



Agenda

3rd Rules Conference 2019

24 - 28 June

www.uniteunion.org

Members'
Union

Len McCluskey
General Secretary

Tony Woodhouse
Chair - Executive Council

AGENDA

3rd UNITE RULES CONFERENCE 2019

24 – 28 June 2019

1. Opening of conference – Chair’s address
2. Adoption of Standing Orders
3. Report of the Standing Orders Committee
4. Ratification of Rules amended by the Executive Council since the 2015 Rules Conference
5. Proposed amendments to the Rules
6. Election of Standing Orders Committee for the 2023 Rules Conference
7. Enabling Motion: “That the necessary consequential action in regard to the amendments carried by the Conference be referred to the Executive Council for administrative action and implementation as appropriate.”

CONTENTS

RULE 1	<u>TITLE AND REGISTERED OFFICE</u>	4
RULE 2	<u>OBJECTS</u>	6
RULE 3	<u>MEMBERSHIP</u>	10
RULE 4	<u>MEMBERSHIP CONTRIBUTIONS and BENEFITS</u>	14
RULE 5	<u>OBLIGATIONS OF MEMBERS</u>	18
RULE 6	<u>LAY OFFICE</u>	20
RULE 7	<u>INDUSTRIAL/OCCUPATIONAL/PROFESSIONAL SECTORS</u>	24
RULE 8	<u>REGIONS</u>	28
RULE 9	<u>YOUNG MEMBERS</u>	32
RULE 10	<u>MEMBERS IN RETIREMENT</u>	36
RULE 11	<u>EQUALITIES</u>	40
RULE 12	<u>POLICY CONFERENCE</u>	44
RULE 13	<u>RULES AMENDMENT</u>	48
RULE 14	<u>EXECUTIVE COUNCIL</u>	52
RULE 15	<u>GENERAL SECRETARY</u>	60
RULE 16	<u>ELECTION OF EXECUTIVE COUNCIL MEMBERS AND THE GENERAL SECRETARY</u>	62
RULE 17	<u>BRANCHES</u>	70
RULE 18	<u>WORKPLACE REPRESENTATION</u>	76
RULE 19	<u>FUNDS</u>	80
RULE 20	<u>ASSETS AND TRUSTEE PROVISION</u>	84
RULE 21	<u>EXPENSES</u>	86
RULE 22	<u>POLITICAL ORGANISATION – THE LABOUR PARTY</u>	88
RULE 23	<u>POLITICAL FUND</u>	92
RULE 24	<u>IRELAND</u>	108
RULE 25	<u>REPUBLIC OF IRELAND – STRIKES AND OTHER INDUSTRIAL ACTION</u>	112
RULE 26	<u>ISLE OF MAN</u>	116
RULE 27	<u>MEMBERSHIP DISCIPLINE</u>	118
RULE 28	<u>COMMUNITY/STUDENT MEMBERS</u>	124
RULE 29	<u>SCOTLAND</u>	130
RULE 30	<u>GIBRALTAR</u>	134

RULE 31	OFFICIAL ANNOUNCEMENTS	136
RULE 32	VOLUNTARY DISSOLUTION	138
RULE 33	EXERCISE OF UNION POWERS IN THE PENSION SCHEMES	140
PROPOSED NEW RULES		143
RATIFICATION OF RULES AMENDED BY THE EXECUTIVE COUNCIL SINCE THE 2015 RULES CONFERENCE		147
EXECUTIVE STATEMENTS		157

RULE 1 TITLE AND REGISTERED OFFICE

- 1.1 The Union formed under these rules (hereinafter called the Union) shall be known by the title of "Unite the Union".
- 1.2 This Rule Book applies to all members of the Union, and represents the entirety of the rules applicable to members of the Union, save as explicitly provided for under this Rule Book.
- 1.3 The Registered Office of the Union shall be Unite House, 128 Theobalds Road, London WC1X 8TN or such other places as may be decided upon by the Executive Council.

RULE 2 OBJECTS

- 2.1 The objects of the Union shall be:
- 2.1.1 To organise, recruit and represent workers, and strengthen workplace organisation to achieve real union power for its members.
 - 2.1.2 To defend and improve its members' wages and working conditions including the pursuit of equal pay for work of equal value. To help our members win in the workplace, using the union's resources to assist in that process, and to support our members in struggle including through strike action.
 - 2.1.3 To defend and improve the social and economic well-being of members and their families, both directly and via commensurate policies in relation to society both domestically and abroad.
 - 2.1.4 To have a strong political voice, fighting on behalf of working peoples' interests, and to influence the political agenda locally, regionally, nationally and internationally, so as to promote a socialist vision for
 - a more equal society in which wealth is distributed from the rich to the poor, including by means of progressive taxation and other regulatory measures to restrict excessive wealth
 - a collective society in which public services are directly provided on the basis of public need and not private greed, and a fair system of welfare and benefits to support those in need
 - public ownership of important areas of economic activity and services, including health, education, water, post, rail and local passenger transport.
 - 2.1.5 To further political objectives including by affiliation to the Labour Party.
 - 2.1.6 To promote equality and fairness for all, including actively opposing prejudice and discrimination on grounds of gender, race, ethnic origin, religion, class, marital status, sexual orientation, gender identity, age, disability or caring responsibilities.
 - 2.1.7 To affiliate to the TUC, ICTU, Welsh and Scottish TUCs and other appropriate trade union cooperation/coordination bodies domestically and internationally.
 - 2.1.8 To promote constructive cooperation between trade unions internationally to further the interests of members of the Union and those in other unions in dealing with the direct and indirect impact of globalisation.

RULE 2 OBJECTS

1 Clause 2.1.1

Rewrite as follows:

To organise, recruit and represent workers and strengthen workplace organisation, to encourage membership involvement and participation to achieve real union power for its members.

North East, Yorkshire & Humber/UB145 UCATT Crook Branch

2 **New Rule 2.1.3, renumber subsequent clauses accordingly**

To extend collective bargaining and bring more workers under collective bargaining agreements, this being the best and most effective means of distributing wealth, improving the wages and conditions of workers, and giving workers collective power in the workplace.

**East Midlands/Regional Committee
North West/Automotive RISC
Wales/Regional Disabled Members' Committee**

Current Rules

- 2.1.9 To promote education and training; both vocational and industrial and otherwise as conducive to these objects.
- 2.1.10 To provide such financial and other benefits and legal assistance to members as may be specified in these rules.
- 2.1.11 To do all such other things as may in the opinion of the Executive Council be incidental or conducive to the attainment of these objects.
- 2.1.12 To communicate information to members about union activities, campaigns, services and/or benefits, so as to encourage participation and further these objects.

RULE 3 MEMBERSHIP

3.1 The Executive Council shall define the categories of membership. Where the Union organises or represents persons engaged in an occupation or seeks to do so, any person engaged in that occupation shall be eligible for membership of the Union, subject to these rules.

3.2 There shall be other categories of membership as may from time to time be determined by the Executive Council. These categories shall include:

- Retired Members Plus
- Community/Associate Community/Student Member
- Back to Work Member
- Apprentice/Trainee Member

The Executive Council shall determine the qualifications for membership of these categories as well as the level of contribution and entitlement to benefit. Membership of Retired Members Plus and Community/Student Membership shall not accord an entitlement to vote in any ballot or election held by the Union other than:

- I. An election to the office of General Secretary under Rule 15 and 16.
- II. Elections within Retired Members Plus and community/Student Member structures, or:
- III. As otherwise specified in these Rules or any ballot or election in which all members must by statute be accorded an unconditional entitlement to vote.

Associate Community Members shall have no entitlement to hold any position in the union or to participate in any of the union's structures beyond the Community Group/Branch of which they are a member nor shall they be entitled to vote in elections for General Secretary and Executive Council.

3.3 Members of the union who upon retirement wish to remain in membership but not as Retired Members Plus shall be organised as "ordinary" retired members. Such "ordinary" retired members shall not be afforded any entitlement to vote in any ballot or election held by the Union.

3.4 Any eligible person may apply for membership by completing the appropriate application form agreeing to be bound by the rules of the Union and submitting it to the Union office or by electronic means as may be provided for via the Union's website. An applicant shall become a member when his/her application has been approved and he/she has been entered into the register of members. Such approval process may require receipt by the Union of the contribution applicable under these rules.

Proposed Amendments

RULE 3 MEMBERSHIP

3 **Clause 3.2**

Second paragraph – delete from “ Membership of Retired Members Plus etc” to end of paragraph, insert “All Unite members will have one vote per election in any ballot or election held by the Union.”

North East, Yorkshire & Humber/GEO/1 FDA South Yorkshire & Humber Branch

4 **New clause 3.2 ii** “The election of territorial representatives to the Executive Council (applicable to Retired Members Plus members only)”

Renumber subsequent clauses accordingly

South West/Regional Retired Members’ Co-ordinating Committee

5 **New clause 3.2 ii** “An election to the position of Territorial Executive Council Representative under Rule 16”

Renumber subsequent clauses accordingly

South East/6276 Sussex & Surrey GPM & IT Branch

Current Rules

- 3.5 Each member must notify the Union's membership department of any subsequent change of address, and in the absence of such notice the Union shall be entitled to treat the address shown on that member's application form as the member's address for all correspondence.
- 3.6 Each member must notify the Union's membership department of any subsequent change of workplace or contribution category status.
- 3.7 If an applicant has previously been a member of the Union (or any of its predecessors), the Executive Council may, as a condition of re-admission, require the applicant to pay some or all of any monies owed by the applicant to the Union (or any of its predecessors).
- 3.8 The Executive Council may reject an application if in its opinion the conduct of the applicant has at any time been such as would justify a disciplinary charge under these rules against a member of the Union who behaved in a similar fashion.
- 3.9 Any period of continuous membership of a predecessor union at the point of amalgamation or transfer shall count as continuous membership of the Union for the purposes of these rules.
- 3.10 For the purposes of producing a Membership Audit Certificate as required by Sections 24ZA, 24ZB and 24ZD of the Trade Union and Labour Relations (Consolidated) Act 1992, the Union is required to appoint an assurer. The assurer must be qualified in accordance with Section 24ZB and the appointment and removal of the assurer shall be subject to the provisions of Section 24ZC of the Trade Union and Labour Relations (Consolidation) Act 1992.

RULE 4 MEMBERSHIP CONTRIBUTIONS and BENEFITS

- 4.1 It shall be the personal responsibility of the member to maintain contributions and avoid arrears in all circumstances. Any period during which a member's contributions are 13 or more weeks in arrears shall break continuity of membership for the purpose of the qualification required to be an officer employed by the Union set out in Rule 14 and lose entitlement to vote in any election or ballot held by the Union, save where a member establishes to the satisfaction of the Executive Council that the arrears arose through no fault of that member. A member whose contributions are recorded by the Union as more than 39 weeks in arrears will be excluded from membership by the Union communicating notice to that effect to the member. A member so excluded from membership may apply for reinstatement which may be allowed on such terms as to the payment of outstanding arrears as the Executive Council may consider appropriate.
- 4.2 The Executive Council shall determine the period of membership necessary prior to the member attaining eligibility for benefits, and any period during which contributions are in arrears which shall remove such eligibility.
- 4.3 The Executive Council shall determine the level of contributions for each category of membership.
- 4.4 The Executive Council shall determine the scope and level of benefits.
- 4.4.1 Such benefits may include such things as: DriverCare, funeral, incapacity, personal accident (death, loss of limb/eye, permanent disability), maternity/adoption, paternity, convalescence, professional liability insurance, etc. Without interference to the overriding authority granted by this rule to the Executive Co (to determine the scope and level of benefits), funeral benefit shall be paid to all non-retired working members as at the 1st Day of September 2009 at the same rate.
- 4.4.2 Maximum sum assured. The Union shall not have the power to assure for any member/individual provident benefits amounting to more than £4,000 by way of a gross sum or £825 by way of an annuity.
- 4.5 The Union shall pay dispute benefit in such circumstances and on such terms as are decided by the Executive Council from time to time.
- 4.6 The Union will provide legal assistance, as follows:
- 4.6.1 A member who is entitled to benefit who suffers injury or disease arising out of or in connection with his/her employment (or the dependants of such a member who has died) shall be entitled to such legal advice and representation, and on such terms, as the Executive Council may consider appropriate.
- 4.6.2 A member seeking legal assistance must ensure that a request in the appropriate form is lodged at the appropriate Union office

RULE 4 MEMBERSHIP CONTRIBUTIONS and BENEFITS

6 Clause 4.2

Insert at the end of clause:

The period of membership necessary to attain eligibility for representation and legal advice and/or legal representation is four weeks from the date of joining. Pre-existing employment issues or employment issues that occur during the first four weeks of membership will be not be eligible.

Wales/Community, Youth Workers, Not for Profit RISC

7 Clause 4.3

Members will be offered a facility to pay 12 months contributions over a 10 month period at a level of which will be determined by the Executive Council. This will allow those members who take up this facility a 2 months period when no contributions will be taken after the qualifying 10 month period.

Scotland/Health RISC

8 Clause 4.4 – add at end of sentence “with the exception of dispute benefit”

Clause 4.5 – rewrite clause as follows

The union shall pay dispute benefit which shall be paid at the rate of Full Average Earnings, less income tax and national insurance contributions, for each category of worker on a pro rata daily basis.

North East, Yorkshire & Humber/SEC/1 EM&SI South Yorkshire & D&R Yorkshire Branch

Current Rules

in sufficient time and with sufficient information to enable the request to be considered and appropriate action taken.

- 4.6.3 A member who requires advice and/or representation on a problem relating to the member's employment which first arose at a time when the member was entitled to benefit and which cannot be resolved through the member's workplace representative should refer the matter to the appropriate Regional Officer. The Union may provide such advice and/or representation as the Executive Council shall consider appropriate, whether by a full time officer or otherwise, and on such terms as the Executive Council shall consider appropriate.
- 4.6.4 The Executive Council may provide such additional legal advice and representation to members and to members' families as it may consider appropriate.
- 4.6.5 The Executive Council may extend legal assistance to a member who is not otherwise entitled to benefits.
- 4.6.6 A member who is given advice and/or representation under this rule shall provide all relevant information and co-operate fully with the compilation of evidence for any legal proceedings and shall comply with any other obligations and/or conditions set out in any arrangements for the provision of legal assistance. If a member fails to do so or provides false or misleading information or fails to act upon the advice of those appointed to represent him/her, the Executive Council may at its absolute discretion annul all legal assistance or withdraw any further legal assistance to that member.
- 4.7 The Executive Council shall have discretion to provide additional benefits.
- 4.8 Before reinstating a lapsed member's membership it will be ascertained that they have not been previously expelled from the Union. They will also be advised that they will not receive representation or advice on any employment issue that has arisen during the period where the lapse has occurred.
- 4.9 The Executive Council may provide, agree and permit other organisations to provide to members and their households insurance, financial, legal, consumer and other services and products and loyalty or other similar schemes and Unite may provide information by direct mailing or otherwise to members concerning such services, products and schemes.

RULE 5 OBLIGATIONS OF MEMBERS

- 5.1 A member of the Union must comply with these rules and with any duty or obligation imposed on that member by or pursuant to these rules whether in his/her capacity as a member, a holder of a lay office or as a full time officer.
- 5.2 A member must not knowingly, recklessly or in bad faith provide the Union with false or misleading information relating to a member or any aspect of the Union's activities.
- 5.3 A motion shall not be submitted by or on behalf of the Union or any group or body within the Union to an organisation or body outside the Union if that motion is inconsistent with existing Union policy.
- 5.4 When acting as a representative of the Union at a meeting of an organisation or body outside the Union a member shall speak and vote in accordance with the policy of the Union and with any decision taken by the Union's representatives at that meeting which is consistent with the Union's policy.

Proposed Amendments

RULE 5 OBLIGATIONS OF MEMBERS

9 Clause 5.1, last line, delete “full time officer” insert “employee of the union”

Executive Council

10 Clause 5.2

Line 2, after “information” insert “or malicious false complaints”; after “a member ”

insert “, including those holding lay office as accountable representatives of the workers or officers of the union, ”

West Midlands/Automotive RISC

RULE 6 LAY OFFICE

- 6.1 The Executive Council shall make provision to ensure accountability of Regional, Industrial and Equalities Executive Council members and those Executive Council members elected pursuant to rule 14 shall meet with their respective National Industrial Sector, National Equalities or Regional Committees at least four times per year.
- 6.2 In order to be eligible to be a candidate for election to the Executive Council and/or any committee, council, or other body of the Union provided for by these rules, the member in question must be an accountable representative of workers, with the exception of Area Activists Committees and Regional Labour Party Liaison Committees and the young members' structure, other than the Young Members' delegate to the Executive Council and Regional Committees as specified elsewhere in these rules.
- 6.3 The definition of the term "accountable representative of workers" shall be in the exclusive power of the Executive Council, which is empowered to take into account changing industrial realities and the unique nature of some industries (e.g. construction, contracting, leisure, rural etc) in formulating such a definition. It must nevertheless include Branch office-holders who are in employment when employed by an organisation that is not Unite the union, shop stewards, health & safety, equalities and learning representatives elected at their place of work.
- 6.4 It is further required that a fair procedure be developed by the Executive Council to deal sympathetically with cases where a member's eligibility to stand for election or continue to hold office may be affected by employer victimisation.
- 6.5 The electoral period to hold lay office shall be three years unless otherwise provided for under these rules.
- 6.6 The Executive Council shall issue guidance to establish the right of recall over members elected to lay office.
- 6.7 All Unite fulltime officers assigned to the Union's constitutional committees are responsible for maintaining an up to date record of constitutional committee members' credentials in order to ensure compliance with Rule 6. This record is to be reported to all constitutional committee meetings and included in the Minutes.
- 6.8 To be eligible to stand for election as an accountable representative of workers members must be committed to the Objects of the Union as defined in Rule 2 including strengthening the workplace organisation and resources of the Union.

Members who are engaged in the recruitment of members to a union that is not Unite the Union are excluded from standing as accountable representatives of workers within Unite the Union.

In the case of any such restriction imposed on a member, an appeal may be made to the Regional Committee in line with the provisions of Rule 27.

Proposed Amendments

RULE 6 LAY OFFICE

11 Clause 6.1, line 4 – after “Equalities” insert “, National Retired Members”

Clause 6.2, line 5 – add after “Activists Committees” insert “, Retired Members Committees,”

Clause 6.2, line 6 – between “young members” and “delegate” insert “and Retired Members”

East Midlands/Regional Retired Members’ Co-ordinating Committee

12 Clause 6.2 – line 4, after “accountable representatives of workers” insert “or their communities”

Clause 6.3 – line 4, after “industries” insert “communities”, delete “(eg, construction, contracting, leisure, rural, etc)”; add at “It must also include Branch office holders of Chair, Secretary, Treasurer, Equalities in the Community sector.”

London & Eastern/Regional Young Members’ Committee

13 Clause 6.2

Line 3 – delete from “be” to “workers” inclusive and replace with “a fully paid up member of their respective sector and have a minimum six months membership at this level with the union”

North West/Lancashire AAC

14 Clause 6.2

Line 4 – after “accountable representative of workers” insert “and/or must be a registered activist within the union membership system”

New clause 6.2.1

Only members who are elected to represent workers will be eligible to participate in any body of the union, including any conferences, but with the exception of branch and workplace meetings (which all members can attend) and Area Activists Committees and Regional Labour Party Liaison Committees as specified elsewhere in these Rules.

West Midlands/Health RISC

15 Clause 6.2

Line 4 – after “with exception of” insert “BAEM members’ structures”

North West/159 Manchester Local Government & Public Services Branch

Current Rules

- 6.9 Members seeking election as accountable representatives of workers must have made at least thirteen weeks financial contributions and not be more than thirteen weeks in arrears.

This clause may not be applied in the case of newly organised workplaces.

Proposed Amendments

16 Amendment to Rule 6.3

Line 5/6 delete "Branch office holders" replace with "branch executive officers"

Executive Council

17 Clause 6.3

Line 5 – after the word "include" insert "workplace"

East Midlands/GPM & IT RISC
London & Eastern/Civil Air Transport RISC

18 Clause 6.3

Insert new sentence at end of clause:

Branch office holders who pay full union contributions will also qualify for election to constitutional committees.

North West/0541 Liverpool Construction Branch

19 New clauses 6.3.1, 6.3.2, 6.3.3

6.3.1 Any disabled member paying Basic or Enhanced membership fees, Low Pay, Part Time or Full Time as appropriate, and at the same time holding 1 of the following elected branch officer roles in an industrial branch, chair, treasurer, secretary or equalities officer, will be deemed to be an accountable representative of workers, irrespective of employment status, unless employed by Unite the Union;

6.3.2 Any member holding accreditation as support companion and at the same time holding 1 of the following elected branch officer roles in an industrial branch, chair, treasurer, secretary or equalities officer, will be deemed to be an accountable representative of workers, irrespective of employment status, unless employed by Unite the Union;

6.3.3 For the purposes of rules 6.3.1 and 6.3.2 the holding of accredited support companion will not count as being employed by Unite the Union.

West Midlands/Regional Disabled Members Committee

20 Clause 6.3 – second sentence, after "Branch office-holders" insert "and Accredited Support Companions" and after "when employed by an organisation that is not Unite the union," insert "or are self-employed. It must also include"

West Midlands/6030 Birmingham South Local Branch

21 Clause 6.4

Line 4 – after "victimisation" add "or where there is no accountable representative of workers willing or able to hold office, a retired member, paying Retired Member Plus, may hold office."

South East/6258 Eastbourne District Branch

RULE 7 INDUSTRIAL/OCCUPATIONAL/ PROFESSIONAL SECTORS

- 7.1 Members in employment shall be allocated to the Industrial Sector in which they are employed. The term 'Industrial Sector' is a generic term including occupational and professional sectors.
- 7.2 There shall be organisation and representation of union members at both regional and national level by reference to their Industrial Sector.
- 7.3 These Industrial Sectors shall be determined by the Executive Council, which shall and after full consultation and approval of the sectors can amalgamate existing sectors as seems expedient on the basis of industrial logic and developing patterns of membership organisation (see appendix for full current list).
- 7.4 Each Industrial Sector shall be led by a National Industrial Sector Committee, to be elected from the appropriate Regional Industrial Sector Committees in such proportion, as may be determined by the Executive Council. The Executive Council shall have the power to determine additional special constituencies (which may be on a national basis) where they deem it necessary in light of the particular industrial circumstances of the sector. Regional Industrial Sector Committees shall be elected at triennial meetings of Regional Industrial Sector Conferences. Every elected lay representative (Rule 6 compliant) listed in Rules 17 and 18 is entitled to attend the triennial conference.
- 7.5 National Industrial Sector Committees shall enjoy full autonomy in the conduct of their own proper industrial business provided that such conduct is not inconsistent with the general policy and objectives of the Union.
- 7.6 Each Industrial Sector shall hold a national conference, with delegates elected from amongst the membership in that sector, once every two years to determine its own industrial policies provided that they are not inconsistent with the general policy and objectives of the Union. That the Executive Council shall determine the size and composition of each National Industrial Sector Conference and shall ensure that in each case it is larger than the number of seats on the corresponding National Industrial Sector Committee.
- 7.7 Each Industrial Sector shall, where practicable, be divided into Regional Industrial Sectors, in conformity with the territorial Regions of the Union. There shall be a Regional Industrial Sector Committee in each Region where a Regional Industrial Sector is established elected in such proportion, as may be determined by the Executive Council, to reflect Branch and workplace organisation including geographical and industrial sub-sector distribution of the sector membership.
- 7.8 Each National and Regional Industrial Sector Committee shall be empowered to fill vacancies arising from the failure of any Committee member, without good reason, to attend 3 consecutive Committee meetings or following the resignation of any member.

RULE 7 INDUSTRIAL/OCCUPATIONAL/PROFESSIONAL SECTORS

22 New clause 7.3.1

Prior to the transfer of a workplace, company or occupation from an existing sector to an alternative sector, the Executive Council shall consult the National Industrial Sector Committee.

Government, Defence, Prisons & Contractors NISC

23 New clause 7.4, renumber subsequent clauses accordingly

Each industrial sector will have a minimum of one full time National Officer appointed to organise and represent union members at both regional and national level working in the sector.

GPM/IT NISC

24 Clause 7.4

Add at end of clause:

Four weeks before the triennial RISC conference an Agenda should be sent to all eligible delegates clearly showing the election of RISC delegates, and Chair (and Vice Chair where appropriate). If after the RISC conference election a meeting of the RISC itself is to take place, then a separate agenda is to be included clearly showing the election of the NISC delegates and Chair (and Vice Chair where appropriate.) Only delegates present on the day may pass a vote.

South East/Local Authorities RISC

25 Clause 7.5

At the end: "National Industrial Sector Committee meetings will accept motions directly from their RISCs and directly from their sector branches (whether those sector branches are national, geographic or workplace sector branches)."

East Midlands/Finance and Legal RISC

26 Clause 7.5

Rewrite as follows:

All Industrial Sector Committees shall enjoy full autonomy in the conduct of their own proper industrial business which must include comprehensive minutes of constitutional meetings. The conduct must not be inconsistent with the general policy and objectives of the union.

South East/Passenger RISC

Current Rules

- 7.9 Members employed in managerial, professional, supervisory, technical and/or clerical grades may, where appropriate, be organised and represented separately from other members in the same sector.
- 7.10 Special sub-sectors and/or advisory committees of Industrial Sectors
- 7.10.1 The Executive Council shall constitute special sub-sectors and/or advisory committees of Industrial Sectors as may seem expedient, on the basis of company or occupation, and shall have discretion to maintain the autonomy of specific craft or professional groupings which may not have the status of industrial committees.
- 7.10.2 The Executive Council may approve byelaws to govern the activities of a group or association or other body or organisation of members. In the event of a conflict between these rules and the byelaws of a group or association or other body or organisation of members, these rules shall prevail. Any amendment to the byelaws of a group or association or other body or organisation of members shall require the consent of the Executive Council
- 7.10.3 Any group or association or other body or organisation of members existing immediately before these rules came into force which had its own constitution, byelaws, regulations or rules shall treat that constitution, those byelaws, regulations or rules as being byelaws for the purposes of these rules. Accordingly, in the event of a conflict between these rules and the constitution, byelaws, regulations or rules of a group or association or other body or organisation of members, these rules shall prevail. Further, any amendment to such constitution, byelaws, regulations or rules shall require the consent of the Executive Council which may also amend such constitution, byelaws, regulations or rules after consultation with the relevant group or association or other body or organisation of members.

Proposed Amendments

27 Insert new clause 7.6, renumber subsequent clauses accordingly

Each Industrial Sector will be allocated to one of the following Industrial Trade Groups – Manufacturing, Services or Transport – as determined by the Executive Council.

Rewrite what will be new 7.7 (old 7.6) as follows:

Each Industrial Trade Group shall hold a national conference, with delegates elected from amongst the membership in the appropriate industrial sectors, once every three years to determine its own industrial policies provided that they are not inconsistent with the general policy and objectives of the Union. The Executive Council shall determine the size and composition of each National Industrial Trade Group Conference ensuring that each Industrial Sector delegation is larger than the number of seats on the corresponding National Industrial Sector Committee.

West Midlands/7342 GKN Driveline Birmingham Branch

28 New clause 7.8.1

Any member who is replaced or removed will be prohibited from seeking re-election within the electoral period.

Local Authorities NISC

RULE 8 REGIONS

- 8.1 For the purpose of regional administration the Union shall constitute Regions for Ireland, Scotland and Wales with England divided into 7 Regions on the basis of Regional Development Agency boundaries (as at 1st January 2006) as follows:
- North West;
 - North East, Yorkshire and Humberside;
 - West Midlands;
 - East Midlands;
 - South West;
 - South East; and
 - London and Eastern
- 8.2 Each Region shall have a Regional Committee of lay members elected from the Regional Industrial Sector Committees, Area Activists Committees where established, Regional Equalities Committees and as otherwise provided for by these rules in such proportions, as may be determined by the Executive Council. Should any seat become vacant on the Regional Committee, then the Regional Secretary shall write to the nominating committee seeking a replacement delegate.
- 8.3 The Regional Committees shall have responsibility for the management of the Union's affairs in their Regions in conformity with decisions of the Executive Council and responsible to it.
- 8.4 The Regional Committees shall have their own funds not exceeding 1% of the membership income attributable to members within that Region. Regional Committees shall be responsible for the affiliation of union organisations to Trades Councils and appropriate public bodies within their Region.
- 8.5 Regions shall constitute Area Activists meetings between activists in different companies, sectors and Branches, across geographical areas within a Region, subject to the approval of the Executive Council. The first of these meetings in an electoral period shall elect Area Activists Committees, the size and composition of which being determined by the respective Regional Committee, subject to the approval of the Executive Council. Thereafter Regions may convene further Area Activists meetings, up to four times a year. All activists shall be eligible to stand for election to Area Activists Committees.
- 8.6 The Regional Committee shall meet once a quarter or more frequently if, in the opinion of the Regional Secretary, the business renders it necessary. The Regional Secretary is responsible for convening all meetings.
- 8.7 A special Regional Committee meeting can be called by 50% +1 of the members of the Regional Committee, either by a show of hands at a Regional Committee meeting or by written requisition.

Proposed Amendments

RULE 8 REGIONS

29 Clause 8.2

Line 2 – after “Regional Industrial Sector Committees,” insert “Regional Retired Members’ Coordinating Committee,”

North East, Yorkshire & Humber/Retired Members’ Co-ordinating Committee

30 Clause 8.5

Delete opening words “Regions shall”, replace with “Where viable, Regional Committees may”

London & Eastern/Regional Committee

31 Clause 8.5

At end of clause remove full stop, add “providing that they are registered as activists on the union’s membership system.”

Scotland/Executive Committee

32 Clause 8.5

Add at end of clause – “Regional Committees shall actively encourage all branches to affiliate to their local Trade Council (s) and shall assist in the payment of the relevant affiliation fees.”

Scotland/Fife AAC

Current Rules

- 8.8 The Regional Committee shall have power to appoint one or more sub-committees from among its members and, except where otherwise determined by the Executive Council, shall have the power to delegate to any such sub-committee all or any of its powers including therein the conduct of hearings, appeals, inquiries, investigations or any other proceedings or functions whatever which it is authorised by these rules to undertake.
- 8.9 Each Regional Committee shall be empowered to fill vacancies arising from the failure of any Regional Committee member, without good reason, to attend three consecutive Regional Committee meetings or following the resignation of any member.

RULE 9 YOUNG MEMBERS

- 9.1 In each Region there shall be a young members' forum open to all members up to and including the age of 27 in that Region commencing from the 2018/21 electoral cycle. (The qualifying age remains at 30 until the 2018/21 electoral cycle)
- 9.2 The purpose of the young members structure shall be to advocate the industrial and social interests of young workers, to cement links with the Union's industrial and community members youth organizations both within the labour movement and beyond and to promote relevant policies provided that they are not inconsistent with the general policy and objectives of the Union.
- 9.3 There shall be conferences in each Region every three years for young members. The Regional Secretary shall be responsible for convening these conferences. The Executive Council shall determine the number of delegates to the regional conferences and how they shall be appointed or elected.
- 9.4 There shall be a Regional Young Members Committee charged with developing, organising and delivering the young members' strategy in the Region, elected at the Regional Young Members' Conference in such proportion, as may be determined from time to time by the Executive Council. The Regional Young Members Committee shall elect a delegate to the Regional Committee.
- 9.5 There shall be a national conference every two years for young members which the Executive Council shall be responsible for convening. The Executive Council shall determine the number of delegates to the national conference and how they shall be appointed or elected.
- 9.6 Young member activists are entitled to attend Area Activists Meetings and to stand for election to at least 2 defined young members' seats on the Area Activists' Committee, elected by young members attending the Meeting.
- 9.7 Young members who are also Unite branch CLP GC delegates and up to four nominees (who must be members of the Labour Party) from the Regional Young Members' Committee, elected by members of that Committee, are entitled to attend the Regional Labour Party Liaison Conference and are eligible to stand for election to two additional young Members' seats on the Regional Labour Party Liaison Committee.
- 9.8 There shall be a Young Members National Committee elected from each Young Members Regional Committee in such proportion, as may be determined from time to time by the Executive Council.

RULE 9 **YOUNG MEMBERS**

33 **Clause 9.1**

Delete existing clause, replace with:

In each Region, and in the union generally, there shall be young members' structures open to all members aged up to and including 27 years old.

Executive Council

34 **Clause 9.1** – add at end of clause – “This comprises of both young member workers and young member community members.”

Clause 9.2 – line 2 – after “young workers” insert “future workers”

Clause 9.8 – add at end of clause – “Young Members elected to the National Young Members' Committee from their Region can be workers or community members. They do not need to be a representative of workers.

National Young Members' Committee

35 **New rule**

Young Workplace Representatives Structure

1. The Union shall strive to have elected youth representatives recognized and active in all workplaces and who participate in the work of the Union's industrial structure.
2. All constitutional conferences and committees of the Union shall have a youth balance of elected representatives at least reflecting the proportion of the young membership which they represent. The Executive Council shall ensure the implementation of this rule and shall report on its implementation to the Policy Conference of the Union.
3. There shall be separate conferences in each Region every three years for Young Representatives. The Regional Secretary shall be responsible for convening these conferences.
4. There shall be Regional Committees for Young Representatives, elected in Sector based constituencies of at least one member per regional Sector at the appropriate regional conference in clause 3, to advance the area of young members, and to represent and report to the Regional Industrial Sector Committees in such proportion, as may be determined by the Executive Council. Members elected to such Sector based seats shall become full members of the Regional Industrial Sector Committee, provided that they are an accountable representative of workers. These committees shall each elect a delegate to their respective Regional Committee of the Union as a whole.
5. Each National and Regional Young Representatives Committees shall be empowered to fill vacancies arising from the failure of any appropriate regional Young Representative Committee member, without good reason, to attend 3 consecutive Regional Young Representative Committee meetings or following the resignation of any member.
6. There shall be National Young Representative Conference every two years for Young Representatives. The Executive Council shall be responsible for convening these conferences which shall be made up of delegates elected at each of the appropriate Regional Young Representative Committees.

Proposed Amendments

7. There shall be National Young Representative Committees members, elected from their respective Regional Young Representative Committees in such proportion, as may be determined by the Executive Council.

East Midlands/Community, Youth Workers & Not for Profit RISC

36 Clause 9.1

Delete current clause, insert:

In each Region there shall be a young members' forum open to all members up to and including the age of 30 in that Region commencing from the 2021/2024 election cycle.

East Midlands/Regional Young Members' Committee

37 New clause

Throughout the structure of our Union create a designated young member seats on every RISC and NISC.

North East, Yorkshire & Humber/Regional Young Members' Committee

RULE 10 MEMBERS IN RETIREMENT

- 10.1 Members in retirement may be organised as “retired members plus” or as ordinary retired members. Only “retired members plus” members or members in retirement who choose to pay full contributions may hold office in any retired members’ structures that the Union may establish which shall include attendance at Regional Retired Members’ Conference. Separate arrangements may apply in the Republic of Ireland, Channel Islands, Isle of Man and Gibraltar.
- 10.2 Unite retired members, working through retired members’ structures, shall campaign for and promote the interests of senior citizens and the communities in which they live by working with the wider structures of the Union as well as other bodies involved with the retired, cementing links with the Union and ensuring support both within Unite and beyond.
- 10.3 The retired members’ structures shall harness the support of retired members in promoting the Union’s political and campaigning objectives.
- 10.4 Retired members may be members of the workplace, local or national branches of the union (as defined in Rule 17) or may be organised in retired members’ branches. Members in retirement may not simultaneously be members of more than one branch of the union.
- 10.5 In each Region there shall be a triennial conference of retired members representatives which shall be defined as officers of Retired Members’ branches and retired members who may hold office in other types of branch. The Regional Secretary shall be responsible for convening the conference.
- 10.6 There shall be Regional Co-ordinating Committees for retired members, elected from the regional conference, in such proportion as may be determined by the Executive Council. These Committees shall elect an observer delegate to their respective Regional Committee of the union as a whole.
- 10.7 Retired member activists are entitled to attend the triennial Area Activists Meetings and general Area Activists Meetings, and to stand for election for up to 2 defined retired members’ seats on Area Activists Committees, elected by retired members attending the meeting.
- 10.8 Retired members who are also Unite branch CLP GC delegates plus up to four nominees (who must be a members of the Labour Party) from the Regional Retired Members’ Co-ordinating Committee, elected by the members of that Committee, are entitled to attend the Regional Labour Party Liaison Conference and are eligible to stand for election to at least two additional retired members seats on Regional Labour Party Liaison Committees.
- 10.9 There shall be a national conference of retired members’ representatives held every two years. The Executive Council shall be responsible for convening this conference which shall be made up of delegates elected by the regional retired members’ structures.

Proposed Amendments

RULE 10 MEMBERS IN RETIREMENT

38 Clause 10.5 – line 3, after “branches” add “as defined in Rule 17.7”

New clause 10.12 – “The Retired Members National Committee shall be entitled to send two delegates to both the Policy and Rules conference in order to ensure a gender balance.”

Retired Members’ National Committee

39 Clause 10.1

Line 3 – after “retirement” insert “, and those retired members in part-time employment and are Branch office holders,”

West Midlands/Retired Members’ Co-ordinating Committee

40 Clause 10.5

Line 4 – between “hold office” and “in other types of branch” insert “including a retired member who is an officer for retired and/or pensioner members”

London & Eastern/1115M Ford & Associates Branch

41 Clause 10.6, line 4 – delete “observer” insert “delegate”

Clause 10.10, line 5 – delete “observer” insert “delegate”; line 8 delete “observer” insert “delegate”

North West/Regional Retired Members’ Co-ordinating Committee

42 Clause 10.6, line 4 – delete “an observer” and insert “a” before “delegate”

Clause 10.10, line 5 – delete “an observer” and insert “a” before “delegate”

Clause 10.10, line 8 – delete “an observer” and insert “a” before “delegate”

Rule 10.11, line 2 – delete “observer” insert “delegate”

London & Eastern/2231 London Mechanical Construction Branch
North East, Yorkshire & Humber/405/16 Darlington Branch

43 New clause 10.12

No member who is in receipt of a pension from any funds of the union shall be eligible to represent the union in any capacity as a delegate or observer on behalf of Unite.

Civil Air Transport NISC
London & Eastern/10 “Ben Tillett” Tilbury Docks Branch

Current Rules

- 10.10 There shall be a National Committee for retired members, elected from the Regional Co-ordinating Committees in such proportion as may be determined by the Executive Council. This Committee shall elect a lay Chair and Co-ordinator to organise the work of the Committee in co-operation with the responsible National Officer, an observer delegate to the National Labour Party Co-ordinating Committee who must be a member of the Labour Party as well as delegates to national campaigning and labour movement organisations, and, an observer delegate to the Executive Council.
- 10.11 No member who is in receipt of a pension from any funds of the union shall be eligible for election to the observer positions as set out in Clauses 10.6 and 10.10 of this Rule.

RULE 11 EQUALITIES

- 11.1 The Union shall strive to have elected equalities representatives recognized and active in all workplaces and who participate in the work of the Union's industrial structure.
- 11.2 All constitutional conferences and committees of the Union shall have a gender and ethnic balance of elected representatives at least reflecting the proportion of the black, Asian and ethnic minority and female membership which they represent. The Executive Council shall ensure the implementation of this rule and shall report on its implementation to the Policy Conference of the Union.
- 11.3 There shall be separate conferences in each Region every three years for women members; black, Asian and ethnic minority members; disabled members; and lesbian, gay, bisexual and trans members. The Regional Secretary shall be responsible for convening these conferences.
- 11.4 There shall be Regional Committees for women members; black, Asian and ethnic minority members; disabled members; and lesbian, gay, bisexual and trans members, elected in Sector based constituencies of at least one member per regional Sector at the appropriate regional conference in 11.3, to advance the area of equalities, and to represent and report to the Regional Industrial Sector Committees in such proportion, as may be determined by the Executive Council. Members elected to such Sector based seats shall become full members of the Regional Industrial Sector Committee, provided that they are an accountable representative of workers. These committees shall each elect a delegate to their respective Regional Committee of the Union as a whole.
- 11.5 Each National and Regional Equalities Committee shall be empowered to fill vacancies arising from the failure of any appropriate regional Equalities Committee member, without good reason, to attend 3 consecutive Regional Equalities Committee meetings or following the resignation of any member.
- 11.6 There shall be separate national conferences every two years for women members; black, Asian and ethnic minority members; disabled members; and lesbian, gay, bisexual and trans members. The Executive Council shall be responsible for convening these conferences which shall be made up of delegates elected at each of the appropriate Regional Equalities Committees.
- 11.7 There shall be National Committees for women members; black, Asian and ethnic minority members; disabled members; and lesbian, gay, bisexual and trans members, elected from their respective Regional Equalities Committees in such proportion, as may be determined by the Executive Council.

RULE 11 EQUALITIES

44 Clauses 11.2; 11.3; 11.4, 11.6, 11.7

- 11.2 Line 3 – delete “the” insert “women”; between “Black, Asian” insert “and”, after “Asian” delete “and”; line 3/4 – delete “and female” insert “disabled; and lesbian, gay, bisexual and trans + (LGBT+)”
- 11.3 Line 2 – between “Black, Asian” insert “and”, after “Asian” delete “and”; line 3 – after “trans” insert “+ (LGBT+)”
- 11.4 Line 1/2 – between “Black, Asian” insert “and”, after “Asian” delete “and”; line 3 – after “trans” insert “+ (LGBT+)”
- 11.6 Line 2 – between “Black, Asian” insert “and”, after “Asian” delete “and”; line 3 – after “trans” insert “+ (LGBT+)”
- 11.7 Line 1 – between “Black, Asian” insert “and”, after “Asian” delete “and”; line 3 – after “trans” insert “+ (LGBT+)”

National BAEM Committee

45 Clause 2

Line 3 – delete “the black, Asian and ethnic minority and female” and insert “women, black and Asian ethnic minority, disabled and lesbian, gay, bisexual and trans+ (LGBT+)”

National LGBT Committee

46 Rule 11 and elsewhere

Delete all references to “black, Asian and ethnic minority” replace with “Black and Asian ethnic minority” throughout the Rule Book

East Midlands/Regional BAEM Committee

47 Clause 11.2

Rewrite as follows:

All constitutional conferences and committees of the union shall have seats to ensure a gender and ethnic balance of representatives, at least representing the proportion of black, Asian, and ethnic minority and female membership being represented. In the circumstance that these seat(s) cannot be filled due to a lack of appropriate representative(s), these seat(s) will be available to the next appropriate minority group. If the seat(s) still cannot be filled, they will then be ‘open’ seats. This will be the case until as soon as the seat can be filled by the/a minority group, or until the next election cycle. The Executive Council shall ensure the implementation and appropriate management, as required, of this rule and shall report on its implementation to the Policy Conference of the Union.

East Midlands/Engineering, Manufacturing & Steel RISC

Proposed Amendments

48 Clause 11.2

Line 1, delete the word "constitutional"

Scotland/Regional Women's Committee

49 Clause 11.2

Delete first sentence, insert:

All conferences and committees of the Union shall include a balance of elected representatives from all of the equality groups, reflecting the proportion of the Black, Asian and ethnic minority, women, LGBT and disabled membership which they represent.

South East/Regional LGBT Committee

50 Clause 11.4

Add the following wording at the end of paragraph as an additional sentence:

Regional Retired Members' Coordinating Committees shall be entitled to elect a delegate to each Regional Equality Committee. The election of delegates to such committees does not afford Retired Members Plus delegates the ability to represent the committee elsewhere in the union's structure.

Ireland/Regional Retired Members' Co-ordinating Committee

51 Clause 11.4

Add at end of clause:

"Community Members may be elected by Regional Community Committees to serve as an observer delegate at Regional Committees for women members; black, Asian and ethnic minority members; disabled members; and lesbian, gay, bisexual and trans members, to advance the area of equalities, and to represent and report to the Regional Community Committees in such proportion, as may be determined by the Executive Council."

London & Eastern/785 North London Voluntary Sector Branch
South West/Gloucester AAC

RULE 12 POLICY CONFERENCE

- 12.1 The supreme policy making body of the Union shall be a Policy Conference held every two years consisting so far as is reasonably practicable of one lay delegate for each two thousand working members of the Union. Only elected lay delegates shall have the right to vote. No member shall be a lay delegate if they are currently employed by the Union.
- 12.2 Motions to the Policy Conference shall be confined to the general policies of the Union and shall not deal with matters relating to the interpretation or amendment of rule or which are concerned solely with the Union's policy within an Industrial Sector. Following the conference any motion which commits the Union to expenditure of funds must be put to the Executive Council for consideration and ratification before implementation.
- 12.3 The General Secretary will present a financial report to the Policy Conference.
- 12.4 The Executive Council shall determine the procedure for nomination, qualification and election of delegates and the constituencies from which they shall be elected.
- 12.4.1 In addition each Regional Committee shall elect the following delegates to Policy Conference directly:
- a) Three delegates from the Regional Committee
 - b) two Lesbian, Gay, Bisexual or Trans members
 - c) Two disabled members,
 - d) Two young members.
- 12.4.2 Each Regional Committee may nominate one Retired Member as an observer to the Policy Conference.
- 12.5 The Executive Council shall be in attendance at any Policy Conference, and its members may speak upon but may not vote on any subject.
- 12.6 Each delegate shall hold office until the next Policy Conference.
- 12.7 The Executive Council shall determine the number of policy motions which may be submitted by the Branch; regional; industrial and equalities structures, and from the Executive Council itself.
- 12.7.1 The National Retired Members Committee and Regional Retired Members Co-ordinating Committees may submit one motion each to the Policy Conference on matters solely pertaining to members in retirement.
- 12.8 The Policy Conference shall be chaired by the Chair of the Executive Council.

RULE 12 POLICY CONFERENCE

52 Clause 12.1

Rewrite first sentence to read:

The supreme policy making body of the Union shall be a Policy conference held every two years consisting so far as is reasonably practicable of one lay delegate for each RISC and thereafter, one lay delegate for each two thousand working members of the Union.

Scotland/Government, Defence, Prisons & Contractors RISC

53 Delete existing clause 12.1, replace with

The supreme policy making body of the Union shall be an annual 5-day National Conference, comprising one day of sector conferences, then four days where all delegates meet together. At least three of these days shall be dedicated to discussing national policy, and then up to one day agreeing rule changes.

As far as is reasonably practicable delegation shall consist of one lay delegate for each two thousand working members of the Union. Only elected lay delegates shall have the right to vote. No member shall be a lay delegate if they are currently employed by the Union.

London & Eastern/1111 Housing Workers Branch

54 Clause 12.1

Add sentence as follows "Each branch shall be able to elect one or more delegates."

London & Eastern/372 Unison Staffs Branch

55 Clause 12.1 – delete "two years" insert "one year"; delete "two thousand" insert "'branch of"

Clause 12.4 – delete "and the constituencies from which they shall be elected"

Clause 12.4.1 add new sub-clause

e) Additional women and BAEM members to ensure proportionality if this is not met following the election of branch delegates.'

London & Eastern/1228 Waltham Forest Council Branch

56 Clause 12.4.1

New sub-clause

e) one BAEM member

Wales/Service Industries RISC

Current Rules

- 12.9 The Policy Conference may be recalled by the Executive Council in an emergency. It shall deal only with the business for which it is summoned.
- 12.10 The Executive Council shall draft the standing orders for the Policy Conference. A Standing Orders Committee shall be constituted on the basis of at least one delegate from each Region, under a procedure to be agreed by the Executive Council. No member of the Executive Council shall be eligible to serve on the Standing Orders Committee. The Chair of conference may attend the meetings of the Committee and may issue directions prior to the Conference, subject to those directions being upheld by the Conference itself.
- 12.10.1 A member of the Standing Orders Committee may not simultaneously be a delegate to the Conference, but for the purpose of electing the next Policy Conference Standing Orders committee members will be treated as being a delegate to Conference and may be nominated and elected to serve on the next Standing Orders Committee.
- 12.11 No member of the Executive Council, employee of the Union or retired employee of the Union, or any member who is in receipt of a pension from any of the funds of the Union, no tutor employed by the Education Department or registered for delivery of Unite education, and no member who is employed on Union business on a full-time or part-time basis with remuneration paid from funds which are raised from special contributions paid by Branch members as distinct from Union contributions, shall be eligible for nomination as a delegate to the Policy Conference.

Proposed Amendments

57 Clause 12.4.1 – new sub-clause

e) two BAEM members

South West/Regional BAEM Committee

58 Clause 12.4.2, line 1 – delete “one Retired Member” insert “two Retired Members”; line 2 delete “an observer” insert “delegates”

Clause 12.7.1, line 3 delete “solely pertaining” insert “of relevance”

Wales/Retired Members’ Co-ordinating Committee

59 Clause 12.4

Add to Clause:

One branch nominated member from the branch that sends in a motion or amendment to rule.

East Midlands/DE24 Ferodo (Federal-Mogul) Branch

60 New clause 12.7.2

No text purporting to make policy shall be put to a Policy Conference other than a policy motion under this rule.

North East, Yorkshire & Humber/GEO/12 Leeds Branch

RULE 13 RULES AMENDMENT

- 13.1 For the revision of the rules and constitution of the Union there shall be a Rules Conference which shall meet in every fourth year. No member shall be a lay delegate if they are currently employed by the Union.
- 13.2 The Rules Conference shall be constituted in the same way as the Policy Conference.
- 13.3 Amendments to rule may be approved by a simple majority of those voting. Only elected lay delegates shall have the right to vote.
- 13.4 Following the conference any amendment to rule which commits the Union to expenditure of funds must be put to the Executive Council for consideration and ratification before implementation.
- 13.5 The Executive Council shall be entitled to submit motions and amendments to motions to amend the rules to a Rules Conference and if an urgent issue arises it may do so at short notice.
- 13.6 If in the opinion of the Executive Council there is an urgent need to amend the rules between Rules Conferences, the Executive Council may amend the rules by a resolution supported by not less than 75% of its members, provided that amendment shall cease to have effect at the end of the next Rules Conference unless it has been ratified by a resolution of that conference.
- 13.7 The Executive Council shall determine the procedure for nomination, qualification and election of delegates and the constituencies from which they shall be elected.
- 13.7.1 Each Region may nominate one Retired Member as an observer to the Rules Conference.
- 13.8 The Executive Council shall be in attendance at any Rules Conference, and its members may speak upon but may not vote on any subject.
- 13.9 Each delegate shall hold office until the next Rules Conference.
- 13.10 The Executive Council shall determine the number of rules motions which may be submitted by from the Branch; regional; industrial and equalities structures, and from the Executive Council itself.
- 13.10.1 The National Retired Members Committee and Regional Retired Members Co-ordinating Committees may submit one amendment each to the Rules Conference solely pertaining to members in retirement.
- 13.11 The Rules Conference shall be chaired by the Chair of the Executive Council.
- 13.12 The Rules Conference may be recalled by the Executive Council in an emergency. It shall deal only with the business for which it is summoned.
- 13.13 The Executive Council shall draft the standing orders for the Rules Conference. A Standing Orders Committee shall be constituted on the

RULE 13 RULES AMENDMENT

61 Clause 13.2

The Rules Conference shall be constituted at the end of the appropriate Policy Conference, once every 4 years.

Community, Youth Workers, Not for Profit NISC

62 Clause 13.2

Add at end of clause "and shall commence after the finish of alternate Policy Conferences, during the same week at the same venue".

Wales/Engineering, Manufacturing & Steel RISC

63 Clause 13.2

Delete all and replace with:

The Rules Conference shall be constituted at the end of the appropriate Policy Conference – once every four years so far as is reasonable and practical. One lay delegate for each 4,000 working members of the union. Only elected lay delegates have the right to vote. No member shall be a lay delegate if they are currently employed by the union.

London & Eastern/Food, Drink & Agriculture RISC

64 Clause 13.2

Delete and replace with:

The Rules Conference shall be held every 4 years, at the finish of the appropriate Policy Conference in the cycle, consisting as far as reasonably practical of 1 delegate for every 4,000 members. Only elected lay delegates shall have the right to vote. No member shall be a lay delegate if they are currently employed by the union.

London & Eastern/230 Central London Taxis Branch

65 Clause 13.7.1 – line 1 – delete "one retired member as an observer" insert "two Retired Members as delegates"

Clause 13.10.1 – line 3 – delete "solely pertaining" insert "of relevance"

London & Eastern/Retired Members' Co-ordinating Committee

Current Rules

basis of at least one delegate from each Region under a procedure to be agreed by the Executive Council. No member of the Executive Council shall be eligible to serve on the Standing Orders Committee. The Chair of conference may attend the meetings of the Committee and may issue directions prior to the Conference, subject to those directions being upheld by the Conference itself.

13.13.1 A member of the Standing Orders Committee may not simultaneously be a delegate to the Conference, but for the purpose of electing the next Rules Conference Standing Orders Committee members will be treated as being a delegate to the Conference and may be nominated and elected to serve on the next Standing Orders Committee.

13.14 No member of the Executive Council, employee of the Union or retired employee of the Union, or any member who is in receipt of a pension from any of the funds of the Union, no tutor registered for delivery of Unite education by the Education Department, and no member who is employed on Union business on a full-time or part-time basis with remuneration paid from funds which are raised from special contributions paid by Branch members as distinct from Union contributions, shall be eligible for nomination as a delegate to the Rules Conference.

RULE 14 EXECUTIVE COUNCIL

14.1 Election of the Executive Council

14.1.1 The election of the Executive Council shall be on the basis of representatives from the Union's regional structure, representatives from the Union's Industrial Sectors and National Representatives of the Union's women and black, Asian and ethnic minority, disabled, LGBT and Young membership.

14.1.2 Elections to the Executive Council shall be conducted in conformity with guidance issued by the Executive Council. Such guidance will ensure equality and fairness throughout the election and balloting process. All nominees gaining the required number of nominations will be provided with the same appropriate access to branch secretaries, workplaces and constitutional committees information and promotion throughout the union.

14.2 Election to the Executive Council shall be on the basis of electoral constituencies determined by the Executive Council. A full audit of each Industrial Sector's membership will take place at the September Executive Council meeting in the year prior to the election of the Executive Council to determine Executive Election Constituencies. These constituencies shall ensure the fair and equitable representation of the working membership and shall include representatives to be elected from the Regions as constituted in the union on the basis of each region with fewer than 150,000 members on the date at which the membership figures are struck having two representatives, each region with 150,000 members but fewer than 200,000 members having three, and each region with 200,000 members or more having four; and shall include representatives from the national industrial sectors, on the basis of each sector with fewer than 50,000 members at the date at which the membership figures is struck having one representative, each sector with 50,000 but fewer than 100,000 members having two and each sector with 100,000 members or more having three. The allocation of constituencies based on this formula will be automatically applied to all Executive Council elections henceforward unless the formula is varied by the Rules Conference.

14.2.1 The Executive Council of the Union shall include designated seats within the electoral constituencies to ensure the proportionate representation of women members and of black, Asian and ethnic minority members.

14.2.2 The term of office for the Executive Council shall be three years.

14.2.3 No current or former employee of the Union, nor any current employee of any other union, is eligible to stand for, or hold office on, the Executive Council.

14.3 The Executive Council shall meet at least four times a year, with up to a maximum of five days duration per meeting to complete the business at hand. Special meetings of the Executive Council may be called when the General Secretary or when a majority of the Executive Council considers it necessary.

Proposed Amendments

RULE 14 EXECUTIVE COUNCIL

66 Clause 14.1.1

Line 5 – add “+” after “LGBT”

North East, Yorkshire & Humber/Regional LGBT Committee

67 Clause 14.1.1 and 14.2.1

Clause 14.1.1 Line 5 – after “LGBT” insert “, Retired Members Plus”

Clause 14.2.1 Line 3 – after “representation of” insert “and Retired Members Plus”.

Scotland/Retired Members Co-ordinating Committee

68 Clause 14.2.2

Add at end: “Where an EC member no longer represents any membership under Rule 6, will be replaced by a by-election, for the remainder of the current term.

North East, Yorkshire & Humber/Passenger RISC

69 Clause 14.9.9

Add new sentence at end:

Any substantive policy decisions made by the EC to be ratified by the next scheduled Policy Conference.

London & Eastern/Norfolk AAC

Current Rules

- 14.4 Members of the Executive Council who do not attend two consecutive meetings to which they are summoned, may be removed from office by the Executive Council if they fail to provide a written explanation of that absence to the General Secretary or if any written explanation provided is in the opinion of the Executive Council unsatisfactory. The Executive Council shall determine the guidance on the application of this rule.
- 14.5 An elected Executive Council member cannot act as a Stand Down Officer during their elected period of office as an Executive Council Member.
- 14.6 The Executive Council shall elect a Finance and General Purposes Committee provided that it shall include the Chair of the Executive Council. The Executive Council shall determine the number of members thereof. This committee shall meet not less than six times a year. This Committee shall also act as an emergency committee, and the Executive Council shall delegate to such Committee all or any of its powers and duties as it may determine, and may modify or revoke such powers.
- 14.7 At the first meeting of the Executive Council following its election there shall be appointed by and from the members a Chair. The Executive Committee will have the power to remove and replace its Chair at any time, and to appoint one or more Vice Chairs for such business and period as it deems fit from time to time.
- 14.8 The Chair shall preside over all Executive Council meetings, see that the business is properly conducted, and sign the minutes of each meeting when passed. The Chair shall also preside at the biennial Policy Conference, the Rules Conference, the Finance and General Purposes Committee and in addition shall be a delegate to the Trades Union Congress and Annual Conference of the Labour Party (where appropriate) held during their term of office, and to such other conferences as the Executive Council may determine.
- 14.9 The Government, management and control of the Union shall be vested in the Executive Council collectively, which may do such things consistent with the rules and objects of the Union as it may consider expedient to promote the interests of the Union or any of its members. In particular and without limiting the general powers conferred on it by these rules the Executive Council shall have the power to:
- 14.9.1 Ensure that properly prepared management accounts and annual statements of account relating to all financial affairs of the Union are presented at its regular meetings, and it may call for the production of any book, vouchers, or documents.
- 14.9.2 Direct that special audits or examinations of the books or finances of any part of the Union shall be made by special auditors appointed by the Executive Council.
- 14.9.3 Appoint and remove the Union's auditor and assurer in relation to membership records for which purpose the members of the Executive Council shall act as the delegates of the members by whom they were elected.

Current Rules

- 14.9.4 Appoint all officers who are employed as such by the Union (who shall have been paying members of this Union or, if employed by Unite, paying members of another trade union recognised by the union for bargaining purposes, for at least two years immediately preceding the date of application) other than the General Secretary. The promotion of individual officers (up to but excluding the level of General Secretary) and the allocation/reallocation of officer roles shall be subject to the approval of the Executive Council in each case.
- 14.9.5 Determine one or more constitutional committees of lay members to which each officer employed by the Union shall report and be accountable and ensure that the list of these allocations is available to members.
- 14.9.6 Consider all appeals and resolutions addressed to it, subject to where it deems appropriate the Council shall have the power to refer such appeals and references to Regional or National Industrial Committees.
- 14.9.7 Require reports to be submitted to it of all disputes, and shall take such action with regard thereto as it shall deem fit.
- 14.9.8 Raise or borrow money and secure the payment of money or the carrying out of any other obligation of the Union on any of the properties or securities of the Union in such manner as it shall think fit.
- 14.9.9 Decide questions of policy which may arise between Policy Conferences and which have not been decided by a previous decision of such a conference.
- 14.9.10 Send delegates or deputations to represent the Union, and to delegate power to any person to act on behalf of the Union for any purpose.
- 14.9.11 Sanction payment of benefit in respect of any strike and in respect of any lockout.
- 14.9.12 Expend moneys on any of the purposes authorised by these rules, or on any other purpose which, in their opinion, is expedient in the interests of the Union or its members, including, at its discretion, the provision of legal services to members (and where it additionally and severally sees fit, to members' families), and the taking and defending of legal action by the Union.
- 14.9.13 Suspend, or impose any other penalty on any Branch, Region or other administrative section of the Union for such reasons and on such terms as they deem expedient and their decisions, save as herein provided, shall be final and conclusive for all purposes provided that every Branch, Region or other administrative section shall have the right within 14 days, of the date of notification of the decision of the Executive Council to give notice of appeal, and until the hearing of such appeal the decision of the Council shall be binding.

Current Rules

- 14.9.14 Delegate to any committee constituted under these rules such of their powers as are necessary or expedient and consistent with the powers and duties of such committee as in these rules provided, and may modify or revoke such powers and duties from time to time.
- 14.9.15 Provide training for lay representatives, activists and its employees.
- 14.9.16 Decide its own Standing Orders and procedures in all matters not expressly provided for in these rules.
- 14.9.17 Make standing orders, consistent with these rules, governing the proceedings of Regional Committees, Industrial Committees and any other body provided for by these rules, as it sees fit.
- 14.9.18 Decide any question relating to the meaning and the interpretation of these rules or any matter not expressly provided for by these rules which decision shall be binding on all members of the Union.
- 14.10 Recognising the central importance of the organisation of workers into the Union the Executive Council shall devote no less than five per cent of membership income to organising each year and shall aim to move to no less than ten per cent within no less than three years of amalgamation. Organising units shall be maintained by these funds in each Region and shall be controlled by a national organising department under the control of the General Secretary.
- 14.11 In addition to any express powers in these rules provided, the Executive Council shall have power generally to carry on the business of the Union, as it may deem necessary, and do such things and authorise such acts, including the payment of moneys, on behalf of the Union, as it, in the general interests of the Union, may deem expedient, and to delegate to any person or persons the power to represent and to act on behalf of the Union. Between Executive Council meetings the Executive Council's powers under clause 9 above and this clause are delegated to the General Secretary save the following:
- 14.11.1 regarding appeals and resolutions
- 14.11.2 regarding delegation of powers from the Executive to any committee
- 14.11.3 regarding Executive Council procedures
- 14.12 The Executive Council may exercise any power given to it by these rules as it sees fit from time to time.

RULE 15 GENERAL SECRETARY

- 15.1 All elections for the General Secretary shall be on the basis of a ballot of the whole membership of the Union other than 'ordinary' retired members who shall not be eligible to vote. The fixed term of office for each General Secretary election will be set at 5 years. If the General Secretary position becomes vacant due to retirement, resignation or death within a fixed term of office a General Secretary election will be called.
- 15.2 The General Secretary shall not hold office without re-election for more than 5 years from the last day on which the votes were cast in his/her previous election.
- 15.3 The General Secretary shall be responsible for the administration of the affairs of the Union; including convening the meetings and implementing the decisions of the Executive Council, and such other duties as may be determined by the Executive Council.
- 15.4 All employees of the Union shall be under ultimate control of the Executive Council whose approval shall be required before changing their terms and conditions of employment or superannuation arrangements. Subject to that ultimate control the General Secretary shall be responsible for managing all employees of the Union who, subject to their terms and conditions of employment, shall perform such duties and work from such locations as the General Secretary may direct.
- 15.5 The General Secretary shall be under the control of and act in accordance with the directions of the Executive Council.
- 15.6 The General Secretary may delegate to any employee of the Union such of the General Secretary's powers as the General Secretary may consider appropriate.
- 15.7 The General Secretary shall be entitled to attend all meetings of the Union and to take part in their deliberations but shall not have a vote.

RULE 15 GENERAL SECRETARY

70 Clause 15.1

Add at end of clause:

Notwithstanding the above, the Executive Council may call an election for General Secretary at any time within the fixed 5-year term, if it deems this to be in the best interests of the Union to do so.

Wales/Cardiff AAC

71 Clause 15.1

Add new sentence at end of the clause as follows:

The election of the General Secretary shall be conducted using a system of Single Transferable Vote or Alternative Vote that ensures the winning candidate attains a minimum of 50% plus one vote of all voting members.

East Midlands/DE51 Chesterfield CMA Branch

72 Clause 15.6

Line 2 – delete “General Secretary” insert “Executive Council”

London & Eastern/2000 BASSA Branch

RULE 16 ELECTION OF EXECUTIVE COUNCIL MEMBERS AND THE GENERAL SECRETARY

- 16.1 Subject to the provisions of these rules and the powers of the independent scrutineer, the election of members of the Executive Council and the General Secretary shall be organised and conducted in accordance with the directions of the Executive Council.
- 16.2 The Executive Council shall appoint an independent scrutineer to supervise the production, storage and distribution of voting papers, to receive and count the voting papers, to report on the election, to retain the voting papers for an appropriate period and to perform such other duties as the Executive Council may specify.
- 16.3 The Executive Council shall appoint a suitable, independent person to act as Election Commissioner to adjudicate on any complaints made under clause (24) of this rule relating to the conduct of the election. In the event that the Electoral Commissioner finds it necessary to carry out an investigation in the conduct of his or her duties under rule all members and employees of the Union are required to afford him or her every assistance in this regard.
- 16.4 The Executive Council shall appoint a Returning Officer to deal with the conduct of the election between the Executive Council meetings and may delegate to him/her its powers relating to the conduct of that election provided that the Returning Officer shall not act inconsistently with any decision of the Executive Council and shall report to the next meeting of the Executive Council all actions taken and decisions made in respect of that election.
- 16.5 A candidate in an election shall play no part in any deliberations of or decision by the Executive Council which relates specifically to the conduct of an election in the constituency in which an individual is a candidate.
- 16.6 Executive Council candidates for election to represent a Region shall be nominated by at least three Branches within that Region or that part of a Region as the case may be. A branch shall be entitled to make only such number of nominations as there are members to be elected from that Region or part thereof.
- 16.7 Executive Council candidates for election to represent a particular Industrial Sector constituency shall be nominated by branches and workplaces consisting of members of the particular Industrial Sector constituency concerned (where there is no workplace branch).
- 16.8 In every case no nomination shall be valid unless a meeting of the Branch, or workplace, has been convened and that nomination has been endorsed by the meeting. The Executive Council guidance shall state whether and how a nomination may be made by a workplace, or Branch (in relation to Industrial Sector seats).
- 16.9 A member is required to receive at least three nominations. On receipt of such nominations the candidate shall be invited to confirm in writing that

RULE 16 ELECTION OF EXECUTIVE COUNCIL MEMBERS AND THE GENERAL SECRETARY

73 Clause 16.1, delete existing clause, replace with:

Subject to the provisions of these rules and the powers of the independent scrutinizer, the election of the members of the Executive Council, the General Secretary, Assistant General/Regional Secretaries, full time Union officials and full time Union National and regional representative officers representing Union members in all our sectors shall be elected, with being organised and conducted with the directions of the Executive Council.

With also the aforementioned Union full time paid General Secretary, Assistant General/Regional Secretaries, officials and representative officers being paid the average wage of the Union membership they represent, with also being under the right of recall by the Union membership.

South East/6263 South East Building & Contracting Branch

74 Clause 16.4 – line 1, insert “independent” before the words “Returning Officer”; line 5, delete “shall report to the next meeting of” insert “directly to”

Clause 16.25 – line 3, insert “directly” after “matter”

Scotland/267 Rolls Royce Branch

75 Clause 16.6

Line 2, delete word “three” replace with word “ten”

South West/Road Transport Commercial & Logistics RISC

76 New Clause 16.6, renumber subsequent clauses accordingly

Only for the purpose of the Executive Council Member elections and the General Secretary election any workplace with more than 50 members that does not have a workplace branch will be classified as a workplace branch for the purpose of nominating candidates for the Executive Council election and General Secretary election.

South West/8171 GE Aviation Bishops Cleeve Branch

77 Clauses 16.7 to 16.12

Delete all references to “workplace(s)” “each workplace” “workplace nominations” and “(where there is no workplace branch)”

Executive Council

Current Rules

she/he accepts the nomination. Each member who does so and who is otherwise eligible shall be a candidate in the election for that constituency.

- 16.10 Executive Council candidates for election to represent a constituency under any equalities provision of these rules shall be nominated by Branches and workplaces (where there is no workplace branch).
- 16.11 Executive Council candidates must be a member of the electoral constituency they wish to represent.
- 16.12 Nominations of Candidates for election of General Secretary may be made by each branch and each workplace. A candidate must be eligible to vote in the election; have at least 5 years continuous membership of the union; and have received at least 50 branch nominations or workplace nominations (where there is no workplace branch), subject to the total including nominations from more than one region. In every case no nomination will be valid unless a meeting of the branch, or workplace, has been convened and that nomination has been endorsed by the meeting. The Executive Council guidance will state whether and how a nomination may be made by a workplace, or branch.
- 16.13 If the number of candidates does not exceed the number of vacancies to be filled by that constituency, the candidate(s) shall be declared elected. If there are more candidates than vacancies, the election shall be conducted by a secret postal ballot.
- 16.14 Executive Council constituencies to be based on paying membership allocations as reported at the September Executive Council in the year prior to the Executive Elections.
- 16.15 The election shall not be concluded until the Executive Council has received the independent scrutineer's report and declared which candidate(s) has been elected. This should take place as soon as reasonably practicable after the votes have been counted. If the Election Commissioner advises the Executive Council that it should not declare the outcome of an election until he/she has adjudicated on a complaint, it shall comply with that request.
- 16.16 The Executive Council may decide that members who have joined the Union after a prescribed date shall not be eligible to vote, provided the date shall not be more than 13 weeks before the first day on which voting is due to take place in that election.
- 16.17 Members of a territorial Region shall be accorded equally an entitlement to vote in the election for a representative from their own territorial Region (but no other territorial Region) to the Executive Council. A member's Region for the purposes of this rule shall be the Region to which their Branch is allocated by the Executive Council. In the case of Branches covering more than one Region the method of establishing a member's individual Region shall be determined by the Executive Council.
- 16.18 Members of a particular Industrial Sector shall be accorded equally an entitlement to vote in the election for a representative from their own Industrial Sector Constituency (but no other Industrial Sector Constituency) to the Executive Council.

Proposed Amendments

78 Clause 16.12

Line 6, delete "more than one" replace with "more than two"

Executive Council

79 Clause 16.7

Rewrite as follows:

Executive Council candidates for election to represent a particular Industrial Sector constituency shall be nominated by branches which have members in the particular Industrial Sector constituency concerned. Where there is no workplace branch, workplaces consisting of members of the particular Industrial Sector constituency concerned (and which are recognised as such by the Regional Committee) may also make nomination(s).

Clause 16.12

Rewrite as follows:

Nominations of Candidates for election of General Secretary may be made by each branch. Where there is no workplace branch, workplaces that are recognised as such by the Regional Committee, may also make nominations. A candidate must be eligible to vote in the election; have at least 5 years' continuous membership of the union; and have received nominations from at least 5% of the total number of branches subject to the total including nominations from more than two regions. In every case no nomination will be valid unless a meeting of the branch, or workplace, has been convened and that nomination has been endorsed by the meeting. The Executive Council guidance will state whether and how a nomination may be made by a workplace, or branch.

Wales/Aerospace & Shipbuilding RISC

80 Clause 12

Add at end of clause

The Single Transferable Vote system of voting will be used in the election of the General Secretary

Scotland/164/403 Glasgow & Lanarkshire Community, Youth Work & Not 4 Profit Branch

81 Clause 16.17, line 1 – insert in front of "Members" "All subscription paying"

East Midlands/Leicestershire & Rutland AAC
South East/Regional Retired Members' Co-ordinating Committee

Current Rules

- 16.19 In relation to the election of the National Representative(s) for Women Members; members who are women shall be accorded equally an entitlement to stand and vote.
- 16.20 In relation to the election of the National Representative(s) for Black or Asian ethnic minority Members; members who are Black or Asian ethnic minority members shall be accorded equally an entitlement to stand and vote.
- 16.21 In relation to clauses 18 and 19 above, the Union shall rely on its membership records and shall endeavour to collect and record such relevant information, but shall be entitled to make a presumption of non-entitlement to vote in such election where there is an absence of the relevant qualification information.
- 16.22 A member who is eligible to vote in an election who does not receive a voting paper should contact the Union but the final decision on whether to issue a further voting paper to that member shall be a matter for the independent scrutineer.
- 16.23 Each candidate shall be entitled to attend as an observer the counting of the votes from the constituency in which he/she is a candidate.
- 16.24 If at any stage during an election or within 28 days of the declaration of the outcome a candidate in an election or the Executive Council considers that there has been a breach of these rules or of any other legal requirement relating to the conduct of the election or any other interference with the conduct of the election and that the breach or interference may materially affect or may have materially affected the outcome of the election, he/she or the Executive Council may submit a complaint to the Election Commissioner.
- 16.25 If the Returning Officer or a member who is not a candidate considers that there are grounds for a complaint to the Election Commissioner, he/she should refer the matter to the Executive Council.
- 16.26 A complaint to the Election Commissioner should be made as soon as is reasonably practicable. The Election Commissioner shall not consider any complaint made more than 28 days after the date on which the Executive Council declared the outcome of the election.
- 16.27 A complaint to the Election Commissioner shall be made in writing addressed to the Election Commissioner care of the Returning Officer and accompanied by all the supporting evidence which the complainant wishes to be taken into account.
- 16.28 If when the Election Commissioner receives a complaint the independent scrutineer has not yet reported on the election and the Election Commissioner considers that the complaint raises matters which fall within the jurisdiction of the independent scrutineer, he/she shall refer the complaint (or the part thereof which raise such matters) to the independent scrutineer unless it is not reasonably practicable to do so. When the Election Commissioner has referred a complaint (or part thereof) to the independent scrutineer he/she shall not adjudicate on the

Proposed Amendments

82 New clauses 16.21 and 16.22

16.21 In relation to the election of the National Representative(s) for Disabled Members; members who are registered disabled on the membership records shall be accorded equally an entitlement to stand and vote.

16.22 In reference to 16.21, this rule will come into effect by the next Rules Conference in 2023, during which time Unite the Union will take all reasonable measures to ensure that all the disabled membership eligible has made their status known (in confidence) on the membership electronic database for the purpose of ensuring maximum participation in the democratic process. Once the 4-year period has ended, Rule 16.22 will cease and Rule 16.21 will be in full effect.

Amend the old 16.21 which is now the re-numbered 16.23

First line, after "18" delete "and" and insert ", "

First line, after "19" insert "and 21"

Renumber accordingly

National Disabled Members' Committee

83 New clause 16.21 and 16.22, renumber subsequent clauses accordingly

16.21 In relation to the election of the National Representative(s) for Lesbian, Gay, Bisexual and Trans Members; members who are Lesbian, Gay, Bisexual and Trans shall be accorded equally an entitlement to stand and vote.

16.22 In reference to 16.21, this rule will come into effect 24 months after agreed at Rules Conference 2019, during which time Unite the Union will take all reasonable measures to ensure that all the LGBT membership eligible has made their status known (in confidence) on the membership electronic database for the purpose of ensuring maximum participation in the democratic process. Once the 24 month period has ended, Rule 16.22 will cease and Rule 16.21 one will be in full effect.

With regard to renumbered clause 16.23, replace "In relation to clauses 18 to 19 above" with "In relation to clauses 18, 19 and 21 above"

East Midlands/Regional LGBT Committee

Current Rules

complaint until the independent scrutineer has expressed a view on that complaint.

- 16.29 The Election Commissioner may adjudicate on a complaint on the basis of written material submitted with the complaint or, at his/her complete discretion, call for such further information as he/she shall think fit and/or conduct a hearing of the complaint. Subject to the provisions of this rule, the Election Commissioner shall decide his/her own procedures for investigating and adjudicating upon the complaint provided that he/she shall endeavour to adjudicate on the complaint as quickly as is reasonable practicable.
- 16.30 If after considering a complaint the Election Commissioner considers; that there has been a material breach of these rules or of any other legal requirement relating to the conduct of the election or any other material interference with the conduct of the election; and that the breach or interference may materially affect or has or may have materially affected the outcome of the election; the Election Commissioner may recommend that the Executive Council should take one or more of the following measures:-
- 16.30.1 Declare the ballot and, if it has been declared, the outcome of the election void and call for a fresh ballot to be held;
- 16.30.2 Disqualify a candidate or candidates and permit the remaining candidates to go forward in the ballot or in any fresh ballot that may be ordered; or
- 16.30.3 Such other remedial measures as the Election Commissioner considers appropriate.
- 16.31 Subject always to any decision to the contrary by a court, the Certification Officer or any other lawful authority, the Executive Council shall give effect to any recommendation by the Election Commissioner made in accordance with clause (29) of this rule.
- 16.32 If an election is delayed as a result of action taken pursuant to a recommendation by the Election Commissioner, an order of a court, the Certification Officer or other lawful authority, a member who holds the office which is the subject of that election shall be entitled to continue in that office until the election is concluded.
- 16.33 Any casual vacancies on the Executive Council that occur within the first two years of the electoral term shall be filled by a by-election for a replacement delegate. If that casual vacancy occurs in the final year of the electoral term, there shall not be a by-election but that an observer may be elected to represent the section's interests from the relevant constituency, i.e. NISC, Regional Committee, National Equalities Committee.

Proposed Amendments

84 Clause 16.24

Rewrite as follows:

If at any stage during an election or within 28 days of the declaration of the outcome a candidate in an election or the Executive Council considers that there has been a breach of these rules or of any other legal requirement relating to the conduct of the election or any other interference with the conduct of the election may submit a complaint to the Election Commissioner.

Clause 16.30

Rewrite as follows:

If after considering a complaint the Election Commissioner considers; that there has been a material breach of these rules or of any other legal requirement relating to the conduct of the election or any other material interference with the conduct of the election; the Election Commissioner may recommend that the Executive Council should take one or more of the following measures:

Scotland/Aerospace and Shipbuilding RISC

85 New clause

Prospective nominees for the Executive Council and General Secretary elections will be covered and bound by the election directions of the Executive Council, from when the prospective nominee 150 word statement is released and circulated by the union with the letter inviting nominations.

East Midlands/DE17 Derbyshire & Nottinghamshire Finance Branch

86 New clause

All candidates in Executive Council and General Secretary elections receiving the required nominations will be provided an election webpage on Unite's intranet site for campaign material which will be visible and open to all members to view and download campaign material. The election webpages will be governed by the directions provided by the Executive Council and Unite's Information Technology and Communication Policy.

East Midlands/LN12 Lincolnshire GPM & IT Branch

87 New clause

The union will use a Single Transferable Vote system in the election of the General Secretary and the election of the Executive Council.

East Midlands/LE19 Leicestershire GPM Branch

RULE 17 BRANCHES

- 17.1 Wherever possible, Branches shall be based on the workplace, although provision shall also be made for local Branches, including local industrial sector, community and retired branches, and National Industrial Branches as appropriate and as approved by the Executive Council. Members of National Industrial Branches may fully participate in the structures of the Union, including the Regional Industrial Sector Conference and the Regional Political Conference (in both cases subject to meeting eligibility criteria), in the Region where they live if different from the Region where the branch is based.
- 17.2 Branch membership shall be allocated on the basis of the workplace if there is a workplace branch at the member's workplace, or the local branch most appropriate for their workplace if there is not a workplace or National Industrial branch.
- 17.3 Branches shall have direct access to a proportion of membership subscriptions. Such a proportion and access arrangements to be determined by the Executive Council, and may be conditional on performed compliance with financial reporting requirements. These funds may be used to meet the cost of administering the Branch; for recruitment and other campaigns approved by the Executive Council; for local affiliations; to assist members or their dependants who have suffered misfortune; or for any other worthy cause, subject to any provisions elsewhere in these rules, and that no general purposes funds shall be used for political objects. Any payments made in connection with any form of industrial action must be made strictly in line with Executive Council guidance applicable at the time. Branch funds shall not be utilised to assist a member or former member in obtaining legal advice, assistance or representation in respect of any court, tribunal or other proceedings brought against (or intended to be brought against) the Union.
- 17.4 All the property of the Branch including the books and other effects of the Branch, shall be the property of the Union and shall, on request by the Executive Council, be produced for inspection and audit. In the event of a closure, merger or dissolution of the Branch, all property of the Branch shall be dealt with as directed by the Regional Committee subject to the overall control of the Executive Council.
- 17.5 The Regional Committee shall be required to ensure that each Branch meets at least quarterly and operates in accordance with the standing orders provided for in clause 8 of this rule. Where a Branch fails to meet quarterly of all members that Branch shall be suspended and members of the Branch shall be allocated to a Branch which meets the requirements of rule subject to the right of the Branch to appeal to the Executive Council. Branches shall, with the assistance of the Region, advise their members of the venue, time and date of branch meetings; this may be by post or by posting the information on the Union's website. It shall be the responsibility of the branch secretary to ensure that up to date information about branch meetings is held by the Union.

RULE 17 BRANCHES

88 Clause 17.1 – delete all after “...and retired branches”

New Clause 17.2, renumber subsequent clauses accordingly

National Industrial Branches shall be approved by the Executive Council only as appropriate and where the local workplace branch model is not deemed suitable. Members of National Industrial Branches may fully participate in the structures of the Union, including the Regional Industrial Sector Conference and the Regional Political Conference (in both cases subject to meeting eligibility criteria), in the Region where they live if different from the Region where the branch is based.

Clause 17.6

Add new sentence at end:

The branches so affected have the right to be fully consulted and to express their views before implementation of any merger proposal.

Clause 17.7

Amend to read:

Each Branch shall have for its management a Chair, a Treasurer, an Equality Officer and a Secretary and such other officers, which may include a Vice-chair, as the Branch may elect.

Wales/Passenger RISC

89 Clause 17.1

Line 4 – After “Executive Council” insert new sentence “All branches should be entitled to send at least one delegate to all union national and regional conferences.”

South East/6246 Brighton Branch

90 Clause 17.3

Insert after first sentence – “For branches that represent a majority of self-employed/freelance members this proportion shall be higher to acknowledge the additional burdens placed on Workplace Representatives who cannot receive paid time off for carrying out union representational duties due to the nature of the work undertaken by members of the branch.”

London & Eastern/7380L National Union of British Sign Language Interpreters Branch

Current Rules

- 17.6 Where deemed desirable for organisational and/or administrative reasons the Regional Committee shall be empowered to merge Branches; which shall be implemented in the event of approval by the Executive Council.
- 17.7 Each Branch shall have for its management a Chair, a Treasurer, an Equality Officer and a Secretary and such other officers as the Branch may elect. They shall be elected at a Branch meeting by show of hands, or by ballot, if so decided by the meeting. The election shall take place at a branch meeting held between 1st January and 31st March in each third year and the elected candidates shall take office for three years. Casual vacancies may be filled at an ordinary Branch meeting, but notice of the impending election must be given to members of the Branch on the notice convening the meeting. The positions of Secretary and Treasurer may be held by the same member if the Branch so chooses.
- 17.8 The Executive Council shall issue standing orders to regulate the conduct of Branch meetings and business and may amend the standing orders from time to time. Those standing orders may only be varied in respect of a Branch with the prior approval of the Executive Council. The quorum for a Branch meeting to make a decision on any matter shall be 5 members and all matters should be decided by a simple majority of those voting. If the votes are equal the proposition before the meeting shall fail.
- 17.9 The Branch chair shall preside over all meetings of the Branch and shall ensure that business is conducted in accordance with the rules and Branch standing orders. If the chair is absent from a Branch meeting, those present shall elect a substitute to take his/her place for that meeting. The chair shall be entitled to vote on all matters to be decided by the Branch but he/she shall not have a second or casting vote. The Branch secretary shall be responsible for the general administration of the Branch including maintaining the Branch membership, financial and other records in the manner required by the Executive Council, taking and preserving Branch minutes and conducting all correspondence on behalf of the Branch. On taking office the branch secretary shall provide an address where members can contact him or her. This information shall be posted on the Union's website.
- 17.10 The Branch treasurer shall be responsible for dealing with financial transactions concerning the Branch, ensuring that all payments are made in accordance with the rules of the Union, receiving contributions from members who pay at the Branch and banking monies. He/she shall provide the Branch secretary with a record of all financial transactions and shall ensure that they are accurately recorded in the Branch records and that all monies are dealt with in accordance with the rules and the instructions of the Executive Council.
- 17.11 If a Branch is unable to fill a vacancy for secretary or treasurer, the Executive Council may appoint a full time officer to fulfil the duties of that office until such time as the Branch is able to fill the position.
- 17.12 All references to "Branch" throughout these rules refer to lay member organisations. All references to Branch secretaries refer to lay officials.

Proposed Amendments

91 Clause 17.3 delete final sentence, replace with

Branch funds shall not be utilised to assist a member, or former member, in obtaining legal advice, assistance or representation in respect of any court, tribunal or other proceedings brought against (or intended to be brought against) the Union. Where there is a case not being brought against the union and has not been supported by the Unite Legal Services, Branch funds may be utilised to assist a member in obtaining legal advice, assistance or representation in respect of any court, tribunal or other proceedings with the agreement of the Branch members.

South East/6135 Southampton University Branch

92 Clause 17.2

Add at end of clause – “A member of a branch should not be moved to another branch without the member’s agreement.”

North East, Yorkshire & Humber/204 North East Energy & Utilities Branch

93 Clause 17.6

Line 2/3, delete “which shall be implemented in the event of approval by the Executive Council” insert “in the event of an appeal this will be heard by a sub-committee of the Executive Committee.”

Executive Council

94 Clause 17.6

Line 2 – after “Branches” insert “after appropriate consultation with all members including the right to remain in their existing Branches”

North East, Yorkshire & Humber/SEC/2 Humber E&M and SI Branch

95 Clause 17.4

Add at end:

No branch will be closed and no member will be transferred to another branch without proper consultation with the branch, the member or members concerned.

Scotland/Unite Construction RISC

Current Rules

- 17.13 Branch officers shall receive the fullest support and protection from the union, and an immediate enquiry shall be undertaken by the appropriate regional industrial sector or regional committee into every case of victimisation of a branch officer with a view of preventing victimisation whether open or concealed.

Proposed Amendments

96 Clause 17.5

Delete second sentence, insert:

Where a Branch fails to meet quarterly for twelve months or fails to submit quarterly returns for twelve months all members of that Branch shall be suspended and the region under the supervision of the regional committee will take over the administration and running of the branch. The region along with the regional committee shall work towards making the branch active with lay branch members running the branch. If after twelve months of the region running the branch, the branch remains inactive all members of the Branch shall be allocated to a Branch which meets the requirements of rule subject to the right of the Branch to appeal to the Executive Council.

East Midlands/LE17 Benson Box Branch

97 Clause 17.7

Line 1, insert after "management" the words "branch executive officers consisting of"; after "a chair," insert "a vice-chair (where a branch so decides),"

Executive Council

98 Clause 17.8

Line 4, delete "Executive Council" insert "Regional Committee"

Executive Council

99 Clause 17.13

Add at end of clause – Following the enquiry by the Regional Industrial Sector, or the Regional Committee, a full report will be sent to the EC with recommendations.

London & Eastern/2050 Greenwich Local Government Branch

100 New clause 17.14

Each branch shall be allowed to submit one motion to either Policy or Rules Conference.

New clause 17.15

Each branch shall be allowed to elect one delegate to attend either Policy or Rules Conference.

North West/Health RISC

101 New clause

Conference calls for all Unite branches to play their part both politically and industrially; in doing so all branches must affiliate to their local trades council (TUC) and Labour Party (CLP). Furthermore, branches that fail to affiliate to their CLP and TUC should not qualify to receive their branch honorarium/officers' commission.

South West/Aerospace & Shipbuilding RIS

RULE 18 WORKPLACE REPRESENTATION

- 18.1 At each workplace, the members employed at that workplace, shall elect from amongst themselves, at least every 3 years, 1 or more of the following representatives:
- 18.1.1 Shop stewards/workplace representatives
 - 18.1.2 Safety representatives
 - 18.1.3 Learning representatives
 - 18.1.4 Equality representatives
 - 18.1.5 Environment representatives
- The election shall take place at a meeting held between 1st January and 31st March in each third year, and the elected candidates shall take office for three years. Such workplace representatives as listed above shall be entitled to attend the triennial Regional Industrial Sector Conference.
- 18.2 The election of workplace representatives shall, where practicable, have a gender and ethnic balance at least reflecting the proportion of black, Asian and ethnic minority and female members which they represent. Election to one representative role shall not preclude election to another such role within the same workplace.
- 18.3 The method of election shall be by such means as authorised by relevant guidance which shall be issued by the Executive Council from time to time.
- 18.4 On being elected for the first time in a particular role, each representative should within twelve months attend an appropriate union training course. On re-election, representatives are expected to continue to attend appropriate training courses as provided by the union to ensure they can best represent members.
- 18.5 The Executive Council may group workplaces together for the purposes of representation where the number of members at each workplace is so small that representation and bargaining for the individual workplaces is not, in the opinion of the Executive Council, practicable.
- 18.6 The constituency of a workplace representative shall be the workplace from which they were elected, or such grouping of workplaces as was defined by the Executive Council under clause 5 of this rule.
- 18.7 Following election of a workplace representative the appropriate Regional Officer shall be informed of the election by the elected representative without delay. The Regional Officer shall ensure that the Regional Industrial Sector Committee and the Union's membership department are informed of the date of the election and the identity, constituency and contact details of the elected workplace representative.
- 18.8 The Executive Council may issue guidance on the powers and procedures of the Regional Industrial Sector Committee in relation to ratification

RULE 18 WORKPLACE REPRESENTATION

102 Clause 18.1

Delete "The election shall take place at a meeting held between 1st January and 31st March" insert "The election shall take place at a meeting held before the 30th June"

Wales/Civil Air Transport RISC

103 Clause 18.1

Add:

The Chairperson, Secretary and all other Shop Steward positions shall have been financial members of the Union for a period of not less than 2 years preceding the date of nomination.

North East, Yorkshire & Humber/302/16 Arriva Stockton Branch

104 Clause 18.2

Delete in entirety, insert:

"The election of workplace representatives shall, where practicable, have a balance reflecting the proportion of black, Asian and ethnic minority, women, lesbian gay bisexual, trans and disabled members which they represent. Election to one representative role shall not preclude election to another such role within the same workplace. The Branch Secretary or Equality Officer shall ensure the implementation of this rule, where practicable, using the principles of positive action where deemed necessary."

London & Eastern/Regional LGBT Committee

105 Clauses 18.2 and 18.4

18.2 Line 2 – delete "gender and ethnic" and insert "in relation to gender, ethnicity, disability and LGBT+," lines 2/3 – after "proportion of" insert "women"; after "black" delete comma and insert "and" after "Asian" delete "and" after "minority" delete "and female" and insert a comma and then insert "disabled and LGBT+"

18.4 Line 3 – after "course" insert "including equalities training"

Scotland/Regional LGBT Committee

Current Rules

of such election. The Regional Industrial Sector Committee shall ensure compliance with such procedures.

- 18.9 Shop stewards/workplace representatives shall receive the fullest support and protection from the union, which includes officers being able and willing to fully support shop stewards/workplace representatives facing victimisation/bullying/disciplinary action. Officers should consistently support all shop stewards/workplace representatives and where appropriate be able to provide support in legal referrals to the Union's solicitors. Officers should ensure shop stewards/workplace representatives are updated within a reasonable time. An immediate inquiry shall be undertaken by the appropriate regional industrial sector or regional committee into every case of dismissal of a shop steward with a view to preventing victimisation, either open or concealed. If it is deemed necessary, a ballot for industrial action will be convened.

Proposed Amendments

106 Clause 18.4

Add at end of clause:

On being elected for the first time in a particular role, each representative should within twelve months attend an appropriate union training course. On re-election, representatives are expected to continue to attend appropriate training courses as provided by the union to ensure they can best represent members. Regional committees shall have the authority to review and remove the credentials of any elected workplace representatives, refusing or unwilling to attend such courses as required.

London & Eastern/1254 Go Ahead – London Central (Staff) Branch

107 Clause 18.9

Line 2 – after “which includes” insert “the provision of a Shop Stewards Handbook/Health & Safety Handbook/Branch Officers Handbook.” New sentence to begin “Officers should be”

West Midlands/Regional Committee

RULE 19 FUNDS

- 19.1 The General Secretary and employees of the Union authorised by him/her shall subject to the endorsement of the Executive Council have authority to open and operate such bank accounts on behalf of the Union as he/she may consider appropriate.
- 19.2 Subject to clause 3 of this rule, the funds of the Union may be used in accordance with the provisions of these rules for the payment of provident benefits as defined in Section 467(2) Income and Corporation Taxes Act 1988, as that section may be amended, consolidated or re-enacted from time to time. Such provident benefits shall include the provision of legal advice and assistance.
- 19.3 No member shall be entitled to sums in excess of the limits set out in section 467(1) of the Income and Corporation Taxes Act 1988 as that section may be amended, consolidated or re-enacted from time to time.
- 19.4 The Executive Council shall publish an annual financial report providing details of the Union's income and expenditure in the previous year, this shall include an audited account of all Officers and Organisers remuneration including the pay, benefits and expenses – up to and including all Unite the Union Regional Secretaries, National Officers, Directors, Executives, Assistant General Secretaries, Deputy General Secretaries and the General Secretary, as well as details of Departmental and Regional spending, campaign costs and any other significant union expenditure.
- 19.5 All property (including all books, effects, funds or other assets) which immediately prior to the date of these rules coming in to effect was held by or in trust for or otherwise on behalf of the Amicus or TGWU Sections of the Union or the former trade unions Amicus or TGWU, or any committee, council, Branch, or other body of one of those sections or unions, shall be the property of the Union and shall be dealt with in accordance with the instructions of the Executive Council.
- 19.6 The Executive Council shall cause to be kept proper accounting records with respect to the Union's transactions, assets and liabilities and establish and maintain a satisfactory system of control of its accounting records, its cash holdings and all receipts and payments in accordance with Sections 28 and 29 of the Trade Union and Labour Relations (Consolidation) Act 1992.
- 19.7 The Accounts of the Union shall be audited at least once a year. The auditor shall be qualified in accordance with Section 34 of the Trade Union and Labour Relations Act (Consolidation) 1992. The appointment and removal of the auditor shall be subject to the provisions Section 35 of the Trade Union and Labour Relations (Consolidation) Act 1992.
- 19.8 No member or members, or Branch, or any committee of members shall be permitted to use the name of the Union, or any machinery of the Union, in connection with any appeal for funds or establishment of any subsidiary benefit connected with a Branch, unless the conditions stated hereunder are accepted and the requisite official sanction obtained:-

Current Rules

- 19.8.1 That the accounts of such funds and all documents in connection therewith shall be open at all times to inspection by the Union accountants.
 - 19.8.2 That in the case of a regional or local appeal the permission and sanction of the Regional Committee shall be first obtained, and thereafter is subject to the endorsement of the Executive Council.
 - 19.8.3 That in the case of a national appeal the permission and sanction of the Executive Council shall be first obtained.
 - 19.8.4 Where such funds are properly raised they are included in the consolidated accounts of the Union and be subject to the requirements in clauses 1 and 2 of this rule.
- 19.9 In accordance with Section 30 of the Trade Union and Labour Relations (Consolidation) Act, 1992, any member of the Union has the right to access to any accounting records of the Union which are available for inspection and which relate to periods including a time when that person was a member of the Union.
- 19.10 There shall be a national access fund for the provision of British Sign Language/English Interpreters, communication support, or other forms of support as required by Deaf or disabled members to that they may access branch meetings, national meetings or other Union events.

RULE 20 ASSETS AND TRUSTEE PROVISION

- 20.1 All property of the Union shall be held by a trustee company specified by the Executive Council (hereinafter called the Trustee Company) in trust for the Union in accordance with the provisions of these rules. For the avoidance of doubt, the property of the Union includes all funds and assets of the Union and its constituent bodies.
- 20.2 The Trustee Company shall invest, dispose of or otherwise deal with the funds and other assets of the Union in accordance with the instructions of the Executive Council. Subject to the provisions of these rules, the Executive Council shall have complete discretion how to instruct the Trustee Company to invest, dispose of or otherwise deal with the property of the Union.
- 20.3 All property (including all books, effects, funds or other assets) which immediately prior to the date of these rules coming in to effect was held by or in trust for or otherwise on behalf of the Amicus or TGWU Sections of the Union or the former trade unions Amicus or TGWU, or any committee, council, Branch, or other body of one of those sections or unions, shall be the property of the Union and shall be dealt with in accordance with the instructions of the Executive Council.
- 20.4 Trustee
- 20.4.1 The Trustee Company is the trustee of the Union.
- 20.4.2 The Executive Council may appoint and remove a second trustee where necessary to facilitate disposal of Union property, and solely for such purpose.
- 20.5 Trustee Company
- 20.5.1 The Directors of the Trustee Company shall consist of
- 20.5.1.1 Directors appointed by and from the Executive Council.
- 20.5.1.2 The General Secretary.
- 20.5.2 A Director appointed by the Executive Council may be replaced by the Executive Council at any time.
- 20.5.3 Subject to the provisions of the Companies Act 2006, the Executive Council shall appoint and may at any time replace the company secretary of the Trustee Company.
- 20.5.4 Property which immediately prior to the coming into force of these rules was vested in other trustees (whether individual or corporate) in trust for the Union shall on the date of the coming into force of these rules vest in the Trustee Company.

RULE 20 ASSETS AND TRUSTEE PROVISION

108 New clauses 20.6 and 20.7

- 20.6** The union's procurement policy shall be based, wherever possible, on sourcing assets and services from organised labour within the UK or internationally, if unavailable in the UK. The union will maintain a list of union recognised sources of asset and service providers. Periodically, the union will consult with the relevant industrial sectors to ensure the list remains comprehensive and accurate.
- 20.7** The union will conduct its procurement process in line with the Ethical Trading Initiative (ETI) Base Code. The ETI Base Code is based on the internationally recognised standards of the International Labour Organisation, the UN agency responsible for labour standards, which the UK & Ireland has signed up to.

London & Eastern/GPM&IT RISC

RULE 21 EXPENSES

A lay member engaged on Union business shall be entitled to such reasonable expenses and in such circumstances as may be decided by the Executive Council provided that the method of calculating such expenses and any subsequent alteration thereto must be reported to and shall cease to have effect unless ratified by the next Policy Conference of the Union. All expenses should be paid at the same rate and in the same manner across all disciplines i.e. constitutional committees, branches, education etc.

RULE 22 POLITICAL ORGANISATION – THE LABOUR PARTY

- 22.1 There shall be Regional and National Labour Party Liaison Committees composed of individual members of the Labour Party to co-ordinate the Union's work in the Labour Party, acting under the direction of the Executive Council.
- 22.2 Neither the Union, nor any constituent part of the Union, shall affiliate to or give support to the candidates of any other political party in Great Britain and Northern Ireland other than the Labour Party.
- 22.3 Each Branch of the Union in Great Britain and Northern Ireland shall be entitled to affiliate and elect delegates to Constituency Labour Parties in appropriate areas subject to agreement by the Regional Labour Party Liaison Committee and approval of the Executive Council.
- 22.4 A portion of the political fund, to be determined by the Executive Council, shall be remitted to each Region.
- 22.5 All Branch Constituency Labour Party delegates together with representatives from the Regional Industrial Sector Committees, Area Activist Committees, Regional Equalities Committees and the Regional Committee, who are Labour Party members, shall be entitled to attend triennial Regional Labour Party Liaison Conferences. The Regional Labour Party Liaison Conferences shall elect Regional Labour Party Liaison Committees. Retired Member Plus, Community and Young Members are eligible to stand for election to Regional Labour Party Liaison Committees subject to meeting eligibility criteria specified elsewhere in these Rules. The size and composition of the Regional Labour Party Liaison Committees shall be determined by the Executive Council from time to time. The Regional Labour Party Liaison Committees shall also elect delegates who, together with delegates from the Executive Council, shall form a National Labour Party Liaison Committee, the size of which shall be determined by Executive Council.
- 22.6 The Executive Council shall designate a Regional Political officer in each Region, who shall act as Secretary to the Regional Labour Party Liaison Conference and Regional Labour Party Liaison Committee. Any individual Regional Political Officer may also have other responsibilities. The Executive Council is free to designate this role to a different employee at any time as it sees fit.
- 22.7 The Union shall be represented at the Labour Party Annual Conference by the National Labour Party Liaison Committee and others as determined by the Executive Council. The Regional Labour Party Liaison Committees shall represent the Union at the Labour Party regional conference.
- 22.8 The Union shall enter into Labour Party Constituency Development Plans subject to agreement by the Regional and National Labour Party Liaison Committees and sanction of the Executive Council.

RULE 22 POLITICAL ORGANISATION – THE LABOUR PARTY

109 Clause 22.3

Remove the words “shall be entitled to” replace with “should”

London & Eastern/Engineering, Manufacturing & Steel RISC

110 Clause 22.4

Add new sentence at end:

“The Executive Council will provide guidance to Regional Committees as to ownership and accountability for expenditure of their portion of the political fund.”

East Midlands/Aerospace & Shipbuilding RISC

111 Clause 22.11

Rewrite as follows:

The union’s representation on the Labour Party’s National Executive Committee, the National Constitutional Committee, and so far as is practicable, all other committees, should comprise lay members only, who shall receive at least 1 Unite branch nomination and be elected by One Member One Vote of all relevant members that pay the political levy.

South East/6144 Kent, Surrey & Sussex FDA Branch

Current Rules

- 22.9 The Union shall support a parliamentary group of Labour Party MPs who are members of the Union. Such support shall be determined by the Executive Council.
- 22.10 The Union shall maintain a panel of members wishing to seek political office including becoming member of the UK, Scottish, Welsh Assembly and European Parliaments and any such other public bodies as the Executive Council may decide. The composition, including the process and the qualifications required to become a member of the panel, shall be determined by the Executive Council.
- 22.11 The union's representation on the Labour Party's committee structure should, so far as is practicable, be made up equally of lay members and union officials, subject to ratification by the Executive Council or Regional Committee as appropriate.

RULE 23 POLITICAL FUND Political Fund – Other than in Northern Ireland

- 23.1 The objects of the Union shall include the furtherance of the political objects to which section 72 of the Trade Union and Labour Relations (Consolidation) Act 1992 (the Act) applies, these objects are:
- 23.1.1 The expenditure of money –
 - 23.1.1a on any contribution to the funds of, or on the payment of expenses incurred directly or indirectly by, a political party;
 - 23.1.1b on the provision of any service or property for use by or on behalf of any political party;
 - 23.1.1c 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;
 - 23.1.1d on the maintenance of any holder of a political office;
 - 23.1.1e 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;
 - 23.1.1f 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.
 - 23.2 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 his/her attendance as such shall, for the purposes of 23.1.1e above, be taken to be expenditure incurred on the holding of the conference or meeting.
 - 23.3 In determining, for the purposes of paragraphs 23.1.1a to 23.1.1f, whether the Union has incurred expenditure of a kind mentioned in those paragraphs no account shall be taken of the ordinary administrative expenses of the Union.
 - 23.4 In these objects –
 - “candidate” means a candidate for election to a political office and includes a prospective candidate;
 - “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;

Current Rules

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

“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;

“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.

- 23.5 Any payments in the furtherance of such political objects shall be made out of a separate fund of the Union (hereinafter called the political fund).
- 23.6 The particular rules which apply to those people that joined the Union and to political funds set up before 1st March 2018 are set out in Schedule PF1 to these rules.
- 23.7 The particular rules which apply to those people that joined the Union and to political funds set up after 28th February 2018 are set out in Schedule PF2 to these rules.
- 23.8 A member who is exempt from the obligation to contribute to the political fund of the union shall not be excluded from any benefits of the union, or placed in any respect either directly or indirectly under any disability or disadvantage as compared with other members of the union (except in relation to the control or management of the political fund) by reason of his being so exempt.
- 23.9 If any member alleges that s/he 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 1992 Act, s/he may complain to the Certification Officer, and the Certification Officer, after making such enquiries as s/he thinks fit and after giving the complainant and the union an opportunity of being heard, may, if s/he considers that such a breach has been committed, make such order for remedying the breach as s/he thinks just in the circumstances. Any such order of the Certification Officer may, subject to the right of appeal provided by section 95 of the 1992 Act, be enforced in the manner provided for in section 82(4) of the 1992 Act.
- 23.10 Contribution to the political fund of the union shall not be made a condition for admission to the union.
- 23.11 The union shall include in the annual return that is submitted to the Certification Officer details of political expenditure as required by section 32ZB of the 1992 Act.
- 23.12 The union shall ensure that a copy of the political fund rules is available, free of charge, to any member of the union who requests a copy.

PF1

Rules that apply to members that joined the Union before 1st March 2018

- 23.13 As soon as is practicable after the passing of a resolution approving the furtherance of such political objects as an object of the Union the Executive Council shall ensure that a notice in the following form is given to all members of the Union in accordance with this rule:-

**Trade Union and Labour Relations (Consolidation) Act 1992
(as amended)**

A resolution approving the furtherance of political objects within the meaning of the above Act as an object of the Union 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 Union.

Every member of the Union 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 branch office of the Union or from the Certification Office for Trade Unions and Employers' Associations, Lower Ground Floor, Fleetbank House, 2-6 Salisbury Square, London EC4Y 8JX.

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.

The notice shall be published to members by such methods as are customarily used by the Union to publish notices of importance to members and shall include the following minimum requirements. The notice shall be published in the Union's main journal which is circulated to members and be available on the Union's website. The secretary of each branch shall supply a copy to any member on request.

- 23.14 Any member of the Union may at any time give notice on the form of exemption notice specified in Clause (15) or by a written request in a form to the like effect, that he/she objects to contribute to the political fund. A form of exemption notice may be obtained by, or on behalf of, any member, either by application at, or by post from, the head office or any Branch office of the Union, or from the Certification Office for Trade Unions and Employers' Associations Lower Ground Floor, Fleetbank House, 2-6 Salisbury Square, London EC4Y 8JX.

Current Rules

23.15 The form of exemption notice shall be as follows:-

Unite the Union	
POLITICAL FUND EXEMPTION NOTICE	
I hereby give notice that I object to contributing to the political fund of the Union 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	
Name	
Address	
Name of Branch	
Membership No	Date

- 23.16 Any member may obtain exemption by sending such notice to the secretary of the Branch to which the member belongs and, 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.
- 23.17 On giving such notice, a member shall be exempt, so long as his/her notice is not withdrawn, from contributing to the political fund of the Union as from either: (a) the first day of January next after notice by the member is given, or, (b) in the case of a notice given within one month after the notice given to members under Clause (13) or after the date on which a new member admitted to the Union is supplied with a copy of these rules under Clause (12) as from the date on which the member's notice is given.
- 23.18 The Executive Council shall give effect to the exemption of members to contribute to the political fund of the Union by relieving any members who are exempt from the payment of part of any periodical contributions required from the members of the Union towards the expenses of the Union 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.
- 23.19 For the purposes of enabling each member of the Union to know as respects any such periodical contribution what portion, if any, of the sum payable by him/her is a contribution to the political fund of the Union, it is hereby provided that a sum equal to seventy percent of the weekly contribution rate of a full time member payable in the first week of each quarter is a contribution to the political fund and any member who is exempt shall be relieved from the payment of the said sum and shall pay the remainder of such contribution only.

PF2

Rules that apply to members that joined the Union after 28th February 2018

- 23.20 A member cannot be required to make a contribution to the political fund of the union unless they have given notice of their willingness to contribute to that fund (an "opt-in notice").
- 23.21 A member of a trade union who has given an opt-in notice may withdraw that notice by giving notice to the union (a "withdrawal notice").
- 23.22 A withdrawal notice takes effect at the end of the period of one month beginning with the day on which it is given.
- 23.23 A member of a trade union may give an opt-in notice or a withdrawal notice:-
- (a) by delivering the notice (either personally or by an authorised agent or by post) at the head office or a branch office of the union;
 - (b) by sending it by e-mail to the following email address
membership@unitetheunion.org
 - (c) by completing an electronic form provided by the union which sets out the notice and sending it to the union by electronic means with instructions by the union.
 - (d) by any other electronic means prescribed under the 1992 Act (as inserted by the 2016 Act)
- 23.24 The union shall take all reasonable steps to secure that, not later than the end of the period of eight weeks beginning with the day on which the annual return of the union is sent to the Certification Officer, all the members of the union are notified of their right to give a withdrawal notice.
- 23.25 Such notification may be given:-
- (a) by sending individual copies of it to members; or
 - (b) by any other means (whether by including the notification in a publication of the union or otherwise) which it is the practice of the union to use when information of general interest to all its members needs to be provided to them.
- 23.26 The notification may be included with the statement required to be given by Section 32A of the Trade Union and Labour Relations (Consolidation) Act 1992.
- 23.27 A trade union shall send to the Certification Officer a copy of the notification which is provided to its members in pursuance of this section as soon as is reasonably practicable after it is so provided.
- 23.28 Where the same form of notification is not provided to all the members of the union, the union shall send to the Certification Officer a copy of each form of notification provided to any of them.

Current Rules

- 23.29 The Executive Council shall give effect to the exemption of members to contribute to the political fund of the Union by relieving any members who are exempt from the payment of part of any periodical contributions required from the members of the Union towards the expenses of the Union 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.
- 23.30 For the purposes of enabling each member of the Union to know as respects any such periodical contribution what portion, if any, of the sum payable by him/her is a contribution to the political fund of the Union, it is hereby provided that a sum equal to 10p per week or other such rate as time to time determined by the Executive Council is a contribution to the political fund and any member who is exempt shall be relieved from the payment of the said sum and shall pay the remainder of such contribution only.
- 23.31 Any form (including an electronic form) that a person has to complete in order to become a member of the union shall include:-
- (a) a statement to the effect that the person may opt to be a contributor to the fund; and
 - (b) a statement setting to the effect that a person who chooses not to contribute to the political fund shall not, by reason of not contributing, be excluded from any benefits of the union or be placed in any respect either directly or indirectly under a disability or at a disadvantage as compared with other members of the union (except in relation to control of the political fund).
- 23.32 If any member alleges that s/he is aggrieved by a breach of any of these rules for giving information to members about opting into the political fund, being a rule or rules made pursuant to section 84A of the 1992 Act, s/he may complain to the Certification Officer. Where the Certification Officer is satisfied that the union has failed to comply with a requirement of section 84A of the 1992 Act the Officer may make such order for remedying the failure as s/he thinks just under the circumstances. Before deciding the matter the Certification Officer:-
- (a) may make such enquiries as the Officer thinks fit;
 - (b) must give the union, and any member of the union who made a complaint to the Officer regarding the matter, an opportunity to make written representations; and
 - (c) may give the union, and any such member as is mentioned in clause (b), an opportunity to make oral representations.

Political Fund – Northern Ireland

- 23.33 Under Article 59 of the Trade Union and Labour Relations (Northern Ireland) Order 1995 no Northern Ireland member of the union shall be required to make any contribution to the political fund of the union as defined by Clause 1 of this Rule unless he/she has given to the Union notice in writing of his/her willingness to contribute to that Fund (an “opt-in” notice)
- 23.34 Any form (including an electronic form) that a person has to complete in order to become a member of the union shall include a statement to the effect that the person may opt to be a contributor to the Fund (an “opt-in” notice)
- 23.35 A Northern Ireland member of the union who has given an opt-in notice may withdraw that notice by giving notice to the union (a “withdrawal notice”)
- 23.36 A Northern Ireland member giving a withdrawal notice shall be deemed to have withdrawn as from the first day of January next after the delivery of the notice of withdrawal.
- 23.37 The notices referred to in Clause 33 -35 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 Union if it has been sent by post properly addressed to that office.
- 23.38 The Executive Council shall give effect to the exemption of Northern Ireland members to contribute to the political fund of the Union by relieving those members who are legally exempt from the payment of part of any periodical contributions required from the members of the Union towards the expenses of the Union 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.
- 23.39 For the purpose of enabling each Northern Ireland member, who has opted to pay to the political fund, to know as respects any such periodical contribution what portion of the sum payable by him/her is a contribution to the political fund of the Union, it is hereby provided that:
- (i) For members who joined before 1st March 2018 a sum equal to seventy percent of the weekly contribution rate of a full time member payable in the first week of each quarter is a contribution to the political fund and any member who is exempt shall be relieved from the payment of the said sum and shall pay the remainder of such contribution only.
 - (ii) For members who joined after 1st March 2018 a sum equal to 10 pence per week or other such rates as from time to time determined by the Executive Council is a contribution to the political fund and any member who is exempt shall be relieved from the payment of the said sum and shall pay the remainder of such contribution only.
- 23.40 Northern Ireland members who are statutorily exempt from the obligation to contribute to the political fund of the Union shall not be excluded

Current Rules

from any benefits of the Union, or placed in any respect either directly or indirectly under any disability or disadvantage as compared with other members of the Union (except in relation to the control or management of the political fund) by reason of their being exempt.

- 23.41 Contribution to the political fund of the Union shall not be made a condition for admission to the Union.
- 23.42 If any Northern Ireland member alleges that he/she 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/she may complain to the Northern Ireland Certification Officer, 10-16 Gordon Street, Belfast, BT1 2LG, under Article 57 (2) to (4) of that Order.
- 23.43 If after giving the complainant and a representative of the Union an opportunity to be heard, the Certification Officer considers that a breach has been committed, he/she may make an order for remedying it as he/she thinks just in the circumstances. Under Article 70 the Industrial Relations (N.I.) Order 1992 (as amended) an appeal against any decision of the Certification Officer may be made to the Court of Appeal on a question of law.
- 23.44 Additionally, if any Northern Ireland member alleges that he/she is aggrieved by a breach of the political fund rules made pursuant to section 82 of the Trade Union and Labour Relations (Consolidation) Act 1992 he/she may complain to the GB Certification Officer, 22nd Floor, Euston Tower, 286 Euston Road, London NW1 3JJ. If, after giving the complainant and representative of the Union an opportunity of being heard, the GB Certification Officer considers that a breach has been committed, he/she may make an order for remedying it as he/she thinks just in the circumstances. Any such order of the GB Certification Officer is subject to the right of appeal provided for by section 82 (4) of the 1992 Act.

Political Fund – Republic of Ireland

- 23.45 Clauses (1) – (19) (bar 5 and 6) of this rule shall have effect for all members in the Republic of Ireland subject to the following modifications:
- 23.45.1 all references to statutory provisions therein shall be construed as references to the appropriate legislation in the Republic of Ireland.
- 23.45.2 “political office” means the office of President, member of Dail Eireann, member of Seanad Eireann, member of the European Parliament, or any member of a local authority.
- 23.45.3 Forms of exemption notice may be obtained at or by post from any Union office within the Republic of Ireland.
- 23.45.4 A sufficient number of the forms of exemption notice shall be available at each office of the Union within the Republic of Ireland and any member shall be provided with a copy of such form on his/her request.

RULE 24 IRELAND

- 24.1 There shall be an Irish Executive Committee which shall make decisions in matters of an industrial or political nature which arise out of and in connection with the economic or political condition of the Republic of Ireland or Northern Ireland and which are of direct concern to members of the Union resident in the Republic of Ireland or Northern Ireland and which do not affect members of the Union not so resident. Each member of the Irish Executive Committee shall be resident in the Republic of Ireland or Northern Ireland.
- 24.2 The Irish Executive Committee shall be composed of elected lay members who are resident in the Republic of Ireland or Northern Ireland.
- 24.3 The size and composition of the Irish Executive Committee shall be determined by the Executive Council provided that the gender and ethnic balance of elected representatives at least reflect proportionality of the membership they represent.
- 24.4 The procedure for qualifications, election and nomination of representatives to the Irish Executive Committee shall be determined by the Executive Council. The Executive Council may organise constituencies both by reference to Industrial Sectors and geographic area following consultation with appropriate constitutional committees in Ireland.
- 24.5 The Irish Executive Committee shall take the place and have the powers, duties and responsibilities of the Regional Committee for Ireland. The Regional Secretary shall act as secretary to the Irish Executive Committee and shall be responsible for implementing its decisions.
- 24.6 The Irish Executive Committee shall meet once a quarter or more frequently if, in the opinion of the Regional Secretary, the business renders it necessary. The Regional Secretary is responsible for convening all meetings.
- 24.7 The Irish Executive Committee shall have power to appoint one or more sub-committees from among its members and, except where otherwise determined by the Executive Council, shall have the power to delegate to any such sub-committee all or any of its powers including therein the conduct of hearings, appeals, inquiries, investigations or any other proceedings or functions whatever which it is authorised by these rules to undertake.
- 24.8 The Executive Council, in consultation with the Irish Executive Committee, shall determine the number of delegates to be elected to the conferences/ congresses of organisations in Ireland to which the Union is affiliated.
- 24.9 In alternate years to the Union's Policy Conference there shall be an Irish Policy Conference, the size and composition of which shall be determined by the Executive Council provided that the gender and ethnic balance of elected representatives at least reflect proportionality of the membership they represent.

Current Rules

- 24.10 For the purpose of electing delegates to the Irish Policy Conference the Executive Council may organise constituencies both by reference to Industrial Sectors and geographic area following consultation with Irish Executive Committee.
- 24.11 The procedure for qualifications, election and nomination of representatives to the Irish Policy Conference shall be determined by the Executive Council in consultation with the Irish Executive Committee.
- 24.12 The Irish Executive Committee shall determine the number of policy motions which may be submitted by the Branch; area regional; industrial and equalities structures, and from the Irish Executive Committee itself. The Irish Executive Committee shall submit a report to the Irish Policy Conference on the activities of the Union within Ireland.
- 24.13 The chair of the Irish Executive Committee shall chair the Irish Conference.
- 24.14 Resolutions of the Irish Conference concerning general policy matters affecting members employed in the Republic shall, provided they are not inconsistent with the general policy and objectives of the Union, constitute the policy of the Union in the Republic and shall be binding upon the Irish Executive Committee.
- 24.15 In respect of each Industrial Sector, the Executive Council shall determine, in consultation with the Irish Executive Committee, whether to convene separate Sector Conferences for the Republic of Ireland and Northern Ireland instead of convening a Regional Sector Conference for the whole of Ireland. Policy decisions of a Sector Conference for the Republic of Ireland shall decide the Union's policy in the Republic for that sector provided they are not inconsistent with the general policy and objectives of the Union.

RULE 25 REPUBLIC OF IRELAND – STRIKES AND OTHER INDUSTRIAL ACTION

- 25.1 The provisions of this rule shall apply notwithstanding any other provision contained in these rules.
- 25.2 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.
- 25.3 In this rule the term “member” shall have the same meaning as elsewhere in these rules.
- 25.4 The provisions of this rule shall apply to the Republic of Ireland only.
- 25.5 The Union 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 other industrial action.
- 25.6 The Union shall take reasonable steps to ensure that every member entitled to vote in the ballot votes without interference from, or constraint imposed by, the Union or any of its members, officials or employees and, so far as is reasonably possible, that such members shall be given a fair opportunity of voting.
- 25.7 The Irish 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 clause (8) of this rule, favours such strike or other industrial action.
- 25.8 The Irish Executive Committee shall not organise, participate in, sanction or support a strike or other industrial action against the wishes of a majority of the Union’s members voting in a secret ballot, except where, in the case of a ballot by more than 1 trade union, an aggregate majority of all the votes cast favours such strike or other industrial action.
- 25.9 Where the outcome of a secret ballot conducted by the Union or in the case of ballots conducted by the Union 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 the Union without the sanction of the Irish Congress of Trade Unions.
- 25.10 As soon as practicable after the conduct of a secret ballot the Union shall take reasonable steps to make known to the members of the Union entitled to vote in the ballot:
- 25.10.1 the number of ballot papers issued
 - 25.10.2 the number of votes cast
 - 25.10.3 the number of votes in favour of the proposal

Current Rules

25.10.4 the number of votes against the proposal, and

25.10.5 the number of spoiled votes.

25.11 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 take 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.

RULE 26 ISLE OF MAN

The Union shall Register with the relevant Isle of Man authorities in accordance with the laws applying thereto including the Trade Unions Act 1991.

RULE 27 MEMBERSHIP DISCIPLINE

- 27.1 A member may be charged with:
- 27.1.1 Acting in any way contrary to the rules or any duty or obligation imposed on that member by or pursuant to these rules whether in his/her capacity as a member, a holder of a lay office or a representative of the Union.
 - 27.1.2 Being a party to any fraud on the Union or any misappropriation or misuse of its funds or property.
 - 27.1.3 Knowingly, recklessly or in bad faith providing the Union with false or misleading information relating to a member or any other aspect of the Union's activities.
 - 27.1.4 Inciting, espousing or practising discrimination or intolerance amongst members on grounds of race, ethnic origin, religion, age, gender, disability or sexual orientation.
 - 27.1.5 Bringing about injury to or discredit upon the Union or any member of the Union including the undermining of the Union, branch or workplace organisation and individual workplace representatives or branch officers.
 - 27.1.6 Obtaining membership of the Union by false statement material to their admission into the Union or any evasion in that regard.
 - 27.1.7 Breach of the Union's policies on diversity, bullying and harassment in the workplace, which will include cyber bullying and harassment.
- 27.2 Disciplinary Hearings shall be organised and conducted under directions issued by the Executive Council. These directions ensure that the process is fair and conducted in accordance with the principles of natural justice.
- 27.3 A charge under this rule may be heard by a Branch, Branch Committee (where so determined by the Branch), Regional Committee or the Executive Council. The Executive Council may delegate to a sub-committee of the Executive Council. It would be usual practice that disciplinary charges would be heard at branch level in the first instance. Disciplinary charges deemed to be of a serious nature may be initiated by the Regional committee or Executive Council.
- 27.3.1 Serious allegations of breach of Clauses 27.1.1. to 27.1.7 may be referred directly to the General Secretary. The General Secretary will appoint a senior employee of the Union to conduct an investigation which may lead to disciplinary charges being laid on behalf of the Executive Council.
 - 27.3.2 Allegations of serious breaches of clauses 27.1.1 to 27.1.7 which are subsequently shown to be vexatious, malicious or defamatory may be considered a breach of Rule and liable to be referred to this disciplinary procedure.

Proposed Amendments

RULE 27 MEMBERSHIP DISCIPLINE

112 Clause 27.1.1

Add after "Union" in final line "or otherwise bringing the Union into disrepute"

Executive Council

113 Clause 27.1.1

Line 4, delete "representative" insert "employee"

Executive Council

114 Clause 27.1.7

Delete from "on diversity, bullying and harassment in the workplace" inclusive, insert "harassment, dignity and respect"

Executive Council

115 New clause 27.1.8

Breach of the Union's rules or policies (when acting as a delegate/representative of the Union at a meeting of an organisation or body outside of the Union) by speaking or voting against the policy of the Union and making decision as an individual which is inconsistent with the Unite the union policy and contrary to Unite delegation agreed position.

London & Eastern/Regional BAEM Committee

116 Clause 27.3.2

Line 2, replace "subsequently shown" with "considered"

Executive Council

Current Rules

- 27.4 The Executive Council or the relevant Regional Committee may suspend a member charged under this rule from holding any office or representing the Union in any capacity pending its decision. A member shall be given written notice (or, if the member was informed verbally confirmation in writing) of any such suspension as soon as is reasonably practicable. In cases of a serious nature, as a precautionary measure, a member under investigation prior to disciplinary charges being laid may be suspended from holding office or representing the union in any capacity.
- 27.4.1 A member under disciplinary investigation or charged with a disciplinary offence, including workplace representatives or branch officers suspended from holding office, may not attend:
- Meetings of his/her own branch;
 - Meetings of other branches of the Union; or,
 - Constitutional committee meetings of the Union
- Other than as part of the disciplinary process as set out in this Rule.
- 27.4.2 If allegations against a member are proven to be unfounded they will be restored in good standing. If appropriate, their credentials will be restored.
- 27.5 The range of disciplinary sanctions shall include the following:
- 27.5.1 censure;
 - 27.5.2 withdrawal of workplace credentials;
 - 27.5.3 removal from office;
 - 27.5.4 barring from holding office and
 - 27.5.5 expulsion.
- 27.6 The full range of disciplinary sanctions shall be available to the Executive Council and Regional Committees; however the range of disciplinary sanctions for other bodies shall be limited to the following:
- 27.6.1 Branch, shall have the power to censure;
- 27.7 Appeals
- 27.7.1 A member shall have the right to appeal against any disciplinary sanctions.
 - 27.7.2 In the case of a sanction imposed by a Branch, or Branch Committee, the appeal shall be to the Regional Committee, whose decision shall be final.
 - 27.7.3 In the case of a sanction imposed by a Regional Committee the appeal to shall be to the Executive Council, whose decision shall be final.

Current Rules

- 27.7.4 In the case of disciplinary action initiated by the Executive Council the appeal shall be to an Appeals Committee elected from the Policy Conference, whose decision shall be final. Such an Appeals Committee shall be constituted on the basis of at least one delegate from each Region, under a procedure to be agreed by the Executive Council. There shall be an eligibility criterion to serve on the Appeals Committee of at least 5 years continuous membership of the Union.
- 27.8 An employee may not be charged under this rule in respect of any alleged act or omission in connection with the performance of his/her duties as a full time officer and/or employee of the Union. Complaints against employees shall be investigated under the Members' Complaints Procedure agreed by the Executive Council and if disciplinary action is deemed appropriate this shall be executed under the procedures negotiated with employees' representative bodies for that purpose.

RULE 28 COMMUNITY/STUDENT MEMBERS

- 28.1 Unite Community Membership shall be open to all not in paid employment as well as those not seeking employment. The sections aims are to organise, campaign, protest and mobilise, both independently as well as alongside our industrial, young and retired members, in order to progress matters of interest and/or concern to our community and wider industrial membership, provided that such activities are not inconsistent with the general policy and objectives of the Union.
- 28.2 Associate Community Membership shall be open to community groups seeking block affiliation such as tenants' associations and student bodies. Associate membership could also include those engaged in agreed organising campaigns and others as agreed by the Executive Council.
- 28.3 Other than vocational students, who shall be organised within the appropriate industrial sector, Community and Student Members shall be organised in local groups and wider Area Community Branches. In each Region there shall be Regional Co-ordinating Group meetings as appropriate, in order to plan, coordinate, organise and evaluate campaigns and activities. There shall be National Co-ordinating Group meetings as appropriate, drawn from activists at the regional level.
- 28.4 Community/Student Member activists are entitled to attend Area Activists Meetings and the Regional Labour Party Liaison Conference (if Unite GC delegates) and to stand for election for at least 2 defined Community/Student Member seats on Area Activist Committees and Regional Labour Party Liaison Committees, elected by Community/Student Members attending the Meeting.

RULE 28 COMMUNITY/STUDENT MEMBERS

117 Clause 28.3

Delete:

“In each Region there shall be Regional Co-ordinating Group meetings as appropriate, in order to plan, coordinate, organise and evaluate campaigns and activities. There shall be National Co-ordinating Group meetings as appropriate, drawn from activists at the regional level.”

Insert:

“In each Region there shall be a triennial conference of Community Members representatives which shall be defined as officers of Community Members’ branches. The Regional Secretary shall be responsible for convening the conference.

There shall be Regional Co-ordinating Committees for Community Members, elected from the regional conference, in such proportion as may be determined by the Executive Council. These Committees shall elect an observer delegate to their respective Regional Committee of the union as a whole.

There shall be a national conference of Community Members’ representatives held every two years. The Executive Council shall be responsible for convening this conference which shall be made up of delegates elected by the Regional Community Members’ structures.

There shall be a National Committee for Community Members, elected from the Regional Co-ordinating Committees in such proportion as may be determined by the Executive Council. This Committee shall elect a lay Chair and Co-ordinator to organise the work of the Committee in co-operation with the responsible National Officer, an observer delegate to the National Labour Party Co-ordinating Committee who must be a member of the Labour Party as well as delegates to national campaigning and labour movement organisations, and, an observer delegate to the Executive Council.”

East Midlands/Derbyshire AAC
London & Eastern/Community, Youth Workers, Not for Profit RISC
London & Eastern/7064E National Publishing and Media Branch
South East/Oxford and Bucks AAC
South East/Portsmouth AAC
South West/Energy & Utilities RISC
South West/Bristol AAC
Wales/Young Members Committee

Proposed Amendments

118 New clause 28.5

28.5 The Community members structures shall harness the support of community in promoting Unite the Unions political and campaigning objectives.

For this to be effective the union will:

- a) In each Region there shall be a triennial conference of community member representatives which shall be defined as officers of Community branches and community members who may hold office in other types of branch. The Regional Secretary shall be responsible for convening the conference.
- b) There shall be Regional Co-ordinating Committees for Community members, elected from the regional conference, in such proportion as may be determined by the Executive Council. These Committees shall elect an observer delegate to their respective Regional Committee of the union as a whole. These Committees shall also elect an observer delegate to each of the local Equality Committees and National Equality Committees.
- c) Community member activists are entitled to attend the triennial Area Activists Meetings and general Area Activists Meetings, and to stand for election for up to 2 defined community members' seats on Area Activists Committees, elected by community members attending the meet.
- d) Community members who are also Unite branch CLP GC delegates plus up to four nominees (who must be a members of the Labour Party) from the Regional Community Members' Co-ordinating Committee, elected by the members of that Committee, are entitled to attend the Regional Labour Party Liaison Conference and are eligible to stand for election to at least two additional Community members seats on Regional Labour Party Liaison Committees.
- e) There shall be a national conference of Community members' representatives held every two years. The Executive Council shall be responsible for convening this conference which shall be made up of delegates elected by the regional community members' structures.
- f) There shall be a National Committee for community members, elected from the Regional Co-ordinating Committees in such proportion as may be determined by the Executive Council. This Committee shall elect a lay Chair and Co-ordinator to organise the work of the Committee in co-operation with the responsible National Officer, an observer delegate to the National Labour Party Co-ordinating Committee who must be a member of the Labour Party as well as delegates to national campaigning and labour movement organisations, and, an observer delegate to the Executive Council.
- g) No member who is in receipt of a pension from any funds of the union shall be eligible for election to the observer positions as set out in Clause a) and e) of this Rule.

East Midlands/Nottinghamshire AAC

- 119 Clause 28.3** – delete all after “Other than vocational students, who shall be organised within the appropriate industrial sector, Community and Student Members shall be organised in local groups and wider Area Community Branches.”

New clause 28.4

In each Region there shall be a triennial conference of Unite community member representatives which shall be defined as officers of Unite Community branches. The Regional Secretary shall be responsible for convening the conference.

Proposed Amendments

New clause 28.5

There shall be Regional Co-ordinating Committees for Unite Community members, elected from the regional conference, in such proportion as may be determined by the Executive Council. These Committees shall elect an observer delegate to their respective Regional Committee of the union as a whole.

New clause 28.6

There shall be a National Committee for Unite Community members, elected from the Regional Co-ordinating Committees in such proportion as may be determined by the Executive Council. This Committee shall elect a lay Chair and Coordinator to organise the work of the Committee in co-operation with the responsible National Officer, an observer delegate to the National Labour Party Co-ordinating Committee who must be a member of the Labour Party as well as delegates to national campaigning and labour movement organisations, and, an observer delegate to the Executive Council.

Renumber Original 28.4 as 28.7

London & Eastern/524 Central London Voluntary Sector Branch

120 Clause 28.3

Rewrite as follows:

Other than vocational students, who shall be organised within the appropriate industrial sector, Community and Student Members shall be organised in local groups and wider Area Community Branches. In each Region there shall be a Regional Co-ordinating committee, which will meet as appropriate, in order to plan, coordinate, organise and evaluate campaigns and activities. These committees shall elect an observer delegate to their respective Regional Committee of the union as a whole. There shall be a National Co-ordinating committee, which will meet as appropriate, drawn from activists at the regional level.

Wales/Regional LGBT Committee

121 Conference to amend the Rules regarding Unite Community membership so that they mirror the structures effective from Rules Conference 2015 for retired membership as per Rule 10.

South East/6259 Bracknell Branch

RULE 29 SCOTLAND

- 29.1 There shall be a Scottish Executive Committee which shall make decisions in matters of an industrial or political nature which arise out of and in connection with the economic or political condition of the Scotland and which are of direct concern to members of the Union in Scotland and which do not affect other members of the Union.
- 29.2 The size and composition of the Scottish Executive Committee shall be determined by the Executive Council provided that the gender and ethnic balance of elected representatives at least reflect proportionality of the membership they represent.
- 29.3 The procedure for qualifications, election and nomination of representatives to the Scottish Executive Committee shall be determined by the Executive Council. The Executive Council may organise constituencies both by reference to Industrial Sectors and geographic area following consultation with appropriate constitutional committees in Scotland.
- 29.4 The Scottish Executive Committee shall take the place and have the powers, duties and responsibilities of the Regional Committee for Scotland. The Regional Secretary shall act as secretary to the Scottish Executive Committee and shall be responsible for implementing its decisions.
- 29.5 The Scottish Executive Committee shall meet once a quarter or more frequently if, in the opinion of the Regional Secretary, the business renders it necessary. The Regional Secretary is responsible for convening all meetings.
- 29.6 The Scottish Executive Committee shall have power to appoint one or more sub-committees from among its members and, except where otherwise determined by the Executive Council, shall have the power to delegate to any such sub-committee all or any of its powers including therein the conduct of hearings, appeals, inquiries, investigations or any other proceedings or functions whatever which it is authorised by these rules to undertake.
- 29.7 The Executive Council, in consultation with the Scottish Executive Committee, shall determine the number of delegates to be elected to the conferences/congresses of organisations in Scotland to which the Union is affiliated.
- 29.8 In alternate years to the Union's Policy Conference there shall be a Scottish Policy Conference, the size and composition of which shall be determined by the Executive Council provided that the gender and ethnic balance of elected representatives at least reflect proportionality of the membership they represent.
- 29.9 For the purpose of electing delegates to the Scottish Policy Conference the Executive Council may organise constituencies both by reference to Industrial Sectors and geographic area following consultation with Scottish Executive Committee.

Current Rules

- 29.10 The procedure for qualifications, election and nomination of representatives to the Scottish Policy Conference shall be determined by the Executive Council in consultation with the Scottish Executive Committee.
- 29.11 The Scottish Executive Committee shall determine the number of policy motions which may be submitted by the Branch; area regional; industrial and equalities structures, and from the Scottish Executive Committee itself. The Scottish Executive Committee shall submit a report to the Scottish Policy Conference on the activities of the Union within Scotland.
- 29.12 The chair of the Scottish Executive Committee shall chair the Scottish Conference.
- 29.13 Resolutions of the Scottish Conference concerning general policy matters affecting members employed in the Scotland shall, provided they are not inconsistent with the general policy and objectives of the Union, constitute the policy of the Union in the Scotland and shall be binding upon the Scottish Executive Committee.

RULE 30 GIBRALTAR

Gibraltar shall have an Area Activist Meeting of lay members comprised of elected representatives from companies, sectors and branches based in Gibraltar. The first of these meetings in an electoral period shall elect a Gibraltar Committee for the purposes of local administration; the size and composition of which will be subject to the approval of the Executive Council. The Gibraltar Committee shall elect from its number an observer delegate to the Executive Council and who will brief the Gibraltar Committee after each Executive Council.

RULE 30 GIBRALTAR

122 New clause

The Executive Council can agree where industrially, organisationally or politically relevant for observer or voting delegates to attend other constitutional committees and/or conferences whether permanently or periodically. Such an undertaking would also extend to other appropriate delegations elected from regional constitutional committees.

Gibraltar AAC

RULE 31 OFFICIAL ANNOUNCEMENTS

The Union shall maintain a website and posting information on this website, together with posting to Branch secretaries, shall be the official means of making announcements to members on matters of general interest concerning the affairs of the Union.

RULE 31 OFFICIAL ANNOUNCEMENTS

- 123** Line 2 – after “together with” delete “posting to Branch Secretaries” insert “either by post or e-mail to branch secretaries, all members of RISCs, NISCs, regional and national committees”

Engineering, Manufacturing & Steel NISC

RULE 32 VOLUNTARY DISSOLUTION

- 32.1 The Union may be dissolved by a resolution supported by not less than 80% of votes cast in a postal ballot of all the members.
- 32.2 After discharging all debts and liabilities the remaining assets of the Union, if any, shall be distributed equally between the members at the date of dissolution on the basis of their complete years of membership, each year comprising one share, unless the members when voting for dissolution shall have resolved to the contrary.

RULE 33 EXERCISE OF UNION POWERS IN THE PENSION SCHEMES

Any power which continues to be exercisable by a sponsoring employer or by any body, officer or employee of that sponsoring employer by reference to the trust deeds and rules of the Unite Ireland Pension Scheme or of any legacy union pension scheme which has been merged directly or indirectly into the Unite Pension Scheme shall be exercisable by the Union. Any power which is exercisable by the Union under these trust deeds and rules or under the trust deeds and rules which govern the Unite Pension Scheme from time to time shall be exercisable by the Executive Council or by an individual or body to whom the Executive Council has delegated this power in writing on any basis which it decides.

Proposed New Rules

Proposed New Rules

124 Health & Safety Committees

Health & Safety

- Each Region shall have an annual Regional Health & Safety Conference; all accredited Health & Safety representatives within the region to be invited to the Regional Conference.
- Each Regional Committee to constitute a Regional Health & Safety Committee.
- Two Health & Safety representatives from each region to be elected to a National Health & Safety Committee that will meet annually and provide a report to the Executive Council.
- There will be one National Health and Safety Conference every three years made up from 20 accredited Health & Safety Representatives per Region.

East Midlands/DE40 Manufacturing & Rail Branch

125 Constitutional Cycle

To establish Constitutional Conferences & Elections on a 3 year cycle timetable maintain the following 3 year cycle Constitutional Conferences & Elections:

- EC Elections
- Workplace & Branch Rep Elections
- Regional Industrial Sector Conferences/Elections
- Regional Equality Conferences/Elections
- Area Activists Meetings/Elections
- Regional Retired Conferences

Amend Rules to put the following Constitutional Conferences onto a 3 year cycle:

- Policy Conference
- Rules Conferences
- National Sector Conferences
- National Equalities Conferences
- National Retired Members Conference
- Regional Political Conferences/Elections

Amend Rules to provide the following 3 year timetable (Executive Council to determine transition timetable to implement new rotational format post Rules Conference 2019)

Year 1

- Election off Reps/Branch Officers
- Regional Industrial Sector Conferences - Constitutional Committees Elections/Inaugural RISC Meeting
- Regional Equalities Conferences - Constitutional Committees Elections/Inaugural Equality Meeting
- Regional Young Members Conference
- Regional Retired Members Conferences – Constitutional Committee Elections/Inaugural Committee
- Regional Community Conferences
- Area Activists Meetings - Constitutional Committees Elections/Inaugural AA Committee Meeting
- Inaugural Regional Committee Meeting
- Regional Political Conferences - Political Committee Elections

Year 2

- National Sector Conferences
- National Equality Conferences
- National Young Members Conference
- National Retired Members Conference
- National Community Conferences

Proposed New Rules

Year 3

- EC Election
- Policy / Rules Conference

North West/0062 Rolls-Royce Barnoldswick Works Branch

126 Lay Member Grievance Procedure

1. Where a member feels that the union, its employees or appointed agents (eg solicitors) have not provided support, to a fair and reasonable standard. They may instigate a Grievance, requesting a review of any detrimental conduct or decision(s) taken.
2. Where a member's grievance relates to legal advice, or conduct of appointed solicitors, the union shall use its normal procedures for legal review, which may include the solicitors' own internal complaints procedure. That decision shall be final.
3. For the avoidance of doubt this procedure cannot be used for complaints against other members, lay representatives or agreements reached through negotiation. Those are dealt with under the existing rules, which cover that type of complaints.
4. Members in the first instance must seek to resolve their grievance informally, either with the officer/employee concerned, or with the Regional Secretary. The officer/employee should have the opportunity to address the grievance, this should normally be undertaken within 6 weeks.
5. If the informal process fails to reach a resolution, a formal grievance may be submitted. All formal grievances are to be submitted in writing to the office of the chief of Staff. The aim is to acknowledge receipt within 14 days and allocate a senior officer to investigate.
6. An assessment will be made as to the most appropriate person to investigate the grievance. In respect of Regional officers and staff, this will normally be undertaken by a Regional secretary. Where the grievance involves the Regional Secretary and or deputy, a National officer, will be appointed to hear the grievance. For non-regional staff or appointees, an equivalent process will be followed.
7. Any investigation will be conducted in an impartial manner and involve submissions from those concerned, these may be written or via interview, as appropriate. Once completed, the investigating officer shall issue a decision, no more than three months from receipt of the grievance. Grievance decisions shall be organised and conducted under guidance issued by the Executive Council. These directions will ensure that the process is fair and conducted in accordance with the principles of natural justice.
8. The member may appeal the outcome. Any request for an appeal should be submitted to the Executive council via the General Secretary office within 7 days of the grievance outcome and should specify the grounds on which the member is disputing the findings of the investigation.
9. On receipt of the appeal, the Executive Council will form an Executive Council Grievance Appeal Panel, at the next scheduled EC meeting, which shall include either the General Secretary or delegated Assistant General Secretary to conduct a review of the case. This review will ensure that the process is fair, in line with Unite rule, issued guidance and conducted in accordance with both the principles of natural justice and of Unite. An appeal decision will be issued, within 7 days of the subsequent scheduled Executive Council Grievance Appeal Panel meeting.

The decision of the Executive Council Grievance Appeal Panel is final.

East Midlands/DE14 Rolls Royce Aerospace Staff Branch

**Ratification of Rules amended
by the Executive Council since
the 2015 Rules Conference**

Ratification of Rules amended by the Executive Council since the 2015 Rules Conference

In accordance with Rule 13.6 the following is a schedule of the rules amended by resolution of the Executive Council supported by not less than 75% of its members since the 2nd Rules Conference in 2015 which are submitted for ratification by conference.

Following the Rules Conference in July 2015, the Executive Council, at its meeting in September 2015 used its powers under the enabling motion agreed by conference which allowed it to take the consequential action in regard to amendments carried by the Conference for administrative action and implementation as appropriate.

Rule 4.4 The Executive Council shall determine the scope and level of benefits.

4.4.1 Such benefits may include such things as: Driver Care, funeral, incapacity, personal accident (death, loss of limb/eye, permanent disability), maternity/adoption, paternity, convalescence, professional liability insurance, etc.

4.4.2 Without interference to the overriding authority granted by this rule to the Executive Council (to determine the scope and level of benefits), funeral benefit shall be paid to all non-retired working members as at the 1st Day of September 2009 at the same rate."

Rule 9 A note was added to clarify that the qualifying age for a young member remains at 30 until the 2018/21 electoral cycle.

Rules 16 Two amendments to Rule 14 and Rule 16 which had an identical effect were carried at the conference. Because 16 deals with the election of the Executive Council the amendment was included in that rule rather than Rule 14.

New clause 16.32 Any casual vacancies on the Executive Council that occur within the first two years for the electoral term shall be filled by a by-election for a replacement delegate. If that casual vacancy occurs in the final year of the electoral term, there shall not be a by-election but that an observer may be elected to represent the section's interests from the relevant constituency, i.e. NISC, Regional Committee, and National Equalities Committee.

Rule 17 Branches and Rule 18 Workplace Representatives

Line 4, delete the words "and be completed not later than June 30", and replace with "at a Branch meeting held between 1st January and 31st March".

Line 5, delete the words, "and the elected candidates shall take office the following July for three years"

The second paragraph removes the term of office of branch officers and this isn't mentioned elsewhere we have therefore added the words: "and the elected candidates shall take office for three years."

For consistency, and because many workplace representatives also hold branch office we have made an amendment to the final paragraph in Rule 18, Clause 1 which has the same affect.

In the period following the meeting where these changes were agreed the following additional rule amendments were agreed by the Council:

In June 2018 the Council made the changes to rule:

Following the introduction of General Data protection Regulations as a result of changes to legislation in this area additional clauses to Rule 2 and Rule 4 were agreed to ensure that the union's communications with its members regarding legitimate trade union activities was not inhibited.

2.1.12 To communicate information to members about union activities, campaigns, services and/or benefits, so as to encourage participation and further these objects.

Ratification of Rules amended by the Executive Council since the 2015 Rules Conference

- 4.9 The Executive Council may provide, agree and permit other organisations to provide to members and their households insurance, financial, legal, consumer and other services and products and loyalty or other similar schemes and Unite may provide information by direct mailing or otherwise to members concerning such services, products and schemes.

To ensure that union members could not utilise branch funds to engage in litigation against the union itself it was agreed to amend Rule 17 adding the following sentence to clause 17.3:

“Branch funds shall not be utilised to assist a member or former member in obtaining legal advice, assistance or representation in respect of any court, tribunal or other proceedings brought against (or intended to be brought against) the Union. ”

Following discussions at the December 2017, March 2018 and June 2018 council meeting the following changes were agreed at the June 2018 meeting:

Rule 23 Political Fund

To bring Rule 23 Political Fund into line with legislation that came into force in March 2018 and to ensure uniformity across the Union this rule was amended as follows:

RULE 23. POLITICAL FUND

Political Fund – Other than in Northern Ireland

23.1 The objects of the Union shall include the furtherance of the political objects to which section 72 of the Trade Union and Labour Relations (Consolidation) Act 1992 (the Act) applies, these objects are:

23.1.1 The expenditure of money –

- 23.1.1a on any contribution to the funds of, or on the payment of expenses incurred directly or indirectly by, a political party;
- 23.1.1b on the provision of any service or property for use by or on behalf of any political party;
- 23.1.1c 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;
- 23.1.1d on the maintenance of any holder of a political office;
- 23.1.1e 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;
- 23.1.1f 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.

23.2 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 his/her attendance as such shall, for the purposes of 23.1.1e above, be taken to be expenditure incurred on the holding of the conference or meeting.

23.3 In determining, for the purposes of paragraphs 23.1.1a to 23.1.1f, whether the Union has incurred expenditure of a kind mentioned in those paragraphs no account shall be taken of the ordinary administrative expenses of the Union.

Ratification of Rules amended by the Executive Council since the 2015 Rules Conference

- 23.4 In these objects –
- “candidate” means a candidate for election to a political office and includes a prospective candidate;
 - “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;
 - “electors” means electors at any election to a political office;
 - “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;
 - “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.
- 23.5 Any payments in the furtherance of such political objects shall be made out of a separate fund of the Union (hereinafter called the political fund).
- 23.6 The particular rules which apply to those people that joined the Union and to political funds set up before 1st March 2018 are set out in Schedule PF1 to these rules.
- 23.7 The particular rules which apply to those people that joined the Union and to political funds set up after 28th February 2018 are set out in Schedule PF2 to these rules.
- 23.8 A member who is exempt from the obligation to contribute to the political fund of the union shall not be excluded from any benefits of the union, or placed in any respect either directly or indirectly under any disability or disadvantage as compared with other members of the union (except in relation to the control or management of the political fund) by reason of his being so exempt.
- 23.9 If any member alleges that s/he 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 1992 Act, s/he may complain to the Certification Officer, and the Certification Officer, after making such enquiries as s/he thinks fit and after giving the complainant and the union an opportunity of being heard, may, if s/he considers that such a breach has been committed, make such order for remedying the breach as s/he thinks just in the circumstances. Any such order of the Certification Officer may, subject to the right of appeal provided by section 95 of the 1992 Act, be enforced in the manner provided for in section 82(4) of the 1992 Act.
- 23.10 Contribution to the political fund of the union shall not be made a condition for admission to the union.
- 23.11 The union shall include in the annual return that is submitted to the Certification Officer details of political expenditure as required by section 32ZB of the 1992 Act.
- 23.12 The union shall ensure that a copy of the political fund rules is available, free of charge, to any member of the union who requests a copy.

Ratification of Rules amended by the Executive Council since the 2015 Rules Conference

PF1

Rules that apply to members that joined the Union before 1st March 2018

23.13 As soon as is practicable after the passing of a resolution approving the furtherance of such political objects as an object of the Union the Executive Council shall ensure that a notice in the following form is given to all members of the Union in accordance with this rule:-

Trade Union and Labour Relations (Consolidation) Act 1992 (as amended)

A resolution approving the furtherance of political objects within the meaning of the above Act as an object of the Union 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 Union.

Every member of the Union 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 branch office of the Union or from the Certification Office for Trade Unions and Employers' Associations, Lower Ground Floor, Fleetbank House, 2-6 Salisbury Square, London EC4Y 8JX.

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.

The notice shall be published to members by such methods as are customarily used by the Union to publish notices of importance to members and shall include the following minimum requirements. The notice shall be published in the Union's main journal which is circulated to members and be available on the Union's website. The secretary of each branch shall supply a copy to any member on request.

23.14 Any member of the Union may at any time give notice on the form of exemption notice specified in Clause (15) or by a written request in a form to the like effect, that he/she objects to contribute to the political fund. A form of exemption notice may be obtained by, or on behalf of, any member, either by application at, or by post from, the head office or any Branch office of the Union, or from the Certification Office for Trade Unions and Employers' Associations Lower Ground Floor, Fleetbank House, 2-6 Salisbury Square, London EC4Y 8JX.

23.15 The form of exemption notice shall be as follows:-

Unite the Union

POLITICAL FUND EXEMPTION NOTICE

I hereby give notice that I object to contributing to the political fund of the Union 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

Name

Address

Name of Branch

Membership No **Date**

Ratification of Rules amended by the Executive Council since the 2015 Rules Conference

- 23.16 Any member may obtain exemption by sending such notice to the secretary of the Branch to which the member belongs and, 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.
- 23.17 On giving such notice, a member shall be exempt, so long as his/her notice is not withdrawn, from contributing to the political fund of the Union as from either: (a) the first day of January next after notice by the member is given, or, (b) in the case of a notice given within one month after the notice given to members under Clause (13) or after the date on which a new member admitted to the Union is supplied with a copy of these rules under Clause (12) as from the date on which the member's notice is given.
- 23.18 The Executive Council shall give effect to the exemption of members to contribute to the political fund of the Union by relieving any members who are exempt from the payment of part of any periodical contributions required from the members of the Union towards the expenses of the Union 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.
- 23.19 For the purposes of enabling each member of the Union to know as respects any such periodical contribution what portion, if any, of the sum payable by him/her is a contribution to the political fund of the Union, it is hereby provided that a sum equal to seventy percent of the weekly contribution rate of a full time member payable in the first week of each quarter is a contribution to the political fund and any member who is exempt shall be relieved from the payment of the said sum and shall pay the remainder of such contribution only.

PF2

Rules that apply to members that joined the Union after 28th February 2018

- 23.20 A member cannot be required to make a contribution to the political fund of the union unless they have given notice of their willingness to contribute to that fund (an "opt-in notice").
- 23.21 A member of a trade union who has given an opt-in notice may withdraw that notice by giving notice to the union (a "withdrawal notice").
- 23.22 A withdrawal notice takes effect at the end of the period of one month beginning with the day on which it is given.
- 23.23 A member of a trade union may give an opt-in notice or a withdrawal notice:-
- (a) by delivering the notice (either personally or by an authorised agent or by post) at the head office or a branch office of the union;
 - (b) by sending it by e-mail to the following email address membership@unitetheunion.org
 - (c) by completing an electronic form provided by the union which sets out the notice and sending it to the union by electronic means with instructions by the union.
 - (d) by any other electronic means prescribed under the 1992 Act (as inserted by the 2016 Act)
- 23.24 The union shall take all reasonable steps to secure that, not later than the end of the period of eight weeks beginning with the day on which the annual return of the union is sent to the Certification Officer, all the members of the union are notified of their right to give a withdrawal notice.
- 23.25 Such notification may be given:-
- (a) by sending individual copies of it to members; or

Ratification of Rules amended by the Executive Council since the 2015 Rules Conference

- (b) by any other means (whether by including the notification in a publication of the union or otherwise) which it is the practice of the union to use when information of general interest to all its members needs to be provided to them.
- 23.26 The notification may be included with the statement required to be given by Section 32A of the Trade Union and Labour Relations (Consolidation) Act 1992.
- 23.27 A trade union shall send to the Certification Officer a copy of the notification which is provided to its members in pursuance of this section as soon as is reasonably practicable after it is so provided.
- 23.28 Where the same form of notification is not provided to all the members of the union, the union shall send to the Certification Officer a copy of each form of notification provided to any of them.
- 23.29 The Executive Council shall give effect to the exemption of members to contribute to the political fund of the Union by relieving any members who are exempt from the payment of part of any periodical contributions required from the members of the Union towards the expenses of the Union 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.
- 23.30 For the purposes of enabling each member of the Union to know as respects any such periodical contribution what portion, if any, of the sum payable by him/her is a contribution to the political fund of the Union, it is hereby provided that a sum equal to 10p per week or other such rate as time to time determined by the Executive Council is a contribution to the political fund and any member who is exempt shall be relieved from the payment of the said sum and shall pay the remainder of such contribution only.
- 23.31 Any form (including an electronic form) that a person has to complete in order to become a member of the union shall include:-
- (a) a statement to the effect that the person may opt to be a contributor to the fund; and
 - (b) a statement setting to the effect that a person who chooses not to contribute to the political fund shall not, by reason of not contributing, be excluded from any benefits of the union or be placed in any respect either directly or indirectly under a disability or at a disadvantage as compared with other members of the union (except in relation to control of the political fund).
- 23.32 If any member alleges that s/he is aggrieved by a breach of any of these rules for giving information to members about opting into the political fund, being a rule or rules made pursuant to section 84A of the 1992 Act, s/he may complain to the Certification Officer. Where the Certification Officer is satisfied that the union has failed to comply with a requirement of section 84A of the 1992 Act the Officer may make such order for remedying the failure as s/he thinks just under the circumstances. Before deciding the matter the Certification Officer:-
- (a) may make such enquiries as the Officer thinks fit;
 - (b) must give the union, and any member of the union who made a complaint to the Officer regarding the matter, an opportunity to make written representations; and
 - (c) may give the union, and any such member as is mentioned in clause (b), an opportunity to make oral representations.

Political Fund – Northern Ireland

- 23.33 Under Article 59 of the Trade Union and Labour Relations (Northern Ireland) Order 1995 no Northern Ireland member of the union shall be required to make any contribution to the political fund of the union as defined by Clause 1 of this Rule unless he/she has given to the Union notice in writing of his/her willingness to contribute to that Fund (an “opt-in” notice)

Ratification of Rules amended by the Executive Council since the 2015 Rules Conference

- 23.34 Any form (including an electronic form) that a person has to complete in order to become a member of the union shall include a statement to the effect that the person may opt to be a contributor to the Fund (an "opt-in" notice)
- 23.35 A Northern Ireland member of the union who has given an opt-in notice may withdraw that notice by giving notice to the union (a "withdrawal notice")
- 23.36 A Northern Ireland member giving a withdrawal notice shall be deemed to have withdrawn as from the first day of January next after the delivery of the notice of withdrawal.
- 23.37 The notices referred to in Clause 33 -35 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 Union if it has been sent by post properly addressed to that office.
- 23.38 The Executive Council shall give effect to the exemption of Northern Ireland members to contribute to the political fund of the Union by relieving those members who are legally exempt from the payment of part of any periodical contributions required from the members of the Union towards the expenses of the Union 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.
- 23.39 For the purpose of enabling each Northern Ireland member, who has opted to pay to the political fund, to know as respects any such periodical contribution what portion of the sum payable by him/her is a contribution to the political fund of the Union, it is hereby provided that:
- (i) For members who joined before 1st March 2018 a sum equal to seventy percent of the weekly contribution rate of a full time member payable in the first week of each quarter is a contribution to the political fund and any member who is exempt shall be relieved from the payment of the said sum and shall pay the remainder of such contribution only.
 - (ii) For members who joined after 1st March 2018 a sum equal to 10 pence per week or other such rates as from time to time determined by the Executive Council is a contribution to the political fund and any member who is exempt shall be relieved from the payment of the said sum and shall pay the remainder of such contribution only
- 23.40 Northern Ireland members who are statutorily exempt from the obligation to contribute to the political fund of the Union shall not be excluded from any benefits of the Union, or placed in any respect either directly or indirectly under any disability or disadvantage as compared with other members of the Union (except in relation to the control or management of the political fund) by reason of their being exempt.
- 23.41 Contribution to the political fund of the Union shall not be made a condition for admission to the Union.
- 23.42 If any Northern Ireland member alleges that he/she 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/she may complain to the Northern Ireland Certification Officer, 10-16 Gordon Street, Belfast, BT1 2LG, under Article 57 (2) to (4) of that Order.
- 23.43 If after giving the complainant and a representative of the Union an opportunity to be heard, the Certification Officer considers that a breach has been committed, he/she may make an order for remedying it as he/she thinks just in the circumstances. Under Article 70 the Industrial Relations (N.I.) Order 1992 (as amended) an appeal against any decision of the Certification Officer may be made to the Court of Appeal on a question of law.
- 23.44 Additionally, if any Northern Ireland member alleges that he/she is aggrieved by a breach of the political fund rules made pursuant to section 82 of the Trade Union and Labour Relations (Consolidation) Act 1992 he/she may complain to the GB Certification Officer, 22nd Floor, Euston Tower, 286 Euston Road, London NW1 3JJ. If, after giving the complainant and representative of the Union an opportunity of being heard,

Ratification of Rules amended by the Executive Council since the 2015 Rules Conference

the GB Certification Officer considers that a breach has been committed, he/she may make an order for remedying it as he/she thinks just in the circumstances. Any such order of the GB Certification Officer is subject to the right of appeal provided for by section 82 (4) of the 1992 Act.

Political Fund – Republic of Ireland

- 23.45 Clauses (1) – (19) (bar 5 and 6) of this rule shall have effect for all members in the Republic of Ireland subject to the following modifications:
- 23.45.1 all references to statutory provisions therein shall be construed as references to the appropriate legislation in the Republic of Ireland.
- 23.45.2 “political office” means the office of President, member of Dail Eireann, member of Seanad Eireann, member of the European Parliament, or any member of a local authority.
- 23.45.3 Forms of exemption notice may be obtained at or by post from any Union office within the Republic of Ireland.
- 23.45.4 A sufficient number of the forms of exemption notice shall be available at each office of the Union within the Republic of Ireland and any member shall be provided with a copy of such form on his/her request.

Executive Statements

Executive Statements

Executive Statement #1: Members in Retirement

(Covering Amendments 3, 4, 5, 11, 18, 21, 29, 38, 39, 40, 41, 42, 50, 58, 65, 67 and 81)

Unite retired members have played a significant part in the development of our union over the last twelve years, over and above the contribution they made to the labour movement over the course of their working lives.

As our union evolves, it is right that consideration should be given to enhancing the role of our lay membership in non-working categories. It notes that presently around 70,000 retired members are paying union subscriptions at the Retired Members Plus rate.

Conference therefore accepts the need for stronger direct involvement of our paying retired members (Retired Members Plus) in our constitutional structure at national and regional levels to reflect the central part played by retired members in our union's life and work, and that they should no longer merely serve as observers on constitutional committees and conferences rather than having full rights.

At the same time, it is important that the integrity of Unite's industrial structures be preserved by ensuring that only working members elected as workplace representatives, or as branch officers as provided for under Rule 6, can serve on RISCs and NISCs and on equalities committees.

While accepting the principle of full and direct representation of Retired Members on the Executive Council through a voting member, the regional, industrial and national equality seats should, as at present, be elected by working members only.

This conference therefore instructs the Executive Council to amend the Unite rule book to provide for:

- The election of a member of the Executive Council to represent Unite's Retired Members, to be elected by ballot of all members in the category of Retired Members Plus
- The election of a full member of the Regional Committees from the regional Retired Members' Committee
- The upgrading of the retired members' observers at Unite Policy and Rules conferences to full delegates with voting rights
- The Retired Members' observer on the National Labour Party Liaison Committee to likewise become a full delegate.

It further requires the Executive Council to keep the constitutional position of retired members and their structures under review.

Executive Statements

Executive Statement #2: Policy and Rules Conferences

(Covering Amendments 52, 53, 54, 55, 59, 60, 61, 62, 63, 64, 89 and 100)

The Executive Council believes that our Policy Conference should be seen as a major mobilisation of our members and a “shop window” for the public to see union democracy at work; it should have vitality, it should reflect our diversity of our membership, it should give the impression of being “filled to rafters” with union activists seeking to get involved in debates about all of our futures at work and in our communities. Our Conference should project to the world that we are powerful force in the land.

The Rules Conference on the other hand is a more inward facing and technical affair that is recognised as such by the union as it's organised as a closed conference; it is private for our members to deliberate on our Rules.

The Executive Council believes that this twofold view of Conferences is felt by many branches and committees over and above those that have submitted amendments to Rule. These Amendments seek to change the structure of Policy and Rules Conference generally, but not always, calling for Rules Conference to be an extension to every other Policy Conference.

The earliest that such a proposal could take effect would be in 2022. It is the Executive Council's intention to examine the future planning and structure of our statutory conferences and these suggestions will form an integral part of such an examination.

However, in the immediate term the Executive Council proposes to increase the level of participation and add to the vibrancy of the Policy Conference by increasing the number of delegates by 50%.

To reflect the more technical nature of the Rules Conference the Executive Council is proposing to reduce the number of delegates by 50%.

To give effect to the Executive Council's proposal for immediate change it would be necessary to amend Rule 12.1 as follows:

Line 3, delete “two thousand” insert “one thousand three hundred”

and to amend Rule 13.2 to include:

The Rules Conference shall consist, so far as reasonably practicable, of one lay delegate for each four thousand working members of the union.

The Executive Council of course has the question of representation of formerly underrepresented groups to the fore. As well as our statutory requirement on gender and ethnic minimum proportionality it wishes to ensure that at least one delegate from the national equalities committees is in attendance at both Policy and Rules Conferences.

To this end it proposes to amend Rule 12.4.1 as follows:

there shall be 5 delegates one each representing the National Women's, National BAEM, National LGBT and National Disabled Members' and National Young Members' Committees

and to amend Rule 13.2 to include:

there shall be 5 delegates one each representing the National Women's, National BAEM, National LGBT, National Disabled Members' and National Young Members' Committees.

In order to ensure representation at Rules Conference for Regional Committees, which are currently represented at Policy Conference, the Executive Council proposes to amend Rule 13.2 to include:

each Regional Committee shall elect 2 delegates to Rules Conference (at least one of which must be a woman).

Executive Statements

The Executive Council does not wish to have the authority to amend Amendments to Rule that have been submitted by branches and committees and proposes to amend Rule 13.5 as follows:

Line 2, delete words "motions to amend"

The Executive Council has no intention of changing the opportunity for branches and committees to submit Motions and Amendments to either Conference; this will stay the same under the proposals outlined in this Statement. Each and every branch and constitutional committee may submit a Motion and an Amendment to Policy Conference and an Amendment to Rules Conference. The Executive Council reserves the right to publish Executive Statements to assist with expediting conference business.

The Executive Council has no plans to alter the main basis for representation at either Conference, that is, the majority of delegates will be organised on a Sector basis, usually elected from the RISCs.

Executive Statements

Executive Statement #3: Community Members

(Covering Amendments 12, 51, 117, 118, 119, 120 and 121)

Unite Community represents a unique development in the trade union movement, extending trade union membership to people not in paid work and entrenching our union as a campaigning force in communities across the country.

Over the last seven years, our Community Members have developed a large number of active branches, have led and won numerous local campaigns and have provided invaluable support to working members in dispute, and to the union as a whole in delivering on its campaigning objectives. Community members have become a respected and valued part of Unite.

As our union evolves, it is right that consideration should be given to enhancing the role of our community members. It notes that presently we have around 16,000 paying community members.

Conference therefore accepts the need to keep the constitutional development of our Community Membership structures under review, while preserving the integrity of Unite's industrial structures.

As a first step, therefore, Regional Community Members Campaign Forums should have the right to choose an observer to sit on each Regional Committee, and to submit a motion to be considered by the Regional Committee. Furthermore, the National Community Campaign Forum should be able to elect an observer to the National Labour Party Liaison Committee.

The Executive Council does not believe that branch officers of Community Branches should be deemed as being Rule 6 compliant as that could open up access to the union's constitutional industrial, regional and equalities structures. However, given the large number of Community Members who are disabled the Executive Council is proposing that there should be liaison structures established in each region between the regional disabled members' committee and the regional community forum.

Community Members should hold a national biennial conference to give consideration to campaign priorities, with decisions subject to ratification by the Executive Council which will also oversee the organisation of such a conference.

The Executive Council will review the strength and organisation of our Community Membership, and should have the authority to transform a Regional Community Campaign Forum into Regional Community Committee when in its judgement the organisation in a particular region is large and resilient enough. Likewise, it should agree to the National Community Campaign Forum electing an observer to the Executive Council when in its view the membership is of sufficient size to warrant such a development.

In conclusion the Executive Council is seeking to resolve any ambiguity around the status and standing of so-called Associate Committee Members.

The proposal will straightforwardly delete references to associated community membership. The Executive Council proposes to do this by deleting Rule 28.2 and with Rule 3.2

- 2nd bullet point; delete words "Associate Community"
- delete final paragraph

Notes

Notes

Notes



www.unitetheunion.org

8780/DP/6-19