

RULE BOOK



INDEPENDENT TRADE UNION
GENERAL SECRETARY
Paul W Fleming

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all previous rules rescinded

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RULES

1 Title

1.1 The trade union formed under these Rules (hereinafter referred to as "the Union") shall be known as "Equity incorporating the Variety Artistes' Federation" and may be called for short title purposes "Equity". It shall be registered on the list of trade unions maintained by the relevant statutory authority.

2 Head Office

2.1 The head office of the Union shall be situated in such place as may from time to time be agreed upon by the Council.

3 Objects, Powers and Duties

3.1 Objects

3.1.1 As a trade union that is independent of any political party or religious faith:

3.1.1.1 to promote, protect and further on a professional basis the art of theatre, variety, circus, opera, dance, films, broadcasting and similar forms of entertainment;

3.1.1.2 to promote, protect and further the artistic, economic, social and legal interests of its members in their professional capacity;

3.1.1.3 to maintain the professional rights and liberties of its members individually and collectively;

3.1.1.4 to secure by organisation and all other effective methods unity of action to achieve the best possible terms and conditions of work in all fields in which members are engaged;

3.1.1.5 to represent the interests of individual members and of the membership as a whole in dealings with proprietors, managers, agents and others and also to adjudicate between member and member;

3.1.1.6 to promote by negotiation between representatives of Equity and the employers, agents or others concerned, the settlement of disputes arising in connection with terms and conditions of employment or service;

3.1.1.7 to promote equality for all including through: (i) collective bargaining, publicity material and campaigning, representation, union organisation and structures, training,

organising and recruitment, the provision of all other services and benefits and all other activities; and (ii) the Union's own employment practices;

3.1.1.8 to oppose actively all forms of bullying and unlawful victimisation, harassment and discrimination on the grounds prohibited under equality law and because of caring responsibilities, class or any other status or personal characteristic;

3.1.1.9 to promote, protect and further freedom of artistic expression and to assist performers and others working in the performing arts nationally and internationally who are suffering oppression, persecution or hardship in the pursuit of their profession.

3.2 Powers and Duties

3.2.1 To issue all necessary instructions to the Members, through its elected Council, in accordance with the above Objects.

3.2.2 To negotiate rates of pay and conditions of employment.

3.2.3 To assist in promoting legislation in support of the above Objects.

3.2.4 To take any lawful action the Council (as the governing body) may deem advisable and desirable to promote the above Objects, and protect and further the professional interests of the membership.

3.2.5 To accumulate from the contributions of the members funds adequate for the promotion of the above Objects and the provision of any benefits specified hereafter.

3.2.6 To secure such loans, overdrafts or other banking facilities as the Council may deem advisable, in consultation with the Trustees of the Union.

3.2.7 To promote and maintain Emergency and Benevolent Funds for the assistance and protection of members who, in the opinion of the Council, are in need of such assistance.

3.2.8 To establish when necessary ad hoc fighting funds.

3.2.9 To maintain a Superannuation Fund for the benefit of some or all of the employees of Equity and make such contributions to such Fund as may be approved by the Council.

3.2.10 To enter into a contract or contracts of insurance with Lloyd's underwriters or other reputable insurance companies for the purpose of providing accident and other benefits to members as provided under the Rules.

3.2.11 To provide benefits on the death of a member as provided under the Rules.

3.2.12 To provide such additional benefits to members and their families as the Council shall decide.

3.2.13 To provide legal advice and legal assistance to members so far as the law allows and as provided under these Rules.

3.2.14 To operate collective licensing schemes, and to enter into such schemes operated by third parties, on behalf of Members, authorising the exploitation of their performances; to collect and distribute to members and others royalties and other payments from collective licensing schemes and other sources; to retain from the sums so collected sums sufficient to cover the costs of administering such collection and distribution; and to use any payments due to persons who cannot readily be identified, or which it is not practicable to distribute for any other reason, for the general benefit of the membership in such ways as the Council may approve.

3.2.15 To maintain publications, in any format, in the interests of Equity.

3.2.16 To co-operate with such other organisations, societies or associations, at local, national and international level, as may be deemed desirable by the Council, by affiliation, federation or other suitable methods in the promotion of these and similar objects and aims. However the Council shall at no time affiliate the Union, its Branches or Committees to any political party or religious faith, or to any organisation, society or association which is itself affiliated to any political party or religious faith.

3.2.17 To acknowledge the right of individual members to hold and express their personal political and other beliefs both in their private and professional capacities, providing the expression of those beliefs does not constitute conduct which is contrary to the objectives in Rule 3.1.1.8.

4 Qualification and Application for Membership

4.1 Any person who exercises professional skill in the provision of entertainment in accordance with criteria laid down from time to time by the Council shall be eligible for membership.

4.2 The Council may, but shall not be obliged to, provide for special classes of membership, e.g. to take account of age or student status; to offer temporary membership; to enable the Council to award honorary life membership; and to provide for artists visiting the UK from overseas; and for differing rates of entrance fees and subscriptions and differing entitlements to benefits, voting rights and rights to stand for office for members in such classes.

4.3 Any person who in the opinion and at the discretion of the Council is or has been so closely connected with the entertainment profession as to qualify that person for membership, shall be eligible to become a member.

4.4 Every application for membership shall be made on a form agreed by the Council and that provides such particulars as the Council shall from time to time stipulate, that shall be authorised by the applicant and shall be delivered to the General Secretary together with the entrance fee and with the subscription for such initial period as the Council shall from time to time stipulate.

4.5 Application for membership of the Union shall constitute acceptance by the applicant of these Rules as binding on them upon being accepted into membership.

4.6 The election of members shall be by a majority vote of the Council present at any meeting.

4.7 Only those applicants suitably qualified under this Rule may be elected into membership.

4.8.1 The Council may reject an application for membership if in its opinion the conduct or activities of the applicant have at any time been such as would amount to a breach of Rule 3.2.17 had the applicant for membership been a member at the time.

4.8.2 Any persons whose application is provisionally rejected in accordance with Rule 4.8.1 must be given a notice in writing of the proposal to exclude them and the reasons for the rejection and be informed in writing of their right to

make written representations to the Council within 14 days of receipt of the notice as to why they should not be excluded from membership.

4.8.3 Any written representations shall be considered by the Council at the next Council meeting before a final decision is made whether to accept an application for membership by a majority vote of the Council present at the meeting.

4.8.4 All members shall be expected at all times to behave reasonably in dealing with fellow members and Equity staff, to treat them with respect and courtesy and not to engage in conduct which is contrary to the objectives in Rule 3.1.1.8. A failure to do so may result in disciplinary action in accordance with Rule 28.

5 Membership

5.1 A member in benefit shall mean one who has not resigned, been suspended or expelled, and who is not more than 13 weeks in arrears with subscriptions, fines, levies or dues, and who is not on Honourable Withdrawal.

5.2 Members who are in benefit shall be entitled to benefits and privileges of the Union in accordance with these Rules. Members not in benefit shall not be entitled to any benefits or privileges of the Union, except at the discretion of the Council.

5.3 A card of membership shall be issued to each member.

5.4 A member transferred from the Variety Artistes' Federation (VAF) shall, for the purposes of these Rules, be deemed to have been a member of Equity from the date from which they had continuously been a member of the VAF prior to the date of transfer. Any member who transferred from the VAF and who, at the time of transfer, was a contributor to the Death Levy and Bonus Funds shall be entitled to an amount payable out of general funds by which the Funeral Benefit payable in respect of a deceased member falls short of the equivalent of £1 for each year in respect of which such member has been a contributor but excluding the first year.

5.5 The Council shall appoint an assurer to complete a Membership Audit Certificate for each financial year as required by current legislation.

6 Honourable Withdrawal

6.1 A member who intends not to work in the industry for a period of at least 12 months may apply for Honourable Withdrawal. On application, an administration fee, of such amount as shall be determined by the Council from time to time, shall be payable. Where such a member applies for Honourable Withdrawal, this will be granted provided that they are in benefit at the time of application.

6.2 Whilst on Honourable Withdrawal members shall not be obliged to pay any membership subscription, nor shall they be entitled to any benefits or privileges of the Union except at the discretion of the Council. Any period of Honourable Withdrawal shall last for up to three years, unless during that period the member recommences working in the industry, in which case the period of Honourable Withdrawal shall thereupon automatically end and the member must then be brought back into benefit by paying the appropriate subscription.

6.3 A member shall be entitled to re-apply for Honourable Withdrawal at the end of the original or any subsequent three-year period, subject to payment of a further administration fee in respect of each such application.

7 Fees and Subscriptions

7.1 Subject to the provisions of Rule 4:

7.1.1 the entrance fee payable on joining the Union shall be such sum as may from time to time be decided upon at an Annual or Special Representative Conference;

7.1.2 each member shall (in addition to the entrance fee mentioned in Rule 7.1.1) pay a subscription payable annually in advance or by equal instalments in advance on dates to be set by the Council, according to rates as may from time to time be decided upon at an Annual or Special Representative Conference; and, until so decided, at the rates previously payable. Such rates may provide for different subscription rates for members with differing earnings from the exercise of their professional skills in the provision of entertainment; and for members of differing ages and lengths of membership of the Union;

7.1.3 a member who is suffering hardship may make a written application to the Honorary Treasurer either for permission to pay a reduced rate of subscription or to have their subscription waived. If the member is dissatisfied with

the Honorary Treasurer's decision, an appeal can be made to the Council and any information supplied will be treated as confidential. The decision of the Council on the matter shall be final and binding. However, if any such member is proved to have supplied false information, that member shall be liable to disciplinary proceedings under Rule 28;

7.1.4 in addition to their subscriptions, all members shall pay such fines and levies as may from time to time be imposed in accordance with the Rules of the Union;

7.1.5 a member who pays their subscription to a person not authorised to collect such monies will do so at their own risk, and such payment shall not be considered a payment to the Union unless actually received by the Union;

7.1.6 the card of membership must be shown on demand to any person duly authorised by the General Secretary or other persons duly appointed by the Council.

8 Termination of Membership

8.1 In case of death.

8.2 By resignation, in which case all fees and dues are payable until and including the week in which such resignation is sent in.

8.3 In case of expulsion.

8.4 Subject to the discretion of the Council, the membership of a member shall terminate upon becoming 26 weeks in arrears of subscription.

9 Reinstatement of Members

9.1 If a member who resigns or loses membership through non-payment of dues or any other causes applies to be reinstated, the Council shall have power to reinstate the applicant on payment of such re-joining fee as the Council may deem appropriate and such sums on account of arrears, if any, as the Council may decide.

10 Legal Advice

10.1 Legal advice in any case of dispute in connection with professional engagements may be obtained free of charge by any member at any time after joining. Application must be made to the General Secretary in writing or personally, accompanied by written detailed statement of the facts.

The General Secretary will, if the request is considered to be reasonable, refer the member to solicitors.

Members must, without delay, afford all information and assistance within their power that the solicitors may require.

10.2 Legal advice shall consist of consultation and direction or information only, verbally or by letter of reply, and does not entitle the applicant for such advice to any further service on the part of the solicitors, unless legal protection is granted.

11 Legal Protection

11.1 Any member applying for legal protection must not be more than 13 weeks in arrears with any subscription and/or levies, dues, loans or fines.

11.2 Free legal protection may be granted to any member of the Union if the Council deems it advisable in the special circumstances of any particular case.

11.3 Cases to be taken charge of must arise directly from disputes, differences or other questions relating to their professional work and other matters vital or necessary to the interests of the Union as a whole or its individual members.

11.4 The Union will, as a rule, exception being permitted only by the Council under special circumstances, NOT take charge of:

11.4.1 any case that arises through the member's own fault;

11.4.2 any case in which one member intends to bring action against another, unless the complaint is against a member acting in the capacity of a proprietor, manager, agent or similar;

11.4.3 any case of a private character, and not arising out of professional work;

11.4.4 cases against parties who are known to be or who, in the opinion of the Council, are likely to be insolvent, and where attachments and execution would be useless; also against parties about whom the Union has repeatedly published warnings. Should legal protection have been refused on these grounds, and the party to be proceeded against later on (but before the debt becomes null and void on account of the Statute of Limitations) come into property or money, the member shall have the right to re-submit their

application to the Council.

11.5 No case shall be taken charge of whenever the Council considers the funds of the Union insufficient for the purpose.

11.6 All statements in support of requests for legal protection, in pursuance of Rule 11.1, must state plainly that not merely legal advice but free protection is applied for, and a full account of all circumstances of the case, strictly in accordance with the truth to the best of the applicant's belief and knowledge, must be given, accompanied by all contracts and other documents having reference to same.

11.7 The Union will take full charge of the lawsuit if the Council, after full examination of all the facts and circumstances of the case submitted to it or otherwise obtainable, approves of its being conducted, and in that case all costs incurred, such as costs of Court, witnesses' fees, solicitors' and counsels' fees, and the Member's reasonable travelling expenses, shall be borne by the Union.

11.8 Whenever the Union takes charge of any case, the member or members concerned must forthwith sign the following declaration:—

In consideration of Equity granting me/us legal protection, I/we hereby undertake that I/we will not interfere with, negotiate for a settlement, nor do anything whatever in the course of the proceedings instituted, or withdraw same, without the consent of the Council, and if any loss arises due to my/our interference, or withdrawal, or from any act of mine/ours contrary to this undertaking, or by reason of my/our non-appearance at Court if such attendance is necessary on the hearing of the action, or by reason of my/our having withheld any documents or papers, or concealed any information (which, had it been before the Council at the time legal protection was granted, would have induced it to withhold protection) then, in that case, I/we will refund to Equity all costs and expenses which it has been put to on my/our behalf.

11.9 A member for whom a case is being conducted must always keep the General Secretary and the solicitor informed of his or her address, permanent or temporary. Should the member fail to do so the member must bear all the resulting consequences and will be held responsible for all costs incurred if the case be lost through the Member's negligence in any respect.

11.10 Should the case which has been taken charge of by the Union be lost or dropped on account of purposely or knowingly untrue or incomplete information on the part of a member for whom it is carried on, then the said member shall be liable to bear the full costs of the case, and refund to the Union any and all expenses which it may have incurred.

11.11 Should the Court, before allowing the case to be proceeded with, demand security for costs, the same shall be furnished by the Union, providing the Council deems it advisable.

11.12 In deciding whether legal protection shall be granted in any case submitted, the decision shall apply only for the Court of first resort, and if appeal is thought necessary the facts must be submitted to the Council again, to decide whether such appeal should be taken or not.

11.13 The decision of the Council shall be final in all cases submitted to it. No member shall have legal redress against such decision, nor is the privilege of members to legal protection one which can be contended for in a Court of Law.

11.14 Legal protection will not be granted without the permission of the Council to any member in reference to any dispute if at the time the dispute originates the member is not in benefit.

12 Benefits

12.1 Accident and funeral benefits shall be provided to members by the Union. Additionally, other benefits may be provided as the Council shall, from time to time, decide.

13 The Governing Body

13.1 The Governing Body of the Union shall be a Council, which shall consist of the President, elected in accordance with Rules 14 and 18, and 33 other members, who shall be elected every two years by the entire body of members in accordance with Rules 14 and 15. The 33 other members shall be made up of the following numbers of members elected from the panels of candidates specified below:

Panel of Candidates	Number of Members to be elected
General List	12
Professional specialisms and minorities:	
Audio Artists	1
Creative Team (Choreographers, Theatre Designers, Theatre Directors, Theatre Fight Directors)	2 from different disciplines
Dancers	1
Deaf and Disabled Members	1
Race Equality	1
Singers	1
Stage Management	1
Variety, Circus and Entertainers	4
Young Members	1
Nations and English Areas:	
Midlands Area	1
North East, Yorkshire and Humberside Area	1
Northern Ireland	1
North West Area	1
Scotland	1
South East Area (excluding London)	1
South West Area	1
Wales	1
Total	33

14 Qualification for Council or President

14.1 A candidate for the Council, who shall be a member in benefit, must give consent in writing and:

14.1.1 be proposed and seconded by two members in benefit; the proposer of a candidate to any panel other than the General List shall be required to satisfy the same requirements as the candidate under Rules 15.4 to 15.4.4 as to their qualification with the geographical area, field of work or minority concerned; or

14.1.2 be nominated by a Branch; or

14.1.3 be nominated by the relevant National Committee in the case of Councillors representing Northern Ireland, Scotland or Wales.

14.2 No member of the Council shall receive any benefit, either directly or indirectly, from the profits of any contract or arrangement of any nature that the Union might enter into, but this provision shall not apply to the officials or directors of any enterprise or company promoted or controlled by and for the benefit of the Union.

14.3 No member shall be eligible for election to the Council, or the office of President, if he or she:

14.3.1 belongs to any association of managers or employers or works directly for such in a managerial capacity with which Equity negotiates or seeks to negotiate wages or terms and conditions of employment;

14.3.2 acts directly as a manager or employer of Equity members working in the entertainment industry where Equity has, or seeks to have, jurisdiction where workers are eligible for Equity membership in accordance with criteria laid down under Rule 4;

14.3.3 acts as an agent or “fixer” who gains financially as a result of the employment of members.

14.4 Any member of the Council to whom any of Rules 14.3 to 14.3.3 become applicable during their term of office shall automatically and immediately forfeit their membership of the Council or the office of President.

14.5 Rules 14.3 to 14.3.3 shall not apply to:

14.5.1 Members solely responsible for casting or production appointments, or serving in a purely honorary and non-administrative capacity, provided that, or for so long as, they: (i) have no direct connection with negotiations over wages or terms and conditions of employment, and (ii) do not take commission from other members or an employer;

14.5.2 the freely elected representatives of democratic or co-operative companies;

14.5.3 persons employed by or directly answerable to the Council of Equity;

14.5.4 any member engaging other members in an assistant or in a supporting capacity whether it be for their act or when they are individually engaged and require personal assistance.

15 Election of the Council

15.1 The Council shall be elected every two years by the

full vote of the Union. At the termination of the period of office the Council shall retire. However, a member of Council may be removed from office at any time in accordance with Rule 28. In the event of any seat on the Council becoming vacant during the life of the Council, through any cause whatsoever, a by-election shall be held to fill the vacancy as soon as practicable, except in the last six months of the Council's period of office.

15.2 Retiring members of the Council shall be eligible for re-election provided they are duly proposed and seconded (or otherwise nominated) in accordance with these Rules on a nomination form provided in accordance with Rule 23.4.3.7.

15.3 All nominations for candidates for the Council shall be on the recognised printed form, shall be signed by the proposer and seconder (or by such officer as the National Committee may appoint in the case of candidates for Nations nominated by such Committee or the Branch may appoint in the case of candidates nominated by such Branch) and shall be delivered to the General Secretary not more than 17 weeks and not less than ten weeks before the date for the close of Poll for the election of the Council.

15.4 Candidates nominated to panels of candidates other than the General List shall be required to produce evidence satisfactory to the Council that:

15.4.1 in the case of candidates for Nations and English Areas, that they ordinarily reside in the geographical area they seek to represent, or

15.4.2 in the case of candidates seeking to represent the members working in the particular professional specialisms listed in Rule 13, that they have worked in a professional capacity within the relevant field of work during the three years prior to the closing date for nominations and earned in that field not less than a specified total sum for that period to be determined from time to time by the Council, or

15.4.3 in the case of candidates seeking to represent Deaf and Disabled Members or to stand as the Race Equality Councillor, that they belong to that category of member that they are seeking to represent and that they have worked in a professional capacity within one or more fields of work covered by the Union during the three years prior to the closing date for nominations and earned not less than a specified total sum for that period to be determined from time to time by the Council, or

15.4.4 in the case of candidates seeking to represent Young Members that at the close of nominations they are below an age to be determined from time to time by the Council and that they have worked in a professional capacity within one or more fields of work covered by the Union during the three years prior to the closing date for nominations and earned not less than a specified total sum for that period to be determined from time to time by the Council.

15.5 The proposer of such a candidate listed in Rules 15.4.1 to 15.4.4 above must be similarly qualified.

15.6 In the case of candidates seeking to represent members working for disciplines covered by the Creative Team, the two candidates who receive the most votes shall be elected as long as they have produced evidence satisfactory to the Council that they have worked in a professional capacity and earned not less than a specified total sum in accordance with 15.4.2 for different disciplines (Choreographers, Theatre Designers, Theatre Directors, Theatre Fight Directors). If the two candidates who receive the highest number of votes belong to the same discipline, the candidate from a different discipline who receives the next highest number of votes shall be elected instead. Candidates may stand for only one Creative Team discipline.

15.7 A list of candidates prepared as a voting paper shall be issued to members who are in benefit five working days before the distribution of the voting papers. On such list each Member's votes shall be recorded by indicating as required the name of each candidate the member desires to see elected in each panel. No more votes shall be cast in any one panel than the number of members to be elected from it and no member shall give more than one vote to any one candidate.

15.8 Each candidate for election to the Council shall be given the opportunity of submitting an election address of no more than 150 words. The Council shall have power, from time to time, to determine whether photographs and other matters not in words, may be incorporated. Such election addresses with the names of all candidates and their nominator(s) shall be distributed with the voting paper.

15.9 A voting paper on which the votes are not recorded in accordance with the instructions accompanying such paper and as specified by these Rules shall be disqualified.

15.10 All elections under this Rule shall accord with any

applicable legislation for the time being in force.

15.11 The biennial election of the Council shall be closed at 12 noon on a date appointed by the Council and falling in July of the election year. Any voting papers arriving after the close of poll shall be disqualified.

15.12 When available, the result of the election shall be announced to the Council and candidates and as soon as practicable thereafter to the members.

16 Powers and Duties of the Council

16.1.1 The Council shall be the governing body and principal executive committee of the Union.

16.1.2 The quorum of the Council shall be ten.

16.1.3 The first meeting of a new Council shall take place during the 14 days following the election and thereafter the Council shall meet as often as the Council considers necessary.

16.2 Powers

16.2.1 The Council shall have power to organise and maintain offices and Branches of the Union in such places as may be decided on from time to time after rules necessary for their constitution have been approved by the Council.

16.2.2 The Council shall have power to establish national and area committees in any of the nations and regions of the United Kingdom and to approve rules and standing orders for such committees. There shall be national committees to represent members in Scotland, in Northern Ireland and in Wales, whose purpose shall be to advise the Council and to take action on any matters relevant to the professional employment of Equity members in those nations, in consultation with the Council or the General Secretary.

16.2.3 The Council shall have power to establish such industrial committees, specialist committees and sub-committees as it considers necessary to advise the Council on the concerns of different sections of the members and shall have power to approve rules and standing orders for such committees.

16.2.4 The Council shall have power to establish such other committees and sub-committees as it considers necessary to advise the Council and shall have power to approve rules and standing orders for such bodies

16.2.5 The Council shall have power to convene meetings of the Union in any of the nations and regions of the United Kingdom to be called National Annual General Meetings or Area Annual General Meetings as appropriate and to approve rules and standing orders for such meetings.

16.2.6 The Council shall have power to conduct or authorise the conduct of all negotiations with employers and their organisations on behalf of the Union.

16.3 Duties

16.3.1 The Council shall elect the Vice-Presidents and Honorary Treasurer in accordance with Rule 19.

16.3.2 The Council shall consult with the General Secretary, if he or she is available, on all issues that come before it.

16.3.3 The Council shall receive motions from Branches, Committees and Sub-Committees constituted by the Council and reports on their proceedings.

16.3.4 The Council shall appoint a solicitor or solicitors to act for the Union and shall institute legal proceedings on behalf of the Union in all cases it deems necessary.

16.3.5 It shall be the duty of the Council, if so requested, to provide crèche facilities for Members' children at all Representative Conferences.

16.3.6 The Council shall at all times act in the best interests of the members in accordance with the Objects of the Union and shall determine anything wherein the Rules are silent but in no case shall it alter or depart from the Rules of the Union.

16.4 Duties of Councillors

16.4.1 It shall be the duty of Councillors, other than those on the General list, in accordance with the Council's agreed standing orders:

16.4.1.1 to report on behalf of the Council, the decisions and activities of the Council to the committee and/or Annual General Meeting for the geographical area or the interests of those members that the Councillor is elected to represent;

16.4.1.2 to advise the Council, when appropriate, on the activities of the relevant committee.

17 Officers

17.1 The Officers of the Union shall be the President, two

Vice-Presidents, Honorary Treasurer and General Secretary. The Officers shall be entitled ex officio to attend all meetings of the Union and its committees.

18 Election of the President

18.1 The President shall, by virtue of that office, be a member of the Council.

18.2 The President shall be elected by the full vote of the Union. The election of the President shall take place every two years at the same time as the election for the other members of the Council. The President then elected shall hold office until the termination of the period of office of the Council then elected. The President may be removed from office at any time in accordance with Rule 28.

18.3 Candidates for election to the office of President shall be members in benefit and be nominated by at least 40 members also in benefit on a form provided by the Union in accordance with Rule 23.4.3.7.

18.4 It shall be a condition of nomination that each candidate shall sign an undertaking that, if elected, the candidate will carry out the duties of President in accordance with the Rules of the Union and the law; and will at all times act in accordance with the directions given and with the policies approved by the Council.

18.5 Rules 22.7, 22.8 and 22.9 will apply (other than the provision for nomination by the Council) to elections of the President as for elections of the General Secretary except that the voting paper shall contain the undertaking contained in Rule 18.4.

18.6 Candidates for election as President who are also candidates for election to one of the other Council seats as set out in Rule 13 shall, if elected as President, not take office in that other seat (if so elected). In such event, that seat shall be filled by the candidate from the panel from which the candidate elected as President would have been elected, who gained the next highest number of votes.

18.7 If the office of President becomes vacant during the first 18 months of the term of office, a further election shall be held for a President to hold office for the unexpired residue of the term of office of the previous holder; but if it occurs after that date the vacancy shall be left unfilled.

18.8 A retiring President shall (if otherwise qualified) be

eligible for re-election.

18.9 The biennial election of the President shall be closed at 12 noon on a date appointed by the Council and falling in July of the election year. Any voting papers arriving after the close of poll shall be disqualified.

18.10 When available, the result of the election shall be announced to the Council and candidates and as soon as practicable thereafter to the members.

19 Election of the Vice-Presidents and Honorary Treasurer

19.1 The Vice-Presidents and the Honorary Treasurer shall be elected every two years by and from the members of the Council and shall remain in office until re-elected, replaced or removed from office in accordance with Rule 28.

19.2 On receipt of the report of the election for the Council from the scrutineer, the General Secretary shall call for nominations from members of the new Council for the offices of Vice-Presidents and Honorary Treasurer. All nominations must be delivered to the General Secretary within seven days. A ballot of all members of the new Council shall be held as soon as possible and the result announced, if available, at the first meeting of the new Council.

19.3 In the event of any of the above offices becoming vacant the vacancy shall be filled by an election as above for the unexpired residue of the term of office of the previous holder.

20 Duties of President and Vice-Presidents

20.1 The President shall normally preside at all meetings of the Council and Representative Conferences at which the President is present, and shall, in addition to the President's own vote as a Council member, have a casting vote. The President shall at all times comply with the undertaking contained in Rule 18.4.

20.2 The President shall have the right to preside at any other meeting of the Union at which he or she is present.

20.3 Either of the Vice-Presidents shall preside at meetings of the Council and Representative Conferences in the absence of the President.

20.4 The President and Vice-Presidents shall also represent the Union where appropriate, nationally and

internationally, and shall undertake such other appropriate duties as shall be decided, from time to time, by the Council.

21 Duties of Honorary Treasurer

21.1 The Honorary Treasurer shall:

21.1.1 present the annual statement of accounts to the Annual Representative Conference, if present thereat;

21.1.2 have the right, at any time during office hours, to inspect all financial records so as to be satisfied that the Rules relating to finance are being observed;

21.1.3 assist the auditors in the performance of their duties;

21.1.4 examine the annual accounts and endorse same for approval by the Council;

21.1.5 present a draft annual budget for approval by the Council;

21.1.6 undertake such other appropriate duties as shall be decided, from time to time, by the Council;

21.1.7 act, subject to the Rules and the law, at all times in accordance with the directions given, and with the policies approved, by the Council.

22 Election of the General Secretary

22.1 The General Secretary shall:

22.1.1 be elected by the full vote of the Union as provided in this Rule;

22.1.2 remain in office:

22.1.2.1 for a period of five years from the date of election; or

22.1.2.2 until the expiry of three months' notice of resignation given in writing to the President; or

22.1.2.3 until removed from office in accordance with Rule 28; or

22.1.2.4 until death or retirement;

22.1.3 be paid a salary determined from time to time by the Council.

22.2 The terms and conditions of employment shall be as laid down by the Council prior to acceptance of nomination except as varied by agreement between the General

Secretary and the Council or as required by Statute.

22.3 Nominations will be called for by way of an advertisement or advertisements in the Union's official publication, trade press, and elsewhere as decided by the Council, and these advertisements shall contain details of the minimum salary to be paid and the major conditions of service.

22.4 The Council, by a ballot of all its members, shall nominate a candidate for election as General Secretary. Such a candidate may or may not be a member of Equity. In addition, any member of the Union who is in benefit at the time of nomination and at the close of poll and is nominated by at least 40 members also in benefit may stand for election. Nominations shall be on a form provided by the Union in accordance with Rule 23.4.3.7.

22.5 It shall be a condition of nomination in accordance with Rule 22.4 that each candidate shall sign an undertaking that, if elected, he or she will carry out the duties of General Secretary as set out in Rule 23 and in particular will, subject to the Rules and the law, at all times act in accordance with the directions given and with the policies approved by the Council.

22.6 A candidate who has been nominated by the Council and has signed the undertaking referred to in Rule 22.5 may also be nominated by individual members of the Union including individual members of the Council.

22.7 A list of the candidates nominated in accordance with Rules 22.4 to 22.6 shall be prepared as a voting paper. Such paper shall show the names of up to 40 individual nominators of each candidate (such names of nominators and the order in which they are printed to be selected by the candidate if the candidate wishes), and the nomination by the Council. The voting paper shall also contain the terms of the undertaking referred to in Rule 22.5 and signed by each candidate (together with the whole of Rule 23).

22.8 Such voting paper shall be sent by post, or by such other lawful method agreed by the Council, to each member who is in benefit five working days before the distribution of the voting papers, on which each member shall record their vote by indicating as required the name of the candidate he or she desires to see elected. No member shall cast more than one vote.

22.9 Each candidate shall be given the opportunity

of submitting an election address in support only of their own candidature, not exceeding 200 words, which shall be circulated with the ballot paper.

22.10 The poll for the election of the General Secretary shall be closed at such time as the Council shall appoint. Any voting papers arriving after the close of poll shall be disqualified.

22.11 When available, the result of the election shall be announced to the Council and candidates and as soon as practicable thereafter to the members.

23 Duties of General Secretary

23.1 The General Secretary shall act as the chief executive officer and spokesperson for the Union and shall, subject to the Rules and the law, at all times act in accordance with the directions given, and with the policies approved, by the Council.

23.2 The General Secretary shall use his or her best endeavours in accordance with principles and policies laid down by the Council to ensure that:

23.2.1 negotiations and discussions with employers, representatives of national, local and international government and organisations and others are so conducted as to secure the advancement of the interests of members of the Union in accordance with its Objects and the policies of the Council;

23.2.2 representation of the Union and its members to the press, broadcasting and other media and in the editorial policy of the official publication of the Union, advances the interests of the Union's members and the policies of the Council.

23.3 The General Secretary shall use his or her best endeavours to ensure (within financial limits laid down by the Council and in accordance with the decisions of the Council) that the staff and other facilities and services required to put the policies of the Council into effect, and to provide such services to members as the Council shall have approved, are available and operate as efficiently as possible.

23.4 In addition to the foregoing duties the General Secretary shall act as General Secretary to the Council, and other meetings of the Union. In that capacity the General Secretary shall:

- 23.4.1 unless prevented by illness or other good reason, attend all meetings of the Council but shall not have a vote;
- 23.4.2 advise the Council in accordance with Rule 16.3.2;
- 23.4.3 be responsible for:
 - 23.4.3.1 ensuring that the minutes of all such meetings are correctly recorded in a book kept for that purpose;
 - 23.4.3.2 issuing the decisions of the Council;
 - 23.4.3.3 convening a meeting of the Council, any sub-committee, or of the Officers, when in his or her opinion the business of the Union so requires;
 - 23.4.3.4 keeping a register of Members, and entering therein particulars of each Member's address, date of admission and official number;
 - 23.4.3.5 preparing, in consultation with the Honorary Treasurer, a draft Annual Budget;
 - 23.4.3.6 being the custodian for the time being of all books, papers or other property of the Union appertaining to his or her office, and keeping them in the Union's office and or such other safe custody as the Council may direct, and exercising due and proper care for their safe custody;
 - 23.4.3.7 calling of such ballots as are required under these Rules and ensuring that forms for the nomination of candidates for election to the Council or other office in the Union, including that of the post of General Secretary, are available;
 - 23.4.3.8 signing cheques issued on the funds of the Union in accordance with Rules 34.4 and 34.5 and maintaining financial records;
 - 23.4.3.9 drawing up the Annual Report of the Council on the general work of the Union and presenting it to the Annual Representative Conference.
- 23.5 The General Secretary shall exercise such further powers as may be delegated from time to time by the Council.

24 Appointment and Duties of Scrutineers

- 24.1 Prior to all elections for the Council and President or General Secretary or to the holding of any ballot required by Statute the Council shall appoint an independent scrutineer who shall carry out the duties required by these Rules and

the law, and in any event examine and count the voting papers, report on them and prepare a list containing the names of the candidates in an election, or of the propositions in a ballot and the votes recorded, which shall be signed as correct by the scrutineers before the result is announced.

24.2 In every election held in accordance with Rules 15, 18 and 22 or ballot required by statute, every member shall have a voting paper sent by post or by any such method allowed by law, to the Member's home address or to such other address which the member has requested the Union to treat as the Member's address and be given a convenient opportunity to vote.

24.3 The scrutineer appointed in accordance with Rule 24.1 shall preserve the secrecy of the ballot and ensure that no other person, except as required by law, has access to the voting papers and shall retain custody of them:

24.3.1 until the end of the period of one year beginning with the announcement by the Union of the result of the ballot or election (or such other period as may be required by Statute from time to time in force); or

24.3.2 such other period as may be required by the law in the event of any application being made in accordance with Statute with respect to that ballot or election; and on the expiry of the above period or periods shall destroy such voting papers.

24.4 Prior to holding any referendum, the Council shall appoint an independent scrutineer to oversee the referendum.

25 Election and Duties of Standing Orders Committee

25.1 The Standing Orders Committee shall consist of nine members in benefit; four shall be elected by and from the Council and five, who shall not be candidates for election to the Council, shall be elected by a ballot of the entire membership and Rules 26.2 and 26.3 shall apply as far as possible.

25.2 Its duties shall be as laid down in Rule 37.2.21 and 37.2.22.

26 Election of Appeals Committee

26.1 The Appeals Committee shall consist of five members in benefit, being members who have not been

Officers, Council members or candidates for Council membership within one year prior to nomination for membership of the Appeals Committee.

26.2 The Committee shall be elected by a ballot of the entire membership at the same time as the election of the Council and the provision of Rules 15.3 and 15.7 and Rules 15.9 to 15.12 shall apