations of Unions having for their object, or one of their objects, the promotion of the interests of workers or the furtherance of the political objects to which Rules 14 and 15.3 refer. 2(p)

2.2 Dissolution of the Association 59

TSSA may be dissolved with the consent of five-sixths of the members in good financial standing. Any surplus funds shall be divided equally amongst the financial members. 59

3 RULES 3

The Executive Committee may decide how to deal with any matter not provided for in these Rules, but any Member, Officer, or Branch aggrieved by their decision shall have the right to appeal to the next Delegate Conference (see Rules 9(h) and 10.2). 3(a)

3.1 Structure

The Appendices to these Rules form part of the Rules. 3(e)

References in these Rules to “this Rule” refer to the whole of the Rule within which the reference appears. Where reference is intended to a sub-Rule only, that reference appears in the format “Rule [Number][Sub-rule letter/number]”. 3(c)

Sub-headings and Rule Headings are for information purposes only. They are not guides to interpretation. 3(d)

3.2 Alteration of Rules 4

No new Rules shall be made, nor shall any Rule be altered, amended or rescinded, except by a two thirds majority of the votes cast at the Annual Delegate Conference in May 2003, and in every fifth year after 2003, or at any other Annual Delegate Conference at the recommendation of the Executive Committee. 4

3.3 Guidance Notes New

Reference will be made throughout these rules to relevant Guidance Notes. Guidance Notes are defined as “administrative process required to support the standards within the rules. They exist to amplify and give effect to the rules, but are not of themselves binding on members or organisations within the Association structures”.

Each Guidance Note will be reviewed by the EC whenever the EC decide this is appropriate, or upon request from a branch, and at least every five years in line with the Rule change cycle, during which time they will be opened up for consultation with branches. Any changes proposed and made by March would be endorsed by the subsequent Annual Conference.

4 MEMBERS

4.1 Qualifications for membership 27

Membership of TSSA is open to 27

(a) Anyone working in Administrative, Clerical, Supervisory, Managerial, Professional, Technical, Research, Executive and allied grades and positions including all salaried staff of all undertakings operating directly or indirectly in the transport and travel industry (with the exception of those employed as train drivers employed by any undertaking where TSSA is not party to an existing collective agreement covering such employees). 27(a)

(b) Anyone who was previously a member under category (a) above. 27(b)

(c) Employees of TSSA. 27(c)

(d) Full-time students in courses relevant to employment directly or indirectly in the transport and travel industry, and former students who are seeking employment qualifying them for membership of TSSA. 27(d)

(e) Any unorganised worker or group of workers working directly or indirectly in the transport and travel industries. 27(e)

In these Rules the term “qualifying employment” means the employment or other activity which qualifies a member for membership of TSSA under this Rule. 27

(f) A Branch Meeting and/or the Executive Committee may decide to accept or reject any application. 28(4th sentence)

4.2 Categories of membership New

Details of categories of membership are to be found in Guidance Note 1 New

4.3 Subscriptions 30

4.3.1 Subscription rates

(a) Subject to the provisions of these Rules all members shall pay a subscription. The weekly amount payable shall be known as “the weekly subscription rate”. 30(a)

(b) The weekly subscription rate shall be £4.50 from 1 July 2014. 30(b)

(c) From 1 July 2015 members shall pay a subscription set by reference to their basic salary and sub clauses (b) and (i) of this Rule 4.3 shall cease to apply. 30(c)

(d) The amount payable by a member shall be determined in accordance with the following table: 30(c)

Basic Salary	Weekly subscription rate	30(c)
£1 - £20,000	£2.30	30(c)
£20,001 - £50,000	£4.60	30(c)
£50,001+	£5.50	30(c)
Superannuated/Retired Members	£2.25	30(c)

Basic Salary	Republic of Ireland Weekly subscription rate	30(c)
€1 - €25,000	€ 2.80	30(c)
€25,001 - €60,000	€ 5.50	30(c)
€60,001+	€ 6.60	30(c)
Superannuated/Retired Members	€ 2.70	30(c)

(e) The Executive Committee shall enable members to pay the weekly subscription rate by direct debit, cash, paybill deduction (where appropriate) and by such other means as the Executive Committee thinks fit. 30(c)

(f) Any dispute on the calculation of basic salary for the purpose of calculating the appropriate weekly subscription rate will be resolved by reference to the Executive Committee. 30(c)

(g) Basic salary shall be the amount paid to a member by their employer before any adjustments. 30(c)

(h) TSSA may set a different weekly subscription rate for members employed in the Republic of Ireland and such rate shall be known as “the Republic of Ireland weekly subscription rate” but otherwise the provisions of this Rule shall apply to the subscriptions paid by members employed in the Republic of Ireland. 30(d)

(i) The amount of the Republic of Ireland weekly subscription rate shall be €5.40 per week from 1 July 2014. 30(e)

(j) The subscription paid by members who are exempt from payment of the Political Levy shall be adjusted to comply with the relevant statutory provisions. 30(f)

(k) A member may not pay subscriptions for any Financial Period before the Period during which their application for membership was received by TSSA except in special cases when authorised by the Executive Committee under Guidance Note 1 (see Rule 6.2(e) for Financial Periods). 30(g)

4.3.2 Subscriptions – Reduced rate cases 31

(a) At the discretion of the Executive Committee a member may be required to pay either no subscription or part of the subscription otherwise payable under these Rules for a period set by the Executive Committee. 31(a)

If the Executive Committee exercises its discretion under this Rule so that no subscription is payable, membership shall begin, notwithstanding the provisions of Rule 4.1, on the date that the first subscription would otherwise have been payable. 31(a)

4.3.3 Subscriptions – Arrears 32(a)

Any member whose subscriptions are 12 weeks in arrears shall be suspended from benefit until all the arrears are paid up and the member has been clear on the books for 12 weeks.

4.4 MEMBERS' ENTITLEMENTS

4.4.1 Legal Proceedings and Legal Assistance to Members 6(g)

(a) The Executive Committee shall, so far as it lawfully may, take legal proceedings on behalf of the Union and/or its members against any Officer of TSSA who misappropriates any of its funds. 6(g)

(b) The Executive Committee shall facilitate an initial consultation with a solicitor in cases where the member faces criminal charges arising out of the member's employment. In such cases further legal assistance may be provided to the member, at the absolute discretion of the Executive Committee. 6(g)

(c) The Executive Committee may at its absolute discretion provide legal assistance to members in matters relating to their employment. 6(g)

(d) The Executive Committee may at its absolute discretion provide legal assistance to members and immediate family of members in respect of any personal injury claim. 6(g)

(e) The Executive Committee may at its absolute discretion provide legal assistance to Special Rate Retired members, and former members or the immediate family of former members in relation to claims for industrial injury or disease arising from or associated with the said former member's or Special Rate Retired member's qualifying employment, provided that such discretion may only be exercised in the case of a former member where the former member was a member for at least two years. 6(g)

4.4.2 Benefits (Unfair treatment of members)

The Executive Committee may make payments to Members clear on the books who have been unfairly treated because of their TSSA activities. 34(a)

The Executive Committee has discretion as to these matters. 34(a)

In an emergency, the General Secretary may act in place of the Executive Committee. 34(a)

Details of the benefits are set out in Guidance Note 2 New

4.4.3 JOURNAL 53

(g) TSSA shall have a Journal which shall be distributed without payment to its members, either by postal service or by electronic means, through arrangements to be made by the Executive Committee. The Journal shall be published on the TSSA's website. The Executive Committee shall appoint the Editor of the Journal on such terms and conditions as they shall at their discretion determine. 53

4.4.4 Website 53(a)

(i) TSSA shall have a website, on which information shall be published as determined by the TSSA's Rules, and by the Executive Committee. The TSSA's website may be used for other purposes as determined by the Executive Committee, subject to the TSSA's Rules. 53

4.4.5 Other

A copy of the Political Fund Rules shall be supplied immediately to every new member of TSSA. A copy of the complete Rules shall be made available to every member on request, and copies of any changes to the Rules shall be made available to each member on request as soon as can be conveniently arranged. A hard copy of the complete Rules will be sent to every Branch and the complete Rules will be available electronically through TSSA's website. 3(b)

4.5 MEMBERSHIP AUDIT CERTIFICATES 14

(a) Annual Delegate Conference shall appoint a qualified independent person as an Assurer to prepare an annual Membership Audit Certificate for each reporting period in accordance with the statutory requirements from time to time in force. 14(a)

(b) Subject to Rule 4.5(c), the Assurer shall hold office for a period of 3 years. In the event of the Assurer being unable or unwilling to act for any reason the Executive Committee shall have power to engage a successor to act until the next Annual Delegate Conference. 14(b)

(c) An Assurer may be removed from office only by resolution of Annual Delegate Conference. 14(c)

5 LAY STAFF REPRESENTATIVES 24

5.1 Staff representative responsibilities

In carrying out their responsibilities, members who have been elected or appointed as lay staff representatives shall: 24

(a) act in accordance with TSSA policy and in the interests of the members they represent 24(1)

(b) involve themselves in the work and activities of their Branch 24(2)

(c) keep their Branch informed of matters they are dealing with as a lay representative on behalf of the members of the Branch 24(3)

(d) work with their Branches to increase membership within the Branch. 24(4)

5.2 The Executive Committee may from time to time establish and/or amend procedural Rules dealing with the suspension or removal from office of a lay representative who is a staff representative by virtue of being an Association member and who is elected in accordance with agreements entered into by the Association with an employer under Rule 9.1(g)(5). 24(5)

6 BRANCHES 15

TSSA shall be divided into Branches. The area covered by each Branch shall be decided by the Executive Committee after consultation with the Divisional Councils concerned. 15(a)

Additional details in relation to Branches can be found in Guidance Note 3 New

6.1 Branch Management

By-laws 16(d)

(a) Each Branch may make by-laws for the government of its own local affairs, subject to the approval of the Executive Committee.

These by-laws shall be published on the TSSA Website. 16(d)

Branch Banking 16(g)

(b) Each Branch shall open a banking account in the name of the Branch, into which shall be paid currently all monies received from members or other sources. 16(g)

Branches and Head Office reporting 16(h)

(c) The Branch Officers must use the books and forms provided by Head Office, and produce them when called for by the General Secretary or any other duly authorised person. 16(h)

6.2 Branch Funds and payments to Central Fund	26
<i>Branch Funds</i>	26
(a) Each Branch may retain for its own funds, from subscriptions paid by its members:	26(a)
(1) not more than 10p per week per full rate member and	26(a)(1)
(2) not more than 5p per week per part rate member but if the weekly total is less than £5.00, the Branch may retain a total of £5.00.	26(a)(2)
Branches may also retain sufficient funds to make payments under Rule 6.2(b).	26(a)
<i>Payments to Branch Officers</i>	26
(b) Unless the Executive Committee otherwise directs, and subject to Rule 6.2 (h), Branch Secretaries, Correspondence Secretaries, Financial Secretaries, Organising Secretaries and Branch Organisers may be paid a weekly sum from Branch Funds, if the Branch so directs at a properly convened General Meeting.	26(b)
The total amount payable between them shall not exceed:	26(b)
(1) 10p per week per full rate member up to a maximum of three hundred members and	26(b)(1)
(2) 5p per week per part rate member and shall be distributed between them as branch directs.	26(b)(2)
<i>Branch Cash-in-Hand</i>	26
(c) The Branch cash-in-hand at the close of each financial period shall not exceed £400, or other such sum as the Executive Committee may specify from time to time. Any amount in excess of £400 (or any specified amount) shall be paid to Head Office for the Central Fund in accordance with Rule 6.2(d). Such excess balances may be reclaimed for Branch use within the payment year by arrangement with the General Secretary.	26(c)
<i>Payment of Subscriptions to Head Office</i>	26
(d) Each Branch Financial Secretary shall pay to Head Office for the Central Fund not later than the fourteenth day after the close of each financial period the receipts of the Branch for that financial period as are in excess of the sums authorised under Clauses (a), (b) and (c) of this Rule. Where the fourteenth day after the close of each financial period does not fall on a normal working day, time shall be extended until the close of business on the next following normal working day.	26(d)
<i>Financial Periods</i>	26

(e) Financial periods under this Rule shall normally consist of four weeks but the Executive Committee may vary the length of the period in respect of all or any Branches if the Executive Committee thinks it necessary. In that case the Branch Financial Secretaries and Organisers shall make their collections, returns and payments accordingly. 26(e)

Not earlier than three months and not later than two months before the commencement of Annual Delegate Conference, the General Secretary shall write to each Branch Chair and each Branch Secretary to remind them of the requirements of Rule 6.2. 26(f)

Central Fund Assistance to Branches 26

(f) Any Branch unable to meet the claims upon it may apply to Head Office for assistance, but must send with the application a correct detailed account of its financial position. 26(g)

If the Branch Application is satisfactory, assistance will be granted from the Central Fund.

Any assistance so given shall either be repaid or treated as a grant, at the discretion of the Executive Committee. 26(g)

Funds and TSSA Property 26

(g) The Funds of each and every Branch shall be the common property of TSSA, and shall be applied only for the purposes and in the manner prescribed in the Rules. 26(h)

If a Branch withdraws from TSSA, or dissolves, it shall forfeit all and any claims to its Funds, books and other property, all of which shall be handed over to the Head Office, and in default, TSSA may take proceedings for recovery of the Funds, books or other property held by any such Branch. 26(i)

Regulation of Payments to Branch Officers 26

(h) The Executive Committee may issue to any Branch or Branches directions governing the use of allowances made to Branch Officers under Rule 6.2(b). 26(j)

The Executive Committee may at its discretion direct in the case of any Branch or Branches that no sums shall be allowed to Branch Officers under Rule 6.2(b). By way of example only, and without limiting the Executive Committee's discretion, such a direction may be made where a Branch has failed to send to Head Office any of the reports provided for in **Rule 16(j)** and/or where a Branch has failed to comply with any of the directions issued under Rule 6.2(h). 26(k)

6.3 BRANCH FINANCIAL SECRETARY 20

(a) Each branch must have a Financial Secretary (New)

The Branch Financial Secretary shall keep all books, accounts and other financial documents of the Branch in accordance with these Rules. 20(a)

When asked, the Branch Financial Secretary shall make available such books, accounts and other documents including a correct statement of affairs to the Branch Chair or Committee or the Divisional Council Secretary (see Guidance Note 3, Divisional Councils – Secretary’s responsibilities) or other person authorised by the General Secretary to receive them.

(b) The Branch Financial Secretary shall attend all Branch and Committee Meetings and shall assist the other Branch Officers as required. 20(b)

(c) A duplicate of the Annual Balance Sheet and Membership Return as prepared by Head Office shall be certified and shall be produced for the inspection of any member of the Branch wishing to see it. Copies may be issued, together with a Report, to each member of the Branch. 20(c)

6.4 BRANCH AUDITORS 25

(a) Two auditors, who shall be TSSA members, shall be elected at each annual Branch meeting, and they shall audit the accounts of the Branch annually and certify the Audit Certificate. 25(a)

(b) Auditors may receive remuneration from Branches on the following scale: 25(b)
£6 for Branches with up to 100 members and a further £1 for each additional 100 members or part of 100 members.

(c) A casual vacancy for Branch Auditor may be filled at a Branch meeting, but notice of the impending election must be given to each member of the Branch in the notice calling the meeting. 25(c)

(d) The Branch Auditors shall carry out an interim audit of the accounts of the Branch whenever Head Office requests. 25(d)

7 DIVISIONAL COUNCILS 10

Additional details in relation to Divisional Councils can be found in Guidance Note 3
New

Representation of Branches at Divisional Councils 10(a)

(a) TSSA’s Branches shall be grouped into Divisions corresponding to the electoral districts set out in Rule 9.2(i) save that there shall be no Irish Division. 10(a)

The allocation of Branches to each Division shall be decided by the Executive Committee after consultation with the Divisional Council (s) concerned. 10(a)

(b) A Divisional Council shall be formed as soon as practicable in each area, save Ireland. Branches may be represented on their Divisional Council on the following basis: 10(b)

Up to 400 members – 4 delegates

401 to 700 members – 5 delegates

701 to 1,000 members – 6 delegates

and one additional delegate for each 500 members beyond 1,000. 10(b)

Objects of Divisional Councils 10(c)

(c) The objects of each Council shall be:

(1) to organise its Division thoroughly, and see that its Branches are kept in an efficient condition; 10(c)(1)

(2) to campaign in support of TSSA policy on such issues as transport and employment both among members and the wider public within the Division; 10(c)(2)

(3) to assist in facilitating the organising work a Council may appoint local or area sub-committees. 10(c)(3)

Votes of Divisional Council Delegates 10(j)

(d) Each delegate shall have one vote only, except when a vote by card is demanded by not less than five delegates. In that case the Council Secretary shall immediately provide the delegates with voting cards representing the total membership upon which affiliation fees have been paid. Each elected lay staff representative shall have one vote only. 10(j)

Two tellers shall then be appointed, who shall take the numbers from the cards shown on each vote and hand the results in writing to the Chair. 10(j)

Auditors 10(k)

(e) Each Divisional Council shall appoint two auditors each year, each of which may be paid remuneration not exceeding £10 per annum. 10(k)

Payments by Divisional Councils 10(l)

(f) A Divisional Council shall not, without the sanction of the Executive Committee, affiliate to, or make payments to, any organisation to which TSSA is not affiliated nationally, save as provided in Rule 9.4.6. 10(l)

Divisional Council Expenses 10(m)

(g) For the purpose of meeting expenses incurred by, or on behalf of, Divisional Councils, there shall be paid to each Divisional Council from Central Fund, an amount equivalent to the rate of 45p per annum for each member in the Divisional Council area, except that no Divisional Council shall accumulate a balance greater than £200 at the year-end. 10(m)

If the balance exceeds £200, the payments from Central Fund during the next year shall be reduced by the amount of the excess. 10(m)

Divisional Councils – Payments to Officers 10(n)

(h) Each Divisional Council Secretary shall be paid from the Central Fund such sum as the Executive Committee may approve for the reimbursement of incidental expenses incurred in the discharge of duties as Divisional Council Secretary. 10(n)

Each Divisional Council Treasurer shall be paid from the Central Fund such sum as the Executive Committee may approve for the reimbursement of incidental expenses incurred in the discharge of duties as Divisional Council Treasurer. 10(o)

Divisional Council Balance Sheets 10(p)

(i) Each Council shall issue a Balance Sheet by 31 January for the preceding year, and these Balance Sheets shall be embodied in TSSA's Annual Accounts. 10(p)

8 SELF ORGANISED GROUPS 60

The Executive Committee may at its discretion recognise or derecognise one or more Self Organised Groups (SOGs). 60(a)

Procedures for the establishment and operation of SOGs are set out below and in GN3 60(b)

8.1 DEFINITION Appx 7 (a)

A Self Organised Group (SOG) is a group of members which has identified itself as 'under-represented' by the traditional structures of TSSA, and has been formally recognised by the Executive Committee under Rule 8. Appx 7

A SOG is not a Branch of TSSA. The Rules that apply to Branches do not apply to SOGs unless otherwise expressly provided for. Appx 7

8.2 PROCEDURE FOR RECOGNITION Appx 7 (b)

A group wishing to be recognised for the purposes of these Rules shall send to the Executive Committee a request for recognition including a written statement setting out: Appx 7

(a) the name of the group Appx 7

(b) the justification for the group Appx 7

(c) the membership qualifications for the group Appx 7

(d) the purpose and goals of the group Appx 7

Once the Executive Committee recognises a group under Rule 8 the group shall be a SOG for the purposes of these Rules. Appx 7

8.3 CONFERENCES Appx 7(d)

Each SOG may submit:

(1) two motions and two amendments to motions for Annual Conference Appx 7(d)(1)

(2) two rule changes and two amendments to motions for varying the rules in rule change years Appx 7(d)(2)

(3) an amendment to each Executive Committee reserved motion Appx 7(d)(3)

SOGs may submit motions to the Executive Committee for relevant Labour Party and TUC Annual and Special Conferences. The Executive Committee may endorse and/ or amend such motions before submitting them to the relevant body, or the Executive Committee may reject the motions without submitting them. Any such amendment or rejection will ordinarily be discussed with the SOG. Appx 7(d)

Each SOG shall hold some form of consultation with its wider membership by way of conference or otherwise, at least annually. Notice of such events shall be widely publicised.

Appx 7(d)

8.4 ELECTIONS Appx 7(e)

SOGs may not participate in elections for internal TSSA positions. Appx 7(e)

SOGs may submit nominations for, and vote in, National Elections for the Trades Union Congress, Labour Party Annual Conference and similar bodies. Appx 7(e)

Rule 11 (Conference Elections) shall apply to SOGs participating in the elections mentioned in this paragraph of the Appendix, as if the references in Rule 11 to Branches were references to SOGs, save that each SOG shall have one vote in such elections regardless of its membership. Appx 7(e)

8.5 FUNDING Appx 7(f)

The Executive Committee shall at its discretion make one or more payments to each SOG each year, having regard to the SOG's budgetary proposals. Appx 7(f)

The Executive Committee will encourage and support each SOG in applications for external funding. Appx 7(f)

SOGs may not pay an honorarium to any member for organising and administrative duties, but may meet members' reasonable out of pocket expenses properly incurred in connection with the business of the SOG. Appx 7(f)

The Funds of each SOG shall be the common property of TSSA, and shall be applied only for the purposes and in the manner prescribed in the Rules. Appx 7(f)

If a SOG is derecognised it shall forfeit all and any claims to its Funds, books and other property, all of which shall be handed over to the Head Office, and in default, TSSA may take proceedings for recovery of the Funds, books or other property held by any such SOG or its named contacts. Appx 7(f)

8.6 APPEALS Appx 7(g)

Rule 10.2 (Appeals to Annual Conference) shall apply to SOGs as if the references in Rule 10.2 to Branches were references to SOGs. Appx 7(g)

9 THE EXECUTIVE COMMITTEE 6

9.1 EC MEETINGS AND POWERS

Executive Committee, President, Treasurer 6(a)

(a) There shall be an Executive Committee, elected in accordance with Rule 9.2 (Election of Executive Committee etc), to manage TSSA generally. 6(a)

(b) There shall also be a President and a Treasurer who shall by reason of their office, and without further election, be members of the Executive Committee. They shall hold office for a period of two years and be eligible for re election if nominated. Their election shall be by individual vote of the members and they shall take office from the first day of the month following the Annual Delegate Conference in the year in which they are elected. 6(b)

Vacancies occurring between elections may be filled by the Executive Committee from its own number until the next election is held unless at the date when the vacancy occurs there shall be more than 12 months before the next scheduled elections in which event an election shall be held and the successful candidate shall hold office for the balance of the outstanding term. 6(b)

In these Rules the term "members of the Executive Committee" shall include the President and Treasurer unless the context requires otherwise. 6(b)

Executive Committee Members – Qualifications 6(c)

(c) The members of the Executive Committee must be full or part rate members of TSSA at the date of their nomination and election. Throughout their period of office they shall comply with the qualification for membership provisions of Rule 4.1(a) (Qualifications for

Membership) and if they do not comply they shall immediately cease to hold office unless the period of non-compliance does not exceed one working day. 6(c)

Quorum

(d) Seven shall form a quorum for a meeting of the Executive Committee 6(d)

Payments to Executive Committee members

(e) The members of the Executive Committee shall be paid such annual honoraria as Conference may direct for the reimbursement incurred in the discharge of their Executive Committee duties. 6(e)

Duties of Executive Committee 6(f)

(f) The Executive Committee's duties shall be: 6(f)

(1) to manage and supervise the affairs of TSSA 6(f)(1)

(2) to carry out and enforce observance of its Rules 6(f)(2)

(3) to direct the actions of the Trustees 6(f)(3)

(4) to be responsible for the proper administration of the funds dealt with by Head Office 6(f)(4)

(5) to suspend, dismiss or remove from office members obtaining benefits by false pretences or engaging in or promoting racist activity or racial discrimination, or for other actions which, in the opinion of the Executive Committee, are detrimental to TSSA's interests 6(f)(5)

(6) to represent TSSA's members in disputes arising out of their employment where they are considered of sufficient importance, subject to Rules 4.4.1(a) to (e) 6(f)(6)

(7) to keep within the policy and decisions of the Annual Delegate Conference. 6(f)(7)

Disciplinary Powers of EC 6(h)

(g) The Executive Committee may suspend or, in case of serious misconduct, dismiss any TSSA officer. It may also: 6(h)

(1) remove any incompetent or insubordinate Branch or Divisional Officer after consultation with the Branch or Divisional Council concerned 6(h)(1)

(2) reverse the decision of a Branch or Divisional Council 6(h)(2)

(3) make and vary regulations regarding the constitution and working of Divisional Councils 6(h)(3)

(4) close any Branch when it considers (after consultation with the appropriate Divisional Council) that course to be necessary in TSSA's interests 6(h)(4)

(5) in accordance with Rule 5.2, suspend or remove a lay representative from office. 6(h)(5)

Right of Appeal against EC decisions 6(j)

(h) The Executive Committee may take such action as it may deem necessary in the interests of TSSA in relation to any of the matters mentioned in this Rule, but any Member, Officer or Branch aggrieved by such action shall have the right to appeal to the next Annual Delegate Conference and shall have the right of reply to the Executive Committee representative who speaks on the appeal. All reasonable expenses incurred by a Member, Officer or Branch making an appeal shall be borne by TSSA's Central Fund. 6(j)

Conference 6(k)

(i) The Executive Committee may propose or support resolutions at Conference, but not vote at Conference. It may also nominate candidates for any office or delegation, except ordinary membership of the Executive Committee. 6(k)

Power to Require Reports and Returns 6(o)

(j) Branches, Branch Officers, lay representatives, Divisional Councils and SOGs shall supply to the Executive Committee such reports, lists, returns, accounts and similar or other information, as the Executive Committee shall from time to time and at any time require, and in such format and with such regularity as the Executive Committee may require. 6(o)

9.2 ELECTION OF PRESIDENT, TREASURER AND EXECUTIVE COMMITTEE 49

(a) The members of the Executive Committee shall be elected by individual vote of the members in electoral districts formed for that purpose, and subject to the provisions of Rule 9.2(b) and this Rule. 49(a)

The electoral district for the President and Treasurer shall be the entire membership, excluding those classes defined in this Rule. 49(a)

No member of the Executive Committee (other than the President or Treasurer) whose term of office has expired and who has been a member of the Executive Committee (other than in the capacity of President or Treasurer) for a consecutive period of six or more years, shall be eligible to be elected as a member of the Executive Committee until a further period of three years has elapsed. 49(a)

<i>Nominations by Branches</i>	49
(b) Each Branch may nominate one candidate for President, one candidate for Treasurer and one candidate for the Executive Committee.	49(b)
The candidate for the Executive Committee must be a member of the nominating Branch or some other Branch in the same electoral district. Subject to Rule 9.2(n), the candidates for President and Treasurer must be members of any TSSA Branch.	49
<i>Election Procedures</i>	49
(c) Subject to this Rule, Rule 11.3 shall apply to the conduct of the election.	49(c)
(d) Close of nominations shall be the last Head Office working day in February of any year.	49(d)
(e) The last date for sending out the ballot pack shall be 1 April	49(e)
(f) The close of voting shall be 30 April.	49(f)
(g) Each member shall have one vote for the electoral district Executive Committee representative and one vote in each of the elections for President and Treasurer.	49(g)
(h) The candidates for the Executive Committee obtaining the highest number of votes in their respective districts shall be declared elected, and shall take office from 1 July.	49(h)
<i>Electoral Districts</i>	49
(i) The Executive Committee shall comprise one member representing each of the electoral districts shown in the table below. Each member shall be elected and retire in accordance with the table.	49(i)
Elections in 2014 only for: North East; North West; London South.	49(i)
Elections in 2015 and every third year thereafter for: Midlands; Wales & Western; Anglia & London North East.	49(i)
Elections in 2016 and every third year thereafter for: Scotland; London North West.	49(i)
Elections in 2017 and every third year thereafter for: Ireland; London Transport; North East; North West; London South.	49(i)
(j) Subject to Rules 9.2(a) and 9.2(n), members retiring in accordance with the above table shall be eligible for re-election if nominated.	49(j)
(k) The Executive Committee may make special arrangements for any new Branches or Councils, or to meet important changes in any of the electoral districts.	49(k)
<i>Casual Vacancies – Elections</i>	49

(l) In the event of any casual vacancies arising in respect of any member of the Executive Committee other than the President or Treasurer it shall be the duty of the Executive Committee to order an election in the district concerned, with such dates for nominations and return of ballot papers as the Executive Committee shall direct. For this purpose, the General Secretary may act in place of the Executive Committee if the Executive Committee agrees or is unable to act. 49(l)

The candidate receiving the highest number of votes shall immediately take office for the unexpired portion of the term for which the candidate's immediate predecessor was elected. Subject to Rules 9.2(a) and 9.2(n), the successful candidate shall then be eligible for re-election if nominated. 49

Removal of EC Members by Vote of Conference 49

(m) Any members of the Executive Committee (other than the President or Treasurer) may be removed from office by resolution passed by two-thirds majority of the votes cast at any Annual Delegate Conference or Special Delegate Conference. 49(m)

Members not Eligible to be Nominated 49

(n) No TSSA member shall be eligible to become a candidate for election to the Executive Committee unless they have been a TSSA member for at least two years on the date of close of nominations. 49(n)

No TSSA member shall be eligible to become a candidate for election to the offices of President or Treasurer unless they have been a TSSA member for at least three years on the date of close of nominations. 49

Members whose subscriptions are twelve weeks or more in arrears, Retired members, Members whose subscriptions are twelve weeks or more in arrears Superannuated members, Special Rate Retired members, Honorary members, Student members, TSSA employees and overseas members (except members employed and resident in Ireland or the Channel Isles) shall not be eligible for nomination to the offices of President or Treasurer or to the Executive Committee. 49

If a member would reach normal retirement age (in accordance with the customary employment practices of the member's employers), before the expiry of the full term of the vacancy or office which is the subject of election under this Rule, that member shall also be ineligible for nomination. 49

Members not Eligible to Vote 49

(o) If, on the date the ballot packs are sent out, a member is: 49(o)

(1) an Honorary member or Special Rate Retired member or Student member, as defined in Guidance Note 1 49(o)(1)

(2) a member whose subscriptions are twelve weeks or more in arrears	49(o)(2)
that member shall not be eligible to vote in elections for the offices of President or Treasurer or for Executive Committee representatives.	49(o)
<i>Transitional provisions</i>	49(p)
(p) Whilst this Rule 9.2(p) has effect, the Executive Committee may include members from the following former electoral districts: Lancs & Cumbria, Yorkshire, Northumberland & Durham, London South West, Liverpool North Wales & Cheshire, South Wales & Western and London South East.	49(p)
Rule 9.2(l) shall not apply to casual vacancies in respect of any Executive Committee member(s) in the former electoral districts.	49(p)
This Rule 9.2(p) shall cease to have effect in relation to South Wales & Western and Liverpool North Wales & Cheshire upon the announcement of the results of the Executive Committee elections in 2015; and in relation to other former electoral districts upon the announcement of the results of the Executive Committee elections in 2014.	49(p)
9.3 PRESIDENT and TREASURER	
9.3.1 PRESIDENT	7
The President shall have the right to preside at any Delegate Conference and Executive Meetings, and any Special Meeting called by the Executive Committee.	7
In the President's absence from a Delegate Conference or an Executive Meeting a Chair shall be elected from the members present and if the President is unable to attend any Special Meeting called by the Executive Committee the members of the Committee present at such meeting shall have the right to appoint a Chair.	7
See also Rule 9.1(b) and Rule 9.2 for more information about the President, and how the President is elected.	7
9.3.2 TREASURER	8
The Treasurer shall present, as required, the Executive Committee's Report, and Accounts and Balance Sheet at the Annual Delegate Conference, and make a statement on TSSA's financial position. The Treasurer shall present Financial Statements as required to the Executive Committee and Annual Delegate Conference.	8
See also Rule 9.1(b) and Rule 9.2 for more information about the Treasurer, and how the Treasurer is elected.	8

9.4 TSSA FUNDS

9.4.1 TRUSTEES

11

(a) There shall be two Trustees of TSSA who shall be members of TSSA and shall be appointed by Annual Delegate Conference every three years in the manner set out in Rule 11.4 (Conference Elections). 11(a)

In case of a vacancy occurring, another Trustee shall be appointed by the Executive Committee to hold office until the next Annual Delegate Conference. At the next Annual Delegate Conference there shall be an election to appoint a Trustee for the period remaining until the expiry of the term for which the previous Trustee had been elected. The election shall be held in accordance with the timetable in Rule 11.4 unless there is insufficient time in which event the Executive Committee shall determine an appropriate timetable to secure an election at the Annual Delegate Conference or as soon as possible after that, and in that event the appointed Executive Committee representative shall remain as Trustee until the election takes place. 11

(b) The Trustees shall invest (as nominee if appropriate) TSSA funds in such manner as the Executive Committee may direct, within the provisions of Rules 2.1(c), (d), (e) and (f). 11(b)

9.4.2 AUDITORS

12

TSSA's general accounts shall be audited annually in accordance with statutory requirements by Auditors who from the financial year beginning 1 January 2001 shall be appointed by the Executive Committee subject to approval by the Annual Delegate Conference. 12

The Auditors may also be required to make such interim audits as may be determined by the Executive Committee, which shall arrange their terms of remuneration. 12

All books and documents necessary for audit purposes shall be produced to the Auditors at Head Office when required. In the event of the Auditors being unable or unwilling to act for any reason the Executive Committee shall have power to engage successors to act until the next Annual Conference. 12

9.4.3 APPOINTMENT OF AUDITORS

6(i)

The Executive Committee may appoint special Auditors to examine at any time any Accounts relating to TSSA' funds. It shall issue a Balance Sheet annually, not later than 31 March. It shall also manage any Benevolent or Provident Funds. 6(i)

9.4.4 PROVIDENT BENEFIT FUND AND BENEVOLENT FUND	38
<i>Provident Benefit Fund</i>	<i>38</i>
(a) TSSA operates a Provident Benefit Fund. The Executive Committee may decide what part of TSSA’s investment returns, as defined in Rule 9.4.4(c), shall be paid into the Fund.	38(a)
This Fund shall be used solely for the purpose of providing provident benefits.	38(a)
<i>Benevolent Fund</i>	<i>38</i>
(b) TSSA operates a Benevolent Fund into which shall be paid any donation for Benevolent purposes.	38(b)
The Executive Committee may make payments to this Fund from the TSSA General Fund, whenever they think fit.	38
Grants may be made from the Benevolent Fund by the Executive Committee in cases of exceptional distress not covered by other Rules and the Benevolent Fund may be drawn upon whenever the Executive Committee deems necessary for the provision of provident benefits.	38
<i>Definition of Provident Benefits</i>	<i>38</i>
(c) In this Rule the expression ‘Provident Benefits’ shall mean such provident benefits, within the meaning of Section 982 (2) of the Corporation Tax Act 2010 (or any statutory modification or re-enactment of that Act), as are provided for by these Rules and the expression ‘investment returns’ shall include any chargeable gains, and income from: interest and dividends on stocks, shares, debentures and investments of a like nature, mortgages and bank deposits and net rents from freehold or leasehold property of TSSA.	38(c)
9.4.5 LEVIES	56
The Executive Committee may make a levy upon the members for any special purpose which, in the opinion of the Executive Committee, is vital to the welfare of TSSA, or where they consider TSSA funds insufficient to meet liabilities.	56
This means that members may be asked to make a special payment to TSSA.	56
Any member not making a payment when asked under this Rule shall cease to have any financial claim on TSSA until the payment is made.	56
If the payment is not paid within twenty-six weeks from the date of asking, membership in TSSA shall cease.	56

Commission to Branch Secretaries and Organisers shall not be paid upon any amounts paid under this Rule, nor shall any part of any such payment be retained by any Branch. 56

9.4.6 DONATIONS TO OTHER UNIONS AND ORGANISATIONS 57

The Executive Committee may at its discretion make donations in response to appeals from Trades Unions and other organisations. 57

If appeals are made to Divisional Councils, SOGs or Branches, they may at their discretion grant sums up to but not exceeding £50 to any local Trades Union affiliated to the TUC or to other local organisations to which TSSA is affiliated. No other payments, including donations in response to national appeals, shall be made without the permission of the Executive Committee. 57

9.4.7 INSPECTION OF BOOKS 58

The books concerning TSSA as a whole shall be kept at Head Office. 58

The books shall, subject to TSSA's legal obligations and in particular the requirements of the Data Protection Act, contain a list of the names of all the members of TSSA. 58

The books shall, subject to TSSA's legal obligations and in particular the requirements of the Data Protection Act, be open at all reasonable times to inspection by every member or person having an interest in TSSA funds. 58

10 ANNUAL and SPECIAL DELEGATE CONFERENCES

10.1 ANNUAL DELEGATE CONFERENCE 42

(a) The Executive Committee shall annually arrange a Conference of Delegates to be held in the month of May or June, in a town chosen by the Executive Committee. Each Self Organised Group (SOG) may be represented by one delegate. 42(a)

(b) The Conference shall be TSSA's supreme authority, and its decisions (which shall remain in force until rescinded) shall be binding on all members and officials. 42(c)

Branch Representation at Conference 42

(c) Branches outside of Ireland may be represented on the basis of not more than one Delegate for each 200 members or fraction of 200, but no Branch may send more than two Delegates. 42

Gender Balance in Representation 42

(d) Where a Branch may be represented at the Annual Delegate Conference by two delegates and sends two delegates, at least one of those delegates must be a woman, if a

woman indicates a willingness to attend Conference at the Branch meeting at which the delegation is determined. 42(b)

If no woman Branch member indicates a willingness to be nominated then both delegates may be men. 42(b)

Where a Branch may be represented at the Annual Delegate Conference by two delegates, but sends only one delegate, that delegate may be either a man or a woman. 42(b)

Issue of Credentials 42

(e) When issuing credentials and voting cards the General Secretary shall take into account Branches' net membership as at the end of the financial period closest to 31 March. 42(d)

If, twenty eight days before the commencement of any Delegate Conference, a Branch has two or more financial returns outstanding, no Delegate credentials and/or expenses shall be issued to delegate from that Branch. 42(d)

Qualifications for Delegates 42

(f) A Delegate must be a TSSA member, clear on the books, and elected at a Branch Meeting or at a meeting of the Irish Committee. Except in Ireland previous notice of that election must have been given to Branch members. Each SOG delegate must be a TSSA member, clear on the books, and elected according to the SOG's own arrangements. Previous notice of that election must have been given to all of the SOG's members. 42(e)

Representation by Divisional Councils 42

(g) Wherever possible, Branches should be represented by delegations elected from their own membership. However, where a Branch has a motion(s) or amendment(s) and is unable to supply a delegate the Branch can be represented by a delegate from a Divisional Council. 42(f)

Voting 42

(h) A Delegate shall have one vote only, except when a vote by card is demanded by not less than ten Delegates. 42(g)

For the purpose of voting by card, a Delegate from each Branch shall be provided with a card bearing a figure representing the number of votes to which the Delegate is entitled, being one for every complete 25 members represented. 42(g)

Delegates representing less than 25 members shall be entitled to one vote as shall each SOG Delegate, and a card shall be provided to such Delegates accordingly. 42(g)

When voting is by card the Voting Clerks shall reckon each vote equal to 25. See Rule 11.4 for ballot voting in Conference Elections. 42(g)

Delegates' Expenses 42

(i) All proper and authorised expenses incurred by Delegates attending Annual or Special Conferences shall be paid out of TSSA's Central Fund. 42(h)

Chair 42(i)

(j) The President shall be Chair of the Conference and have a casting vote. In the President's absence the Conference shall elect its own Chair. 42(i)

Delegates' Details 42(j)

(k) The Delegates names and addresses shall be sent to Head Office not later than twenty-one days prior to the Conference. 42(j)

Resolutions – Timing and Repeat Resolutions 42(k)

(l) Resolutions for the Annual Conference (not exceeding two from any one Branch, except in Rule alteration years, when two additional motions for changing the Rules may be submitted), must reach Head Office not later than 7 January. 42(k)

When a resolution of a similar nature to one not debated in the previous year is included in the Agenda, the Standing Orders Committee shall allow an opportunity for its discussion. 42(k)

Standing Orders Committee 42

(m) A Standing Orders Committee of four members shall be elected in each year by the Annual Delegate Conference, in the manner set out in Rule 11.4, and shall act in respect of all Delegate Conferences (other than that by which they were elected) up to and including the next Annual Conference. 42(q)

Members of the Executive Committee shall not be eligible for nomination to the Standing Orders Committee during their period of office. 42(q)

No delegate to a Delegate Conference shall be permitted to be a member of the Standing Orders Committee in respect of the business of that Conference. 42(q)

Any casual vacancies in the Standing Orders Committee shall be filled from the candidates at the last election in the order of the highest number of votes received. 42(q)

No member shall serve on the Standing Orders Committee for more than a consecutive period of six years, nor shall they be eligible for re-nomination until a further period of three years has elapsed. 42(q)

All reasonable expenses in connection with the Standing Orders Committee shall be borne by TSSA's Central Fund. 42(q)

The Standing Orders Committee shall scrutinise all Resolutions and Amendments submitted for the Conference Agenda, and subject to any directions given from time to time by Conference shall co-ordinate them for final submission to the Conference. 42(q)

The Standing Orders Committee shall give special consideration to all matters of urgency referred to them, and make such recommendations regarding the same and for the conduct of Conference business as they may consider necessary. 42(q)

They may advise the suspension or modification of Rules and Regulations for the conduct of Conference. They shall examine the credentials of any Delegate which may be challenged, and shall report the result to Conference. 42(q)

Executive Committee's Report 42

(n) Questions relating to the Report shall be submitted to Head Office in writing not later than 30 April each year and the Executive Committee's replies (together with the questions themselves) shall be circulated in writing to delegates on the first day of each Annual Conference. 42(v)

Any matters arising from the circulated document shall be taken on the second day of Conference. The Report shall be sent to Branches and SOGs no later than 16 April. 42(v)

Adjournment of Conference 42

(o) A Conference may adjourn to such date, time, and place as it may decide. 42(w)

Conference to Approve Changes to Rules, Procedures, Policies 42

(p) No addition to, or change of any kind shall be made in the Rules, procedure, or policy of TSSA without the sanction of Conference being previously obtained. 42(x)

10.2 APPEALS TO ANNUAL CONFERENCE 46

(a) Any member dissatisfied with a Branch decision may refer the subject in dispute to the Executive Committee, from whose decision appeal can be made to the next Annual Delegate Conference. 46(a)

A Branch may also appeal to the Conference about any dispute with the Executive Committee. See also Rule 3 (Rules) and Rule 9.2(h) (Executive Committee). 46(a)

Notice of appeal must reach the Head Office two months before the Conference assembles. 46(a)

(b) Involved parties shall provide in writing details of any appeal and those details shall be made available to Branches and Annual Conference Delegates at the same time as the final Conference Agenda. 46(b)

(c) The Standing Orders Committee shall make provision in Annual Conference order of business for hearing any appeal during Annual Conference. 46(c)

(d) An appeal hearing will be decided by the same methods as in voting arrangements in Conference Regulations by Annual Conference immediately following the right of reply. 46(d)

10.3 SPECIAL DELEGATE CONFERENCES 45

A Special Delegate Conference may be called by the Executive Committee in an emergency, or at the request of twenty Branches. 45

It shall only deal with the business for which it is called. 45

The Branches and SOGs shall receive fourteen days' notice of Special Delegate Conferences, and the Delegates' names and addresses must be sent to Head Office four days before the Conference assembles. 45

Qualifications and other requirements for delegates shall otherwise be as in Rule 10.1 (Annual Delegate Conference). 45

11 ELECTIONS, DELEGATIONS, ETC

11.1 TSSA SCUTINEERS 42

(a) Two members shall be elected as TSSA's Scrutineers. 42(p)

Election of Scrutineers 42

(b) The Scrutineers shall be elected in accordance with Rule 11.4 (Conference Elections). 42(p)

Two nominees of the Executive Committee shall examine nominations and supervise vote counting in connection with the election of the Scrutineers. 42(p)

No member shall serve as a Scrutineer for more than a consecutive period of six years nor shall they be eligible for re-nomination until a further period of three years has elapsed. This paragraph will apply with effect from the election of Scrutineers for the year 2005. 42(p)

Duties of Scrutineers 42

- (c) It shall be the duty of TSSA's Scrutineers: 42
- (1) to examine all nominations in respect of elections for President, Treasurer, Executive Committee, General Secretary, Trustees, Standing Orders Committee, and Delegates to the Trades Union Congress and similar bodies 42(p)(1)
 - (2) to be present at the office of the Independent Scrutineer, to observe and witness the counting of the votes in connection with the election for President, Treasurer, Executive Committee and General Secretary 42(p)(2)
 - (3) to supervise the opening of the specially provided envelopes containing the voting papers and to supervise the counting of the votes in connection with Branch ballots for the election for Trustees, Standing Orders Committee and Delegates to the Trades Union Congress and similar bodies (the counting to be done at Head Office by such staff as the General Secretary may allocate for the purpose). 42(p)(3)

The Branch vote counting, under the supervision of TSSA's Scrutineers, will be completed in time for the results to be announced to the next succeeding Annual Conference, except that the result of elections for President, Treasurer, Executive Committee and General Secretary conducted by the Independent Scrutineer will be announced immediately following the completion of vote counting. 42(p)

The Scrutineers shall report to the Executive Committee any mistakes, omissions, breaches of Rule or other matters of a non trivial nature arising out of the performance by them of their above mentioned duties. 42(p)

The Scrutineers may make a report to the Executive Committee of any other matters so arising. 42(p)

The Scrutineers may include recommendations with any such reports. 42(p)

Conflicts of Scrutineers 42

(d) If one or both of the Scrutineers are nominated in any of the elections for which they have responsibility as described in this Rule, their responsibilities in connection with that election or those elections shall be undertaken by nominee(s) of the Executive Committee.

42

11.2 DELEGATIONS 44

TUC Delegations 44

(a) TSSA's Delegation to the Trades Union Congress shall comprise the President and General Secretary, and such number of elected Delegates as may be required. 44(a)

Labour Party Delegations 44

(b) TSSA's Delegation to the Labour Party Conference, if TSSA is affiliated in the year concerned, shall comprise the President and General Secretary, if individual members of the Labour Party, and such number of elected Delegates as may be required. 44(a)

Attendance of Paid Officials 44

(c) Not more than one paid official of TSSA in addition to the General Secretary shall act as Delegate to the Trades Union Congress or Labour Party Conference, if TSSA is affiliated in the year concerned. 44(b)

Restriction on Consecutive Attendance's 44

(d) In respect of any Annual Conference of the Trades Union Congress, the Labour Party or the like, a member who has attended three consecutive Annual Conferences of such an organisation as a TSSA Delegate shall not be eligible for election to TSSA's Delegation to that organisation's Annual Conference until a period of three years has elapsed since that member's last attendance as a TSSA Delegate to that organisation's Annual Conference, except as allowed in Rule 11.2(f). 44(c)

Special Conditions for Election of Delegates 44

(e) Elections to Delegations of the Association to the Trades Union Congress, Labour Party Annual Conference and similar Labour Party and TUC bodies shall be subject, unless there is an external requirement to the contrary, to the following conditions: 44(d)

(1) the number of women in a delegation shall be at least in proportion to the number of women in TSSA as a whole, excluding members in the Republic of Ireland and Northern Ireland 44(d)(1)

(2) for Labour Party delegations, the number of women in the delegation shall be at least in proportion to the number of women in TSSA as a whole who pay towards the Political Fund, excluding members in the Republic of Ireland and Northern Ireland 44(d)(2)

(3) The membership for the purposes of this Rule shall be calculated as at 1 January in the year in which the election takes place 44(d)(3)

(4) Where the relevant proportion is not a whole number, the figures shall be adjusted to the nearest whole numbers 44(d)(4)

(5) For the purposes of this Rule, the composition of the delegation as a whole shall be considered, including the persons automatically included in the delegation by this Rule but not so as to disqualify such a person from the delegation. 44(d)(5)

(f) If at 31 December a TSSA member is serving as a member of, or has by resolution of the Executive Committee been selected as a nominee to, the General Council of the Trades

Union Congress, or any of the TUC Equality Committees, or of the National Executive Committee of the Labour Party, that member shall be eligible for election to TSSA's Delegation to that organisation's Annual Conference. 44(e)

Attendance at the Trades Union Congress or the Labour Party Conference as a member of TSSA's Delegation while a member of the General Council, one of the TUC Equality Committees or of the National Executive Committee or a nominee by resolution of the Executive Committee to such Council or Committee shall not count as a year of attendance for the purposes of calculating the number of consecutive attendances in this Rule. 44(e)

Indication to Voters of Previous Attendance Records 44

(g) When circulating Branches and SOGs to invite nominations to any TSSA delegation, the General Secretary shall indicate the names and Branches (or SOGs as the case may be) of the delegate(s) elected to the previous delegation, if any, together either with confirmation that they did attend to represent TSSA, or with the explanation given by them for not attending and any subsequent action taken by the Executive Committee. 44(f)

11.3 ELECTIONS – GENERAL RULES 47

This Rule sets out the general rules applicable in whole or part to elections under Rules 9.2, 11.4, 12.2 and 15. 47

Procedure and Important Dates 47

(a) For each election, candidates must be nominated. 47(a)

The Executive Committee will "call for nominations" by sending out a written request for nominations. 47(a)

In these Rules, the date of the call for nominations is the first working day after the written request is sent out by the Executive Committee 47(a)

There will be a closing date for submission of nominations. That date is defined as "the close of nominations". 47(a)

After close of nominations, a ballot pack will be sent out. Rules may provide for when the pack is sent out. 47(a)

A date is specified as the last date for receipt of completed ballot papers. That date is defined as "the close of voting". 47(a)

Candidate's Consent 47

(b) Each candidate must send to Head Office a written communication indicating the candidate's willingness to accept nomination in the election. 47(b)

The form of consent must reach Head Office by not later than the close of nominations. 47(b)

Candidate's Statement 47

(c) Each candidate may send to Head Office written biographical details and a personal written statement of views not longer than 200 words. They must reach Head Office by not later than the close of nominations. It shall be the personal responsibility of each candidate to meet this 47(c)

The biographical particulars shall contain nothing more than: 47(c)

(i) a list of TSSA positions (by title) held currently or in the past; 47(c)(i)

(ii) a list of current or past TSSA activities (conferences or courses attended, committee or campaigning involvement not covered by (i) and similar activities and events); 47(c)(ii)

(iii) the candidate's location, and 47(c)(iii)

(iv) length of membership 47(c)(iv)

in each case excluding material that ought properly to be included in the personal statement. 47(c)

Ballot Papers and the Ballot 47

(d) Each member entitled to vote shall be sent a ballot pack including: 47(d)

the personal statements and biographical details of all candidates, where supplied, a ballot paper and a business reply envelope endorsed 'Ballot Paper' addressed to the Independent Scrutineer at the Independent Scrutineer's office. 47(d)

The period over which the ballot shall be held shall be specified in the communication enclosing the ballot paper. 47(d)

The close of voting shall also be specified in the communication enclosing the ballot paper. 47(d)

Return of Ballot Papers and the Count 47

(e) Members must return the ballot paper enclosed in the envelope provided for this purpose direct by post to the Independent Scrutineer at the Independent Scrutineer's office by the close of voting. 47(e)

The envelope shall be opened by the Independent Scrutineer who shall conduct a count in accordance with Rule 11.1(c). 47(e)

A ballot paper shall be invalid unless enclosed in the envelope provided. 47(e)

Death and Illness of Candidates 47

(f) If any candidate for election dies or becomes seriously incapacitated, or otherwise becomes unable to take office, between the close of nominations and the close of voting, the election shall be declared null and void, and shall be held again with such fresh dates as to nominations and close of voting as the Executive Committee directs. 47(f)

If any candidate for election dies or becomes seriously incapacitated, or otherwise becomes unable to take office, after the close of voting, and before the declaration of the result, the election shall be declared null and void only if such candidate is the successful candidate, in which case the election shall be held again with such fresh dates as to nominations and close of voting as the Executive Committee directs. 47(f)

11.4 CONFERENCE ELECTIONS 50

(a) Subject to this Rule, Rule 11.3(b), Rule 11.3(c), Rule 11.3 (d) and Rule 11.3 (f) (Elections – General Rules) shall apply to the conduct of Conference Elections. 50(a)

Close of nominations for the offices of Trustees, members of the Standing Orders Committee, TSSA’s Scrutineers, and Delegates to the Trades Union Congress, Labour Party Annual Conference and similar bodies is 7 January. 50

Nominations may only be made by Branches and the Executive Committee. 50

This Rule and Rule 11.2 (Delegations) do not imply that TSSA has to send delegations to these and similar bodies but, where the Association makes the decision to send such a delegation, this Rule applies. 50

(b) A list of all valid nominees for each election shall appear in the Conference Agenda, and published on the TSSA website indicating the Branch of each Candidate. 50(b)

(c) The elections shall be by ballot on voting papers, which shall contain a list of the valid nominees for each election and shall indicate the number of vacancies to be filled for each election. 50(c)

The voting papers shall bear a figure representing the number of votes to which a Branch is entitled, at the rate of one for every complete twenty-five members. Branches with less than twenty-five members shall be entitled to one vote. The number of members taken into account for this purpose shall be based on the net membership shown on the latest returns received up to the end of February. 50

(d) In voting for Delegates to the Labour Party Annual Conference and similar Labour Party bodies, the net voting strength of each Branch shall be calculated by excluding members who, under these Rules, are exempt from payment to the Political Fund. 50(d)

(e) Voting papers shall be issued to Branches not later than 14 March and shall be completed at a Branch Meeting and returned to Head Office in specially provided envelopes by 30 April. The envelopes shall remain sealed until opened under the supervision of TSSA's Scrutineers. 50(e)

(f) The rules for the participation of SOGs in elections are set out in Rule 8.4. 50(f)

12 GENERAL SECRETARY and STAFF

12.1 GENERAL SECRETARY 5

Duties of General Secretary 5(a)

(a) There shall be a General Secretary whose duties shall be 5(a)

(1) to attend all Delegate Conferences and Executive Committee Meetings 5(a)(1)

(2) to record the business of such gatherings 5(a)(2)

(3) to act generally under the orders of the Executive Committee 5(a)(3)

The General Secretary shall be, and remain, a member of TSSA and shall have the right to speak but not vote on any business at Conference and Executive Committee Meetings. 5(a)

End of General Secretary's Office 5(b)

(b) The General Secretary shall hold office until attaining the normal retirement age for full-time staff unless dismissed from office by the Executive Committee under the provisions of **Rule 9(g)** and shall receive such remuneration as the Executive Committee shall decide. The General Secretary shall give 3 months' notice of resignation. The General Secretary shall receive 3 months notice or pay in lieu of notice if dismissed. 5(b)

12.2 ELECTION OF GENERAL SECRETARY 48

(a) If the General Secretary's position becomes or is due to become vacant, the Executive Committee shall order an election, specifying the dates of the call for nominations and close of nominations. 48(a)

Nominations by Branches 48

(b) Each Branch shall have the right to nominate one candidate from within TSSA's membership. 48(b)

Election Procedures 48

(c) A candidate shall only be eligible to stand for the position of General Secretary if that candidate receives 5 or more nominations, including at least 2 nominations from Branches in different Divisional Council areas. A candidate satisfying the conditions in this Rule 12.2(c) shall be referred to as a Qualifying Candidate. 48(c)

(d) If there is more than one Qualifying Candidate. There shall be an individual vote of members. Each member shall have one vote. The qualifying candidate obtaining the highest number of votes shall be declared elected and shall take up office from the date the vacancy exists or immediately if the vacancy already exists. 48(d)

(e) Subject to this Rule, Rule 11.3 shall apply to the conduct of the election and: 48(e)

(1) the period between the call for nominations and the close of nominations shall not exceed six weeks and 48(e)(1)

(2) ballot packs under Rule 11.3(e) shall be sent out within six weeks of the close of nominations and 48(e)(2)

(3) the period over which the ballot is held shall not exceed four weeks, and 48(e)(3)

(4) All references in Rule 11.3 to candidates shall be read as references to Qualifying Candidates 48(e)(4)

Members not Eligible to be Nominated 48

(f) The following members shall not be eligible to be nominated in the election for General Secretary: 48(e) NB Rule 48 has two (e)

(1) members who have less than three years' membership on the date of close of nominations 48(e)(1)

(2) members who by reason of age would not be able to serve at least two years from the date of taking office before attaining the normal retirement age for full-time staff 48(e)(2)

(3) Retired members and Superannuated members, as defined in Guidance Note 1 48(e)(3)

Members not Eligible to be Nominated and/or to Vote 48

(g) If, on the date the ballot packs are sent out, a member is: 48(f)

(1) an Honorary member or Special Rate Retired member or Student member, as defined in Guidance Note 1 48(f)(1)

(2) a member whose subscriptions are twelve weeks or more in arrears 48(f)(2)

that member shall not be eligible to be nominated and/or to vote in the election for General Secretary. 48

12.3 TSSA STAFF 13

The Executive Committee following advertisement may appoint such permanent or temporary staff as it considers necessary for TSSA's efficient running, administration and organisation. They shall have the power to delegate the appointment of staff to the General Secretary. All staff appointed shall be employed under the appropriate terms and conditions of employment as determined by the Executive Committee and shall be under the control of the General Secretary. 13

13 INDUSTRIAL ACTION

13.1 STRIKE ACTION 39

In contemplation or furtherance of a trade dispute the Executive Committee may sanction or order a strike of all or some TSSA members from their employment and may organise, direct, control and support such a strike. 39

The Executive Committee may cancel or terminate a strike duly sanctioned or ordered and order the members to resume their employment. 39

No Branch, individual member (whether or not a TSSA Official or Officer), or group of Branches or individual members shall have the power to sanction or order a strike. 39

The Executive Committee shall, before sanctioning or ordering any strike action, conduct a secret ballot of all members who may be called upon to take strike action. 39

In no circumstances will the Executive Committee sanction or authorise strike action unless there has been majority support for such action amongst those voting. 39

All authorised action shall be conducted under the supervision of the General Secretary, and all expenses reasonably incurred in connection with authorised action shall be paid out of the Central Fund. 39

13.2 OTHER INDUSTRIAL ACTION 40

In contemplation or furtherance of a trade dispute, the Executive Committee may sanction or order industrial action other than strike action by all or some of the members and shall have power to organise, direct, control and support such action. 40

The Executive Committee may cancel or terminate the action sanctioned or ordered. 40

No Branch, individual member (whether or not an official or Officer of TSSA) or group of Branches or individual members shall have power to sanction or order industrial action. 40

The Executive Committee shall, before sanctioning or ordering industrial action under this Rule, conduct a secret ballot of all the members who may be called upon to take such action. 40

In no circumstances will the Executive Committee sanction or authorise action under this Rule unless there has been majority support for such action amongst those voting. 40

All authorised action shall be conducted under the supervision of the General Secretary, and all expenses reasonably incurred in connection with authorised action shall be paid out of the Central Fund. 40

14 POLITICAL FUND (EXCEPT NORTHERN IRELAND MEMBERS) 51

(1) The objects of the Transport Salaried Staffs' Association shall include the furtherance of the political objects to which Section 72 of the Trade Union and Labour Relations (Consolidation) Act 1992 (as amended) applies, that is to say the expenditure of money:-

51(1)

(a) on any contribution to the funds of, or on the payment of any expenses incurred directly or indirectly by a political party; 51(a)

(b) on the provision of any service or property for use by or on behalf of any political party; 51(b)

(c) in connection with: the registration of electors; the candidature of any person; the selection of any candidate; or the holding of any ballot by the union in connection with any election to a political office; 51(c)

(d) on the maintenance of any holder of a political office; 51(d)

(e) on the holding of any conference or meeting by or on behalf of a political party; or of any other meeting the main purpose of which is the transaction of business in connection with a political party; 51(e)

(f) on the production, publication or distribution of any literature, document, film, sound recording or advertisement the main purpose of which is to persuade people to vote for a political party or candidate or to persuade them not to vote for a political party or candidate. 51(f)

Where a person attends a conference or meeting as a delegate or otherwise as a participator in the proceedings, any expenditure incurred in connection with their attendance as such shall, for the purposes of Rule 14(e), be taken to be expenditure incurred on the holding of the conference or meeting. 51

In determining, for the purposes of paragraph (a) to (f) above, whether the Association has incurred expenditure of a kind mentioned in those paragraphs no account shall be taken of the ordinary administrative expenses of the Association. 51

In this Rule 51

“candidate” means a candidate for election to a political office and includes a prospective candidate 51

“contribution”, in relation to the funds of a political party, includes any fee payable for affiliation to, or membership of, the party and any loan made to the party 51

“electors” means electors at any election to a political office 51

“film” includes any record, however made, of a sequence of visual images, which is capable of being used as a means of showing that sequence as a moving picture 51

“local authority” means a local authority within the meaning of Section 270 of the Local Government Act 1972 or Section 235 of the Local Government (Scotland) Act 1973 and

“political office” means the office of member of Parliament, member of the European Parliament or member of a local authority or any position within a political party. 51

(2) Any payments in the furtherance of such political objects shall be made out of a separate fund of the Association (“the Political Fund”). No such payment shall be made unless the person concerned is a candidate, prospective candidate, member of Parliament or holder of a political office and an individual member of the Labour Party or the purpose for which the payment is made is in support of Labour Party policy. 51(2)

(3) As soon as is practicable after the passing of a resolution approving the furtherance of such political objects as an object of the Association the Executive Committee shall ensure that a notice in the form set out in Guidance Note 7.3 is given to all members of the Association in accordance with this Rule. 51(3)

The notice shall be published to members by such methods as are customarily used by the Association to publish notices of importance to members and shall include the following minimum requirements: 51

- (i) The notice shall be published in the Association’s main journal which is circulated to members on at least three occasions in the first year after the ballot; 51(3)(i)
- (ii) The notice shall be published in the Association’s main journal which is circulated to members on at least three occasions in the first year after the ballot; 51(3)(ii)
- (iii) The notice shall be published in the Association’s main journal which is circulated to members on at least three occasions in the first year after the ballot; 51(3)(iii)

(4) Any member of the Association may at any time give notice on the form of exemption notice specified in Guidance Note 7.4 or by a written request in a form to the like effect, that he or she objects to contributing to the political fund. A form of exemption notice may be obtained by, or on behalf of, any member, either by application to, or by post from, the head office or any divisional office of the Association or from the Certification Office for Trade Unions and Employers' Associations, 22nd Floor, Euston Tower, Euston Road, London, NW1 3JJ. 51(4)

(5) The form of exemption notice shall be as set out in Guidance Note 7.4. 51(5)

(6) Any member may obtain exemption by sending such notice to the secretary of the branch to which the member belongs. On receiving it, the secretary shall send an acknowledgement of its receipt to the member at the address in the notice, and shall inform the General Secretary of the name and address of that member. 51(6)

On giving such notice, a member shall be exempt, so long as his or her notice is not withdrawn, from contributing to the political fund of the Association as from either: 51(7)

(a) the first day of January next after notice by the member is given or 51(7)(a)

(b) in the case of a notice given within one month after the notice given to members under Rule 14(3) or after the date on which a new member admitted to the Association is supplied with a copy of these rules under Rule 14(13), as from the date on which the member's notice is given. 51(7)(b)

(8) The Executive Committee shall give effect to the exemption of members to contribute to the political fund of the Association by relieving any members who are exempt from the payment as part of any periodical contributions required from the members of the Association towards the expenses of the Association as set out below. Such relief shall be given as far as possible to all members who are exempt on the occasion of the same periodical payment. 51(8)

To enable each member of the Association to know, in respect of any such periodical contribution, what portion, if any, of the sum payable is a contribution to the Political Fund of the Association, it is hereby provided that 3.5% of the relevant periodical contribution rate for the time being is contributed to the Political Fund of the Association, and that any member who is exempt shall be relieved from payment of the portion and shall pay the remainder of such contribution only. 51(8)

Exempt members paying to the union the relevant periodical contribution by paybill deduction shall be repaid by the union an amount equivalent to the contribution to the Political Fund. This sum shall be paid by the union to the exempt member no later than the day upon which the relevant periodical contribution is deducted and normally by a single annual payment made no later than the day upon which the first of any relevant periodical payment in any year is deducted. 51(8)

(9) A member who is exempt from the obligation to contribute to the political fund of the Association shall not be excluded from any benefits of the Association or placed in any respect either directly or indirectly under any disability or disadvantage as compared with other members of the Association (except in relation to the control or management of the political fund) by reason of his/her being so exempt. 51(9)

(10) Contribution to the political fund of the Association shall not be made a condition for admission to the Association. 51(10)

(11) If any member alleges that he or she is aggrieved by a breach of any of these rules for the political fund (being a rule or rules made pursuant to Section 82 of the Act), he/she may complain to the Certification Officer, and the Certification Officer, after giving the complainant and any representative of the Association an opportunity of being heard, may, if he considers that such a breach has been committed, make such order for remedying the breach as he thinks just in the circumstances. 51(11)

Any such order of the Certification Officer may, subject to the right of appeal provided by Section 95 of the Act, be enforced in the manner provided for in Section 82(4) of the Act. 51(11)

(12) Any member may withdraw his or her notice of exemption on notifying his or her desire to that effect to the secretary of his or her branch who shall on receiving it send the member an acknowledgement of receipt of the notification and inform the General Secretary of the name and address of that member. 51(12)

(13) The Executive Committee shall ensure that a copy of these rules is available free of charge, to any member of the Association who requests a copy. 51(13)

(14) The Executive Committee shall also send to the secretary of each branch sufficient copies of these rules for distribution to each member. 51(14)

(15) The secretary of each branch shall, so far as possible secure that each member of that branch receives a copy of the rules. 51(15)

(16) The secretary of each branch shall supply a copy of these rules free of charge to each member who requests a copy. 51(16)

(17) A copy of the rules shall also be supplied to the secretary of each branch to every new member on his or her admission to the Association. 51(17)

(18) The Executive Committee may pay to any branch making application an amount or amounts not exceeding one half of 1% (0.5%) of the annual value of the subscription rate for the time being per member of the sum allocated to the political fund from the subscription paid by members of such branch, providing that acceptable assurances are given that the

money will be spent locally on political objects which are in harmony with the national policy of the Association. Branches will be advised as soon as practicable at the beginning of each year as to the amount standing to their credit in the fund. 51(18)

15 IRELAND

15.1 IRISH COMMITTEE

9

(a) TSSA shall have an Irish Committee and an Irish Biennial Conference whose powers shall be limited to making decisions on matters of an industrial or political nature which 9

(1) arise out of and are in connection with the economic or political conditions of the Republic of Ireland or Northern Ireland and 9(a)(1)

(2) are of direct concern to TSSA members resident in the Republic of Ireland or Northern Ireland and 9(a)(2)

(3) do not affect members not so resident. 9(a)(3)

(b) The Irish Committee and the Irish Biennial Conference shall not expend any TSSA funds except to the extent that they are authorised to do so by the Executive Committee. 9(b)

(c) The Irish Committee shall be chaired by the Executive Committee member for Ireland and shall, from amongst its delegates, elect a Secretary each year. It shall be the responsibility of the Secretary to call at least three meetings of the Committee each year. The President and General Secretary shall have the right to attend meetings of the Irish Committee and to speak on any business at meetings of the Irish Committee but shall have no vote at the Irish Committee. Branches within Ireland may be represented at these meetings according to Branch membership on the following basis: 9(c)

Up to 400 members 4 delegates 9(c)

401 – 700 members 5 delegates 9(c)

701 – 1,000 members 6 delegates 9(c)

One additional delegate for each 500 members beyond 1,000. 9(c)

Elected workplace representatives shall be entitled by reason of their office and without further election to attend these meetings, and to speak and vote on all matters at such meetings as if they were delegates. 9(c)

Delegates (and replacements in the event of casual vacancies) shall be subject to elections by Branches every 12 months, and may attend, speak, and vote at all Irish Committee meetings called during the following year. 9(c)

The objects of these meetings shall be to: 9(c)

- (a) organise members in Ireland and see that Branches are kept in an efficient condition; 9(c)(a)
 - (b) campaign in support of TSSA policy on such issues as transport and employment both among members and the wider public within Ireland; 9(c)(b)
 - (c) assist in facilitating the organising work, the Irish Committee may appoint local or area sub-committees; 9(c)(c)
 - (d) consider and agree motions/amendments to be submitted to Annual Conference; and 9(c)(d)
 - (e) elect delegates to attend Annual Conference. 9(c)(e)
- The quorum for such meetings shall be seven. 9(c)

Annual Conference Motions/Amendments in Ireland 9

(d) Each Branch is entitled to submit up to two Resolutions and up to two amendments to the Irish Committee Secretary for the Irish Committee to consider for submission to Annual Conference on behalf of Ireland. 9

Ireland may submit two Resolutions and two Amendments for each 400 members or fraction of 400 members in Ireland, except in Rule Alteration years, when two additional Resolutions for changing the Rules and two additional Amendments related to Resolutions for changing the Rules may be submitted for each 400 members or fraction of 400 members. 9

Resolutions must reach Head Office not later than 7 January. Amendments must reach Head Office not later than 7 March or they cannot be discussed unless the Conference allows. 9

For the purposes of this rule, membership shall be reckoned as at 30 November of the year prior to the Conference. 9

Annual Conference Delegation Candidates for Ireland 9

(e) Each Branch is entitled to nominate up to two candidates to be elected as delegates from Ireland for Annual Conference. Elected delegates to the Irish Committee meeting shall also be entitled to stand as candidates for election as delegates from Ireland for Annual Conference. 9(1)

Ireland will be represented at Conference on the basis of one Delegate for each 400 members or fraction of 400 members in Ireland. At least one member of the delegation must be a woman except that if no woman delegate indicates a willingness to be

nominated, all the delegation may be men. Furthermore, they will be allowed one additional Delegate under the age of 26. 9(2)

Funding the Irish Committee 9

(f) For the purpose of meeting expenses incurred by, or on behalf of, the Irish Committee, there shall be paid from the Central Fund the equivalent of 45p per annum for each member in Ireland. 9

The Irish Committee may accumulate a balance of up to the equivalent of £200 at the year-end. If that balance exceeds the equivalent of £200, the payments from Central Fund during the next year shall be reduced by the amount of the excess. 9

The Irish Committee shall issue a Balance Sheet by 31 January for the preceding year, and this Balance Sheet shall be embodied in TSSA's Annual Accounts. 9

Effect on other Rules 9

(g) Save in Rule 7, references in these Rules to a Divisional Council or Divisional Officer shall be construed in relation to Ireland as references to the Irish Committee or the Irish Committee Secretary respectively. 9

Rule 10.1(l) and Guidance Note 6 (in relation to Amendments – Timing) shall not apply to Ireland. 9

15.2 IRISH BIENNIAL CONFERENCE 43

(a) The Irish Committee shall summon a Biennial Irish Conference to be held in the month of October or November every second year commencing in 1996. 43(a)

Delegates to the Irish Conference 43

(b) Delegations to the Conference shall be from Branches in the Republic of Ireland and Northern Ireland determined on the same basis as applies to TSSA's Annual Conference (See Rules 10 (a) and (c). 43(b)

Other Attendees to the Irish Conference 43

(c) The Irish Committee and the Irish Executive Committee Member shall attend the Conference by reason of their office and without further election. 43(c)

The Conference shall be chaired by the President of TSSA or, if the President cannot attend, the President's nominee. The General Secretary shall attend the Conference and shall have the right to speak on any business at the Conference but shall have no vote at the Conference. If the General Secretary cannot attend the General Secretary will nominate a deputy. 43

Submission of Resolutions 43

(d) Each Branch in Ireland may submit three resolutions for the Irish Conference and three amendments to Preliminary Agenda items. 43(d)

The Irish Committee may propose motions in the Preliminary Agenda of the Irish Conference but may not amend motions. The Irish Committee may composite motions of a similar character by agreement with the Branches concerned. The Conference shall not have any power to amend TSSA's rules but may make recommendations to the Executive Committee in respect of the Constitution of the Conference and Committee. 43

By-laws 43

(e) Subject to this Rule, the Irish Committee and Irish Biennial Conference shall conduct themselves and their business in accordance with such Bye-laws as may be laid down by the Executive Committee from time to time. 43(e)

Delegates' Expenses 43

(f) All proper and authorised expenses incurred by delegates attending the Irish Biennial Conference including Irish Conferences sitting to hear appeals shall be borne by TSSA's Central Fund. 43(f)

Appeals to the Irish Conference 43

(g) Appeals by members or Branches against a decision of the Irish Committee shall lie to the Irish Conference only. 43(g)

Notice of appeal must reach the General Secretary two months before the Conference assemblies. 43

Involved parties shall provide, in writing, details of any appeal and those details shall be made available to Branches and Irish Conference Delegates at the same time as the Final Conference Agenda. 43

In the year when the Irish Biennial Conference is not due to meet, an Appeal shall still lie to the Irish Conference which shall be convened in that year solely for the purpose of dealing with any appeals which have been received by the General Secretary by 31 July in that year.

43

The delegates for this appeals conference shall comprise as many of the delegates who attended the previous Irish Biennial Conference as are available. Where such a delegate is no longer qualified to attend, the Branch may elect an alternative delegate. 43

15.3 POLITICAL FUND (NORTHERN IRELAND MEMBERS)

52

(1) Under Article 59 of the Trade Union and Labour Relations (Northern Ireland) Order 1995 no Northern Ireland member of the Association shall be required to make any contribution to the Political Fund of the Association unless he has delivered to the Head Office or some Branch office of the Association, a notice in writing, in the form set out in Appendix 7.5, of his willingness to contribute to that Fund, and has not withdrawn the notice in the manner provided in Rule 15.3(2) below. Any member of the Association who has not delivered such a notice or who, having delivered such a notice, has withdrawn it in the manner provided in Rule 15.3(2), is to be deemed for the purpose of these Rules to be a member who is exempt from obligation to contribute to the Political Fund of the Association. 52(1)

(2) If at any time a member of the Association who has delivered such a notice as is provided in Rule 15.3(1) above gives notice of withdrawal thereof, delivered as provided in Rule 15.3(1), to the Head Office or at any Branch Office of the Association, he shall be deemed to have withdrawn the notice as from the first day of January next after the delivery of the notice of withdrawal. 52(2)

(3) The notice(s) referred to in Rule 15.3(1) may be delivered personally by the member or by an authorised agent of the member, and any notice shall be deemed to have been delivered at the Head or Branch Office of the Association if it has been sent by post properly addressed to that office. 52(3)

(4) The Executive Committee shall give effect to the exemption of Northern Ireland members to contribute to the Political Fund of the Association by relieving those members who are legally exempt from the payment of part of any periodical contributions required from the members of the Association towards the expenses of the Association as provided and such relief shall be given as far as possible to all members who are exempt on the occasion of the same periodical payment. 52(4)

For the purpose of enabling each member of the Association to know, in respect of any such periodical contribution, what portion, if any, of the sum payable is a contribution to the Political Fund of the Association, it is hereby provided that 3.5% of the relevant periodical contribution rate for the time being is contributed to the Political Fund of the Association, and that any member who is exempt as aforesaid shall be relieved from the payment of the said portion and shall pay the remainder of such contribution only. 52

(5) Northern Ireland members who are statutorily exempt from the obligation to contribute to the Political Fund of the Association shall not be excluded from any benefits of the Association, or placed in any respect either directly or indirectly under any disability or disadvantage as compared with other members of the Association (except in relation to the control or management of the Political Fund) by reason of their being exempt. 52(5)

(6) Contribution to the Political Fund of the Association shall not be made a condition of admission to the Association. 52(6)

(7) If any Northern Ireland member alleges that he is aggrieved by a breach of any of the Rules made pursuant to Article 59 of the Trade Union and Labour Relations (Northern Ireland) Order 1995 he may complain to the Northern Ireland Certification Officer, 10-16 Gordon Street, Belfast BT1 2LG under Article 57(2) to (4) of that Order. 52(7)

If, after giving the complainant and a representative of the Association an opportunity to be heard, the Certification Officer considers that a breach has been committed, he may make an order for remedying it as he thinks just in the circumstances. Under Article 69 of the 1995 Order an appeal against any decision of the Certification Officer may be made to the Court of Appeal on a question of law. 52

Additionally, if any Northern Ireland member alleges that he is aggrieved by breach of the Political Fund rules made pursuant to section 82 of the Trade Union and Labour Relations (Consolidation) Act 1992 (as amended) he may complain to the GB Certification Officer at 22nd Floor, Euston Tower, Euston Road, London, NW1 3JJ+G766. If, after giving the complainant and a representative of the Association an opportunity to be heard, the Certification Officer considers that a breach has been committed, he may make an order for remedying it as he thinks just in the circumstances. Any such order of the Certification Officer is subject to the right of appeal provided for by section 82(4) of the 1992 Act. 52

15.4 STRIKE ACTION AND INDUSTRIAL ACTION (REPUBLIC OF IRELAND) 41

(a) The provisions of this Rule shall apply to the Republic of Ireland only and shall apply notwithstanding any other provision contained in these Rules. 41(a)

(b) In this Rule the terms 'strike' and 'industrial action' shall have the same meaning as in the Industrial Relations Act 1990 of the Republic of Ireland. 41(b)

(c) TSSA shall not organise, participate in, sanction or support a strike or other industrial action without a secret ballot, entitlement to vote in which shall be accorded equally to all members whom it is reasonable at the time of the ballot to believe will be called upon to engage in the strike or industrial action. 41(c)

(d) TSSA shall take reasonable steps to ensure that every member entitled to vote in the ballot votes without interference from, or constraint imposed by, TSSA or any of its members, officials or employees and, so far as is reasonably possible, that such members shall be given fair opportunity of voting. 41(d)

(e) The Irish Committee following consultation with the Executive Committee shall have full discretion in relation to organising, participating in, sanctioning or supporting a strike or

other industrial action notwithstanding that the majority of those voting in the ballot, including an aggregate ballot referred to in paragraph (f) of this Rule, favours such strike or industrial action. 41(e)

(f) The Irish Committee shall not organise, participate in, sanction or support a strike or other industrial action against the wishes of a majority of TSSA's members voting in a secret ballot, except where, in the case of a ballot by more than one trade union, an aggregate majority of all the votes cast favours such strike or other industrial action. 41(f)

(g) Where the outcome of a secret ballot conducted by TSSA or, in the case of ballots conducted by TSSA and any number of other trade unions which are affiliated to the Irish Congress of Trade Unions, an aggregate majority of all the votes cast, is in favour of supporting a strike organised by another trade union, a decision to take such supportive action shall not be implemented by TSSA without the sanction of the Irish Congress of Trade Unions. 41(g)

(h) As soon as practicable after the conduct of a secret ballot TSSA shall take reasonable steps to make known to the members of TSSA entitled to vote in the ballot 41(h)

(1) the number of ballot papers issued 41(h)(1)

(2) the number of votes cast 41(h)(2)

(3) the number of votes in favour of the proposal 41(h)(3)

(4) the number of votes against the proposal and 41(h)(4)

(5) the number of spoiled votes 41(h)(5)

(i) Nothing in this rule shall constitute an obstacle to negotiations for the settlement of a trade dispute nor the return to work by members of the union party to the trade dispute, and any decision taken in accordance with this rule to organise, participate in, sanction or support a strike or industrial action may be rescinded or amended without the necessity of a further ballot of the members concerned. 41(i)

(j) All authorised strike or other industrial action shall be conducted under the supervision of the General Secretary. 41(j)

TSSA

GUIDANCE NOTES

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GUIDANCE NOTE 1: MEMBERSHIP

1.1 TYPES OF MEMBERS

Former Rule 29

TSSA has different types of members. In the Rule Book and Guidance Notes different arrangement sometimes apply to different types of members.

29

The different types are:

29

Full rate members

29(a)

Part rate members

29(b)

Superannuated members

29(c)

Retired members

29(d)

Special Rate Retired members

29(e)

Honorary members

29(f)

Seasonal members

29(g)

Student members

29(h)

Details of the definition, qualifications, rights and privileges of each type of member are set out in full in this Guidance Note.

29

Part-time workers employed for less than twenty-six hours per week may pay subscriptions of not less than one half of the full weekly subscription rate and be entitled in proportion to benefit under the Guidance Notes except where otherwise stated (see Guidance Note 2 for Part Rate members).

31(b)

Trainees shall pay such subscriptions as the Executive Committee shall from time to time determine and such members shall be entitled to such cash benefits as shall be determined by the Executive Committee and in the absence of such determination to normal benefits in proportion to the amount of subscription paid.

31(c)

Members commencing a period of maternity leave shall be placed and remain in free membership for the period of maternity leave. Their entitlement to benefits etc. shall remain unaltered.

31(d)

Members who, being ill, are absent from qualifying employment and have ceased to draw full basic pay from their employers, shall be placed in free membership during such period

as they remain absent and in receipt of less than full basic pay. Their entitlements to benefits etc. shall remain unaltered. 31(e)

Members who qualify for Unemployment Benefit under the terms of Guidance Note 2 shall be allowed to continue their membership without payment of subscriptions or levies during the period in which they receive such benefit. 31(f)

1.2 Full Rate members Appx 1 (a)

They pay the full rate of subscription as set out in Rule 4.3.1. They are referred to in the Rule Book and Guidance Notes as “members” or “full rate members”.

Appx 1 (a)

1.3 Part Rate members Appx 1 (b)

They are part time workers employed for less than 26 hours per week who pay the subscription set out as above. They are referred to as “members” or “part rate members”.

Appx 1

1.4 Superannuated members Appx 1 (c)

They must Appx 1

(1) have retired from qualifying employment and Appx 1

(2) have had at least two years' membership at date of retirement and Appx 1

(3) not have claimed retirement benefit under Guidance Note 2 Appx 1

They are entitled to Appx 1

(1) pay a lower weekly subscription of not less than one half of the weekly subscription payable by full members Appx 1

(2) receive the higher benefits payable to full members; Appx 1

but shall not be entitled to unemployment benefit under Guidance Note 2

Appx 1

Except as is otherwise provided by these Guidance Notes, they shall be treated as members for the purposes of these Guidance Notes or for any statutory purposes. Appx 1

See section 1.7 of this Guidance Note for the eligibility of a Superannuated member to hold Branch office or be a delegate to Annual Delegates Conference Appx 1

A Superannuated member is not eligible to be nominated, but may vote, in elections for the positions of General Secretary (see Rule 12.2), President, Treasurer or Executive Committee member (see Rule 9.1) or member of the Irish Committee (Rule 15.1). Appx 1

1.5 Retired members Appx 1 (d)

They are former members of TSSA who have retired from qualifying employment but have been re-admitted into membership by the Executive Committee. Appx 1

The Executive Committee has discretion as to whether to re-admit a person as a Retired member. Appx 1

Retired members shall pay a weekly subscription of not less than one half of the weekly subscription payable by full rate members. Appx 1

They are entitled, in proportion to the actual subscription paid, to Retirement, Accident and Convalescence Benefit under these Guidance Notes but shall not be entitled to Death or Unemployment Benefit. Appx 1

If Retired membership terminates, any entitlement to benefits shall be calculated by reference to the length of membership as a Retired member up to and including the date Retired membership terminates. Appx 1

Except as is otherwise provided by the rules and Guidance Notes, retired members shall be treated as members for the purposes of these rules or for any statutory purposes. Appx 1

See section 1.7 of this Guidance Note for the eligibility of a Retired member to hold Branch office or be a delegate to Annual Delegates Conference. Appx 1

A Retired member is not eligible to be nominated, but may vote, in elections for the positions of General Secretary (see Rule 12.2, President, Treasurer or Executive Committee member (see Rule 9.1) or member of the Irish Committee (see Rule 15.1). Appx 1

1.6 Special Rate Retired members Appx 1 (e)

They are former members of TSSA who have retired from qualifying employment but have been re-admitted into membership by the Executive Committee. Appx 1

The Executive Committee has discretion as to whether to re-admit a person as a Special Rate Retired member. Appx 1

They shall pay a weekly subscription of not less than one tenth of the weekly subscription payable by full rate members. Appx 1

They shall receive no benefits from TSSA Funds. Appx 1

They shall have the right to attend Branch meetings and speak but not vote on any matters of Branch business. Appx 1

They shall not be eligible to hold office in TSSA except as Branch Auditors (BUT if such members are in a Branch solely for Retired and Superannuated members they may speak

and vote on any matters of the business of the Branch and be eligible to hold office in TSSA as an Officer, Organiser or Committee member of that Branch or delegate to Divisional Council or Annual Conference from that Branch.) Appx 1

They shall not be eligible to be elected as delegates to the Trades Union Congress, the Labour Party Annual Conference and similar national bodies. Appx 1

Reference to members in these Guidance Notes shall not include Special Rate Retired members except to the extent consistent with this Guidance Note. Appx 1

A Special Rate Retired member is not eligible to be nominated, or vote, in elections for the positions of General Secretary (see Rule 12.2), President, Treasurer or Executive Committee member (see Rule 9.1) or member of the Irish Committee (see Rule 15.1). Appx 1

1.7 Retired and Superannuated Members holding office Conf 23

Retired and Superannuated members may hold Branch office as Branch Correspondence Secretary, Branch Organising Secretary, or any combined post incorporating the function of one or both of these positions. Conf 23(a)

Retired and Superannuated members will be eligible to be delegates to Annual Delegate Conference. Conf 23(b)

See also Sections 1.5 and 1.4 of this Guidance Note for Retired Member and Superannuated Members. Conf 23

1.8 Honorary members Appx 1 (f)

They are former members of TSSA who have retired from qualifying employment but have been re-admitted into membership by the Executive Committee out of appreciation for long and valuable services rendered. Appx 1

The Executive Committee has discretion as to whether to re-admit a person as an Honorary member but will only re-admit where the relevant Branch or Branches have submitted a recommendation to that effect. Appx 1

They shall make no contributions to, or receive any benefits from, TSSA Funds. Appx 1

They shall have the right to attend Branch meetings and to speak but not vote on Branch business. Appx 1

They shall not be eligible to hold office in TSSA except as branch auditors (BUT where such members are in a branch or Self Organised Group solely for Retired and/or Superannuated members they may speak and vote on any matters of the business of that branch or Self Organised Group and be eligible to hold office as an Officer, Organiser or Committee

member of that Branch, or Self Organised Group or delegate to Divisional Council from that Branch.). Appx 1

They shall not be eligible to be elected as delegates to the Trades Union Congress, the Labour Party Annual Conference and similar national bodies. Appx 1

They may, if they wish, apply to become Retired members in accordance with the Rules and Guidance Notes and if they become Retired members and later cease to be Retired members, they shall revert to the status of Honorary members. Appx 1

Reference to members does not include Honorary members except to the extent consistent with this Note. Appx 1

An Honorary member is not eligible to be nominated, or vote, in elections for the positions of General Secretary (see Rule 12.2, President, Treasurer or Executive Committee member (see Rule 9.1 or member of the Irish Committee (see Rule 15.1). Appx 1

1.9 Seasonal members Appx 1 (g)

They are or were full members or part rate members, who have temporarily left qualifying employment. Appx 1

They shall pay no subscription. Appx 1

They shall have no rights at all within TSSA and shall not be treated as members for the purposes of any Rule, Guidance Note, or for any statutory purposes, except as provided in the Rules or Guidance Notes unless the Executive Committee decides otherwise. Appx 1

They may be transferred (on terms to be approved by the Executive Committee) to any other organisation which has a reciprocal arrangement with TSSA for such a transfer. Appx 1

When calculating benefit, the Executive Committee may add together separate periods of membership for members who at any time have been Seasonal members and who have subsequently returned to full membership. Appx 1

1.10 Student members Appx 1 (h)

They are full-time students, or have concluded a course of study and are looking for qualifying employment. Appx 1

They shall pay no subscription. Appx 1

They shall not be eligible to receive cash benefits. Appx 1

They shall have the right to attend Branch meetings and to speak but not vote on any Branch business. Appx 1

They shall not be eligible to be nominated for or to hold any office in TSSA, nor shall they be eligible to be elected as delegates to the Trades Union Congress, the Labour Party Annual Conference and similar national bodies. Appx 1

They shall be eligible to be elected as delegates to the Young Labour Conference and to the Trades Union Congress Youth Conference. Appx 1

Membership for a Student Member shall commence, despite the provisions of Section 2 below, on the date that they would first have paid a subscription had a subscription been payable. Appx 1

A Student member is not eligible to be nominated, or vote, in elections for the positions of General Secretary (see Rule 12.2), President, Treasurer or Executive Committee member (see Rule 9.1) or member of the Irish Committee (see Rule 15.1). Appx 1

2 APPLICATIONS FOR MEMBERSHIP 28

A person who qualifies under Rule 4.1 may apply to be a member of TSSA. 28

Applications must be made, by one of the methods prescribed by the Executive Committee, to any officer of TSSA or to Head Office. 28

Details of the methods of application shall be set out in the TSSA's website, and can be obtained from Head Office. 28

If an applicant has already paid any money to TSSA when the applicant is rejected, that money shall be refunded. 28

If an applicant is accepted, Membership shall be treated as having started at the beginning of the week for which the first subscription was or is paid. 28

3 ARREARS OF SUBSCRIPTIONS 32

It shall be the personal responsibility of each member to keep subscriptions up to date. 32(b)

Cash benefits payable under these Rules shall be paid only to members who: 32(c)

(1) are not suspended and 32

(2) owe no subscriptions for any period prior to the current Financial Period. (See Rule 6.2(e) for Financial Periods). 32

A person's Membership shall cease immediately if their subscriptions are twenty-six weeks in arrears, and they shall have no further claim on TSSA funds. 32(d)

A member expelled by the Executive Committee shall likewise have no claim on TSSA funds. (See also Section 4 (termination of membership), and Rule 9.4.5 (Levies)). 32

4 SPECIAL CASES, TERMINATION, DATA PROTECTION

33

The Executive Committee may make arrangements with other organisations and/or persons for special terms for: 33(a)

- (1) the transfer of members 33(1)
- (2) the admission of such persons to membership in TSSA and may authorise any Branch to accept any persons qualified for membership in TSSA who desire to transfer from any other organisations on such special terms. 33(2)

Despite anything in these Rules and Guidance Notes the Executive Committee may, on giving six weeks' notice in writing, terminate the membership of any member if necessary in order to comply with a decision of the Disputes Committee of the Trades Union Congress. In the event of membership being so terminated all monies paid to TSSA by the member concerned shall be refunded and the member shall have no claim on the funds of TSSA.

33(b)

(See also Rule 4.3.3 and Section 3 of this Guidance Note for suspension and termination of membership for arrears of subscriptions.) 33

All TSSA members, regardless of type, agree to the processing of any personal data collected and maintained by TSSA concerning them (including data relating to the fact of membership). Such processing will only be carried on in accordance with such Data Protection Procedures as are approved from time to time by the Executive Committee. 33(c)

GUIDANCE NOTE 2: BENEFITS

1 PROTECTION, UNEMPLOYMENT, LEGAL AND DISPUTES BENEFITS 34

1.1 Protection Benefits – Unfair Treatment of Members 34(a)

The Executive Committee may make payments to in accordance Rule 4.4.2. 34(a)

The procedure in such cases is as follows:- EC 34

- (1) The Member reports the matter to the Branch Secretary 34(1)
- (2) The Branch Secretary calls a meeting of the Branch Committee 34(2)
- (3) The Branch Committee investigates the matter and prepares a report 34(3)
- (4) The Branch Secretary sends the report to Head Office 34(4)
- (5) The Executive Committee considers the report and makes a decision as to what, if any, payment should be made, and whether the payment should be in a lump sum, or by instalments. 34(5)

1.2 Unemployment Benefits – Dismissal and Short Time Working 34(b)

If a member is dismissed in any ordinary way, or put on a short-time working arrangement under any emergency or exceptional circumstances, the member shall inform the Branch Secretary, who shall report the full facts to the General Secretary. 34(b)

If the General Secretary is satisfied that payments should be made, the member shall be entitled to Unemployment Benefit from TSSA for the period or periods for which no pay is received from employment and during which the member is registered as being available for full time employment. 34(b)

Payments are made as follows:

if a full-rate member 34(b)

£15.50 per week for eight weeks 34(b)

and £9.60 per week for a further six weeks 34(b)

if a part rate member 34(b)

£7.75 per week for eight weeks 34(b)

and £4.90 per week for a further six weeks 34(b)

but in either case the member must have been a TSSA member for not less than 52 consecutive weeks and be up to date with subscription payments to qualify for this Benefit.

34(b)

After receiving Unemployment Benefit for the full period allowed (14 weeks) a member shall not be eligible to receive this benefit again until completion of a further 104 weeks' continuous membership counting from the date Unemployment Benefit ceased or, in the case of a member who relinquishes membership on completing the full period of benefit but subsequently rejoins, from the date upon which the member rejoins. 34(b)

It must be proved beyond doubt that no misconduct or neglect of duty of any description caused the member to be out of employment. 34(b)

These benefits shall not be paid to a member leaving the qualifying employment voluntarily or by reason of ill-health, or to a member in receipt of Superannuation or pension allowance or ex gratia annuity, or of compensation for dismissal under any Compensation and Redundancy Arrangement, but the member may receive Retirement Benefit from TSSA in any such circumstances if qualified for the same under Section 4 Retirement Benefits. 34(b)

1.3 Exceptional Grants 34

A Grant may be made by order of the Executive Committee in case of suspension, reduction in salary, or other unfair treatment, or exceptional circumstances arising in connection with a member's employment. Such grants will be at the absolute discretion of the Executive Committee. A grant will not ordinarily be made unless membership of TSSA has continued for not less than twenty-six consecutive weeks and the member is clear on the books. The Executive Committee shall not however decline to give assistance in such a case until it has considered the recommendations (if any) of the Branch of which the applicant is a member. 34(c)

1.4 Disputes Payments 34

In the event of any members becoming involved in a dispute with their employer which results in a stoppage of their work, the Executive Committee may, at their discretion and for such period as they may decide, make weekly payments to such members of such amounts as the Executive Committee may decide, providing the action of the members concerned has been approved by the Executive Committee in an official communication through the General Secretary. 34(d)

The Executive Committee may grant to any such members who have dependent children under 16 years of age additional payments in respect of such children. The Executive Committee may also apply the provisions of this Guidance Note in the event of members becoming involved in or adversely affected by trade disputes in industries other than the one in which they are regularly employed, if such disputes result in a stoppage of their work with loss of pay. 34

2 CONVALESCENCE BENEFITS 35

This Guidance Note sets out the circumstances in which a member can receive a payment under TSSA's Convalescence Benefits scheme. 35(a)

To qualify for a payment, a member must: 35

(1) be recovering from a serious illness and 35(1)

(2) be going away from home to help their recovery 35(2)

Such a member shall be entitled to £12.75 per week if a full rate member and £10.25 per week if a part rate member, for the period of convalescence away from home. 35

To obtain a payment, the member should complete a form which can be obtained from Head Office. 35

The form must contain full details of the member's circumstances. 35

The form must be sent with a recommendation from a qualified medical practitioner to say whether and if so what period away from home would be beneficial to the member. 35

Where a professional fee is charged for a doctor's recommendation, the fee will be refunded to the member. 35

The maximum Convalescence Benefits payable in any two year period shall not exceed: 35(b)

£76.50 for full rate members 35

£61.50 for part rate members. 35

Convalescence Benefits shall not be payable unless the member has continuous membership of twenty-six weeks at the date of the doctor's recommendation. 35(c)

3 DEATH AND DISABLEMENT BENEFITS 36

(a) On the death of a member, including for this purpose Superannuated Members with over twenty years' membership, a Benefit payment of £500 may be made to the member's spouse, children, parent, parents, brother, sister, brothers, sisters or legal personal representative, or to the person nominated by the member. The Benefit payable under this paragraph will be equivalent to the Retirement Benefit accrued under Section 4 of Guidance Note 2 at the time of death where the amount of accrued Retirement Benefit is greater than £500. 36(a)

(b) If a member dies as a result of an accident whilst: 36(b)

(1) on duty or 36(1)

(2) travelling to and from duty in the course of qualifying employment or 36(2)

(3) engaged on TSSA business 36(3)

a Benefit payment of £1,000 if such member was a full rate member, or no more than £500 if a part rate member, in proportion to the actual subscriptions paid, may be paid. 36

No payment shall be made if the deceased member at the time of the accident was disqualified from benefit under Rule 4.3.3 and Section 3 (arrears of subscriptions) of Guidance Note 1, or Rule 9.4.5 (levies). Subject to that, the benefit payment shall be made at the discretion of the Executive Committee. 36

When a payment is made under this paragraph no death or disablement payment shall be made under Paragraph (a). 36

(c) The Executive Committee's decision as to the person (or persons) entitled to receive payments under this Guidance Note shall be final. 36(c)

(d) Half the sums mentioned in Paragraph (a) shall be payable to a member on the death of the member's spouse, but any such payment shall be set off against so as to reduce or extinguish the total amount which becomes payable under (a) at such member's death. 36(d)

(e) Death benefit under this Guidance Note shall only be payable if the death claim benefit form is signed by two Branch Officers and delivered to Head Office. 36(e)

(f) A member who has to leave qualifying employment as a result of disablement arising from an accident: 36(f)

(1) sustained during the performance of the member's official duties or 36(1)

(2) due to the member's employment 36(2)

and either then or at a later date terminates membership, shall be entitled to Benefit in accordance with the scale set out in Section 4, Guidance Note 2. 36

(g) Any member over sixteen years of age may nominate any person to receive any monies payable at the member's death under this Guidance Note, but must do so in writing. The nomination must be sent to the Head Office addressed to the General Secretary, who shall send a written acknowledgement. A member may revoke or vary their nomination. 36(g)

A sample form of nomination appears at Form 1, Guidance Note 7. A copy of the form set out in Form 1, Guidance Note 7 is available from Head Office. 36

4 RETIREMENT BENEFITS 37

(a) This Guidance Note sets out the circumstances in which a member can receive a payment under TSSA's retirement benefits scheme. 37(a)

Payments shall be made to full rate or part rate members who: 37

- (1) have retired from qualifying employment and 37(1)
- (2) did not retire due to a dismissal qualifying them for Unemployment Benefit and 37(2)
- (3) are no longer a member of TSSA and 37(3)
- (4) did not cease to be a member of TSSA as a result of death, or the reasons set out in Rule 4.3.3 and Section 3 (arrears of subscriptions) of Guidance Note 1, or Rule 9.4.5 (levies). 37(4)

The amount payable is based on years' membership. The table at Guidance Note 7.2 shows what payment is due to a full rate member after continuous membership of a varying number of years 37

A member paying part rate subscriptions will receive benefit at half of the above rates. 37

The scales of benefit in this section of Guidance Note 2 shall not apply retrospectively to former Members paying the full rate or part rate of subscriptions who have terminated their membership and drawn retirement benefit from their employer. 37

(b) If a claim is made under this Guidance Note by a member paying the full rate or part rate subscription whose continuous membership has been partly at the full rate and partly at the part rate subscription, the period of membership used in the above scale shall be calculated as follows: 37(b)

- (1) one month's membership shall be counted for each complete month during which the full rate subscription was paid 37(1)

- (2) One half of a month's membership shall be counted for each complete month during which the part rate subscription was paid 37(2)

- (3) nothing shall be counted for any other period of membership. 37(3)

GUIDANCE NOTE 3: BRANCHES, DIVISIONAL COUNCILS AND SOGS

1	BRANCHES	<u>Decided by</u>	
1.1	Branch Management	branch/SOG->EC	16
	<i>Branch Officers and Committee</i>	branch/SOG->EC	16
	(a) Each Branch shall have for its management a Chair, a Vice-Chair and (unless Paragraph (c) (Small Branches) below is adopted): a Financial Secretary (see Rule 6.3), a Correspondence Secretary and an Organising Secretary, who together shall form the Branch Committee.	branch/SOG->EC	16(a)
	The Committee shall be elected at the Annual Branch Meeting, held in or about the month of December (or, if necessary, at any other meeting of the Branch), to which each member shall be invited.	branch/SOG->EC	16
	Each Branch may appoint to its Branch Committee any Organiser or Staff Representative who is a member of that Branch. Casual vacancies may be filled or additional Committee members elected at an ordinary Branch meeting.	branch/SOG->EC	16
	<i>Assistant Branch Secretaries</i>	branch/SOG->EC	16
	(b) Each Branch may appoint Assistant Branch Secretaries, who shall rank as members of the Committee.	branch/SOG->EC	16(b)
	<i>Small Branches</i>	branch/SOG->EC	16
	(c) In small Branches the whole of the Secretarial duties may be undertaken by one or two members appointed for that purpose.	branch/SOG->EC	16(c)
	<i>Branch Meetings</i>	branch/SOG->EC	16
	(d) The Annual Branch meeting shall determine when the Branch will normally meet during the following year until the next Annual Branch meeting. The Branch shall hold meetings at least every quarter, and in default the Executive Committee may exercise its power under Rule 9.1(g)(4) to close the Branch.	branch/SOG->EC	16(e)
	<i>Branch Committee Meetings</i>	branch/SOG->EC	16
	(f) The Branch Committee shall determine how often it will meet. The Branch Committee shall investigate details of membership and non membership in the Branch area and of any members in arrears, and make whatever arrangements may be necessary to recruit eligible staff who are non members and to assist the Financial Secretary and Organisers in bringing accounts up to date.	branch/SOG->EC	16(f)

The Branch Committee may inspect the Branch Books. The Branch Committee shall have the authority to transact any Branch business which has to be dealt with prior to the next Branch meeting. branch/SOG->EC 16

1.2 Branch Chair branch/SOG->EC 17

The Branch Chair shall preside at all meetings of the Branch, and conduct the business with propriety and order. branch/SOG->EC 17

The Chair shall sign all Minutes of the Branch, and all official documents. branch/SOG->EC 17

The Chair, through the Secretary, shall order special meetings of the Branch or Branch Committee when necessary, or at the request of ten members. branch/SOG->EC 17

The Chair shall supervise the working of the Branch and all its Officers. The Chair shall have the right to inspect all Branch books and documents. branch/SOG->EC 17

1.3 Branch Vice-Chair branch/SOG->EC 18

In the absence of the Chair, the Vice-Chair shall act in place of the Chair. See Section 1.2 above for the Chair's duties and powers. branch/SOG->EC 18

1.4 Branch Correspondence Secretary branch/SOG->EC 19

The Branch Correspondence Secretary shall arrange Branch and Committee Meetings, draw up the Agendas for those meetings, issue necessary notices, attend all meetings of the Branch and Committee and take the Minutes of meetings in a Minute Book. branch/SOG->EC 19

The Branch Correspondence Secretary shall conduct correspondence on behalf of the Branch and carry out decisions of meetings. The Branch Correspondence Secretary shall assist the other Branch Officers as required. branch/SOG->EC 19

The Financial or Organising Secretary may, in relation to matters specific to their functions, act in place of the Branch Correspondence Secretary. branch/SOG->EC 19

1.5 Branch Organising Secretary branch/SOG->EC 21

(a) The Branch Organising Secretary shall: branch/SOG->EC 21

(1) see that the numerical strength of the Branch is maintained and, where possible, increased branch/SOG->EC 21(1)

(2) co-ordinate the information received from the Organisers regarding membership and non-membership in the Branch area branch/SOG->EC 21(2)

(3) prepare a register of eligible staff who are non-members and arrange to have them canvassed as frequently as possible and supplied with TSSA literature

branch/SOG->EC 21(3)

(4) pay particular attention to lapsed members reported by the Branch Financial Secretary (see Rule 6.3(b)) and try to persuade them to rejoin TSSA.

branch/SOG->EC 21(4)

(b) Sub Committees may be appointed to assist in the work of the Branch Organising Secretary.

branch/SOG->EC 21(b)

(c) The Branch Organising Secretary shall be allowed any necessary expenses from Branch Funds, report to all Branch and Committee meetings of the Branch and also send a written report to the Divisional Council Secretary, with a copy to Head Office, one week prior to the meetings of the F&GP and Divisional Council.

branch/SOG->EC 21(c)

The Branch Organising Secretary shall assist the other Branch Officers as and when required.

branch/SOG->EC 21

1.6 Branch Organisers

branch/SOG->EC 22

Each Branch may appoint Organisers whose duties shall be: branch/SOG->EC 22

(1) to provide a regular report to the Branch Organising Secretary of membership and non-membership in their area

branch/SOG->EC 22(1)

(2) to distribute to members in their area the circulars or notices received from the Branch Secretary

branch/SOG->EC 22(2)

(3) to collect the members' subscriptions where these are not deducted through the paybill, direct debit or cheque, record them in the relevant book, and hand the amount collected to the Financial Secretary not later than the last day of each financial period (see Rule 6.2(e) for financial periods)

branch/SOG->EC 22(3)

(4) to assist the Branch Officers in any matter relevant to the members in their area.

branch/SOG->EC 22(4)

1.7. Communications

54

Branches may communicate with each other on matters directly concerning members but such communications must be signed by at least two Branch Officers, including the Chair.

54

2 DIVISIONAL COUNCILS

10

Divisional Council By-laws

(a) Each Divisional Council shall make by-laws for the government of its affairs, which shall be subject to approval by the Executive Committee. 10(d)

The by-laws shall make provision for the annual election from amongst its own members of a Chair, Vice-Chair, Secretary and Treasurer, and also a Finance and General Purposes Committee. DC->EC 10(d)

The by-laws shall also make provision for an Annual General Meeting, and at least one other meeting of the Divisional Council, during each year. DC->EC 10(d)

The by-laws shall be published on TSSA's website. 10(d)

Election of Divisional Council Delegates DC->EC 10(e)

(b) The Delegates to Divisional Council shall be elected annually at Branch Meetings in the same manner as other Branch Officers (see Section 1, Branches, Guidance Note 3). If a delegate cannot attend a Council Meeting, another representative may be appointed as a substitute. At least half of each Branch's elected delegates to Divisional Council should be full or part rate members except for delegates from a Branch solely for retired or superannuated members. DC->EC 10(e)

(c) Members of the Executive Committee, including the Honorary Officers of TSSA, shall by reason of their office, and without further election be members of the Divisional Councils for their respective Electoral Districts (see Rule 9.2(i) for Electoral Districts). Elected lay staff representatives shall be entitled by reason of their office and without further election to attend these meetings, and to speak and vote on all matters at such meetings as if they were delegates. Representatives whose represented area includes members in a Division but are themselves members of another Division shall be invited to meetings of the relevant Divisional Council and be able to speak but not vote. 10(f)

Meetings of Divisional Councils DC->EC 10(g)

(d) At each Council Meeting the Secretary shall report upon the numerical strength, financial position and arrears of members' contributions in the various Branches, and the extent of propaganda and organising work performed since the previous meeting. DC->EC 10(g)

Delegates shall be encouraged to discuss all aspects of current problems affecting the membership and shall be authorised to forward resolutions to Head Office. 10(g)

(e) Councils may also deal with such other matters as may be remitted to them by the Executive Committee, including political work decided upon by the Executive Committee in accordance with Rule 15.3. DC->EC 10(h)

Regulations for the working of Divisional Councils may be made and varied by the Executive Committee from time to time. DC->EC 10(h)

(f) At the request of the General Secretary, the Divisional Council Secretary shall, as speedily as possible, visit any Branch Secretary, go through the books and accounts, and give such advice as may be considered necessary for the more efficient working of the Branch. 10(i)

Branches

(g) Members shall be attached to a Branch that covers their employer, place of employment, grade or membership status. Conf 15

However, membership of another Branch may be appropriate if: Conf 15

- (1) the member is a Branch Officer whose services continue to be required by their existing Branch Conf 15
- (2) the member wishes to attend Branch meetings and would, by reason of distance, be unable to attend (after going through any applicable transfer procedures) Conf 15
- (3) the Executive Committee authorises it. Conf 15

(h) If any Branch stops functioning effectively, the Divisional Council concerned shall investigate, consult with the Branch, and report to the Executive Committee with recommendations. Conf 15(b)

The Executive Committee shall give due consideration to such recommendations in any decision they may take about the future of the Branch. Conf 15

See also Rule 9.1(g) (Executive Committee – powers, for example, to close branches). Conf 15

3 SELF ORGANISED GROUPS (SOG)

Working arrangements Appx 7 (c)

Following recognition by the Executive Committee, the SOG shall send to the Executive Committee in writing: Appx 7

- (1) Draft working arrangements detailing its methods of organisation and operation, including budgetary arrangements; Appx 7
- (2) Criteria for membership of the SOG; Appx 7
- (3) Names and contact details of members of the SOG who are to be held accountable to TSSA for organisational and financial purposes; Appx 7
- (4) Each SOG may determine its detailed membership criteria, but SOG membership may only extend to TSSA members. Appx 7

The Executive Committee may approve or require amendments to the arrangements and criteria and in so doing shall seek to ensure that the same are workable and preserve democratic accountability and transparency of operations whilst protecting sensibilities and confidentiality.

Appx 7

Each SOG is responsible for its own organisation and activities but must at all times operate within TSSA's Rules.

Appx 7

Each SOG shall notify to the Executive Committee its named contacts (a) annually and (b) upon any change in the identity of those contacts.

Appx 7

GUIDANCE NOTE 4: PRESIDENT, TREASURER, EXECUTIVE COMMITTEE

1 Executive Committee

Executive Committee Sub-committees 6(l)

(a) The Executive Committee may appoint either sub-committees or special committees for particular purposes, and may adopt the Minutes or Reports of any such committees. 6(l)

Provident Benevolent Fund 6(m)

(b) The Executive Committee may, at the end of each financial year, make such allocations as they deem advisable from TSSA's General Funds to the Provident Benefit Fund. 6(m)

Investment Managers 6(n)

(c) The Executive Committee shall have power from time to time to appoint reputable persons or companies as Investment Managers of the investments of TSSA upon such terms (being consistent with the Rules) as to remuneration and otherwise as it thinks fit. 6(n)

GUIDANCE NOTE 6: ANNUAL & SPECIAL DELEGATE CONFERENCES

1. ANNUAL CONFERENCE

Issue of Preliminary Agenda Conf 42

(a) The Preliminary Agenda shall be issued to the various Branches and SOGs and shall be published on the TSSA's website not later than 7 February, and only subjects included in the Preliminary Agenda shall be discussed unless the Conference allows. Conf 42(l)

Amendments – Timing Conf 42

(b) Amendments (not more than two from any one Branch, except in Rule alteration years, when two additional amendments related to motions for varying the Rules may be submitted) must reach Head Office not later than 7 March, or they cannot be discussed unless the Conference allows. Conf 42(m)

Issue of Complete Agenda Conf 42

(c) The complete Agenda, with proposed Amendments, subject to such grouping or verbal revision as the Standing Orders Committee may deem advisable, shall be issued and published on the TSSA's website not later than 21 April. Conf 42(m)

Time of Assembling Conf 42

(d) The time of assembling shall be set by the Executive Committee. Conf 42(n)

Tellers etc Conf 42

(e) An appropriate number of Tellers and Voting Clerks shall be appointed at each Conference by the delegates present. Conf 42(o)

Procedure for Speeches at Conference 42

(f) When speaking to resolutions, proposers and each subsequent speaker will be allowed such time as Annual Delegate Conference may decide. 42(r)

No Delegate or Delegation may speak twice on the same subject, except that proposers of resolutions shall be allowed time for reply before the vote is taken. 42(r)

Delegates, upon rising to speak, must state their name and Branch or SOG represented. 42(r)

Requirement for Seconding and Disposal of Prior Amendments 42

(g) No resolution or amendment shall be discussed until it has been seconded, and no second amendment or rider shall be voted upon until the first amendment has been disposed of. 42(s)

"The Question now be put" 42

(h) If, after discussion on any item, it is proposed and seconded "That the question now be put" that motion must (if the Chair accepts it) be voted upon without further discussion, and if carried the particular item in question must be then put to the vote after the mover of any resolution involved in that item has replied, as provided for in Paragraph (f) above. 42(t)

"The Previous Question" and "Next Business" 42

(i) In the event of a proposal to take "the previous question", or to proceed to the "next business" being moved and seconded, it shall (if accepted by the Chair) be treated as an ordinary Amendment to the item under discussion, but the speeches of those sponsoring either of these closure propositions must be directed to showing why "previous question" or "next business" is desired. 42(u)

In either instance, before the vote is taken the mover of the original motion shall be allowed the right to reply to the discussion, as in the case of any other Amendment. 42(u)

"The Previous question" may only be moved when an original motion, or a substantive motion is being discussed. 42(u)

"Next business" may be moved at any time during a debate. 42(u)

If either "previous question" or "next business" is carried, the original motion shall be deemed to be disposed of. If "previous question" is lost, the vote on the original motion shall be taken immediately. If "next business" is lost, discussion on the original motion shall be resumed. 42(u)

GUIDANCE NOTE 7: VARIOUS DOCUMENTS AND PROCEDURES

1. FORM OF DEATH BENEFIT NOMINATION

TRANSPORT SALARIED STAFFS' ASSOCIATION FORM OF NOMINATION

I of

Dept

Branch and (private address)

.....

.....

hereby nominate my (state relationship)

Name (in full)

of (address)

.....

.....

to receive all monies payable at my death, under the Rules and Guidance Notes of the above-named

Trade Union.

Signature

Dated 20

WITNESS to the signature of the above-named

Name

Address

Occupation

2. Amount of Retirement Benefit Payable to a full rate member, based on service – see Section 4, Guidance Note 2

2 yrs 3 yrs 4 yrs 5 yrs 6 yrs 7 yrs 8 yrs 9 yrs 10 yrs

£4 £6 £8 £10 £12 £14 £16 £18 £20

11 yrs 12 yrs 13 yrs 14 yrs 15 yrs 16 yrs 17 yrs 18 yrs 19 yrs

£22 £24 £26 £29 £32 £35 £38 £41 £44

20 yrs 21 yrs 22 yrs 23 yrs 24 yrs 25 yrs 26 yrs 27 yrs 28 yrs

£47 £50 £53 £56 £59 £62 £65 £68 £72

29 yrs 30 yrs 31 yrs 32 yrs 33 yrs 34 yrs 35 yrs 36 yrs 37 yrs

£76 £80 £84 £88 £92 £96 £100 £104 £108

38 yrs 39 yrs 40 yrs 41 yrs 42 yrs 43 yrs 44 yrs 45 yrs 46 yrs

£112 £116 £120 £125 £130 £135 £140 £145 £150

47 yrs 48 yrs 49 yrs 50 yrs

£155 £160 £165 £170

3. Notice to Members re: Political Fund – see Rule 14. (Appendix 4, Rule 51)

“NOTICE: Trade Union and Labour Relations (Consolidation) Act 1992

A resolution approving the furtherance of political objects within the meaning of the above Act as an object of the Association has been adopted by a ballot under the Act.

Any payments in the furtherance of any of those objects will be made out of a separate fund, the political fund of the Association but every member of the Association has a right to be exempt from contributing to that fund. A form of exemption notice can be obtained by or on behalf of any member either by application at, or by post from, the head office or any divisional office of the Association or from the Certification Office for Trade Unions and Employers’ Associations, Brandon House, 180 Borough High Street, London SE1 1LW.

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

**4. Political Fund Form of Notice (not Northern Ireland) – see Rule 14
(App 5, Rule 51)**

NOTICE: TRANSPORT SALARIED STAFFS' ASSOCIATION

Political Fund Exemption Notice

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

Signature

Address

Date

5: Political Fund Form – Northern Ireland – see Rule 15.3. (App 6, Rule 52)

FORM OF POLITICAL FUND CONTRIBUTION NOTICE FOR NORTHERN IRELAND

MEMBERS

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

TRANSPORT SALARIED STAFFS’ ASSOCIATION POLITICAL FUND CONTRIBUTION

NOTICE – NORTHERN IRELAND

I HEREBY give notice that I am willing, and agree, to contribute to the Political Fund of the Transport Salaried Staffs’ Association and I understand that I shall in consequence, be liable to contribute to that Fund and shall continue to be so liable, unless I deliver to the Head Office or some Branch Office of the Association, a written notice of withdrawal. I also understand that after delivering such notice of withdrawal I shall still continue to be liable to contribute to the Political Fund until the next following first day of January.

Signature

Name

Address.....

.....

Membership No.

Dated the day of 20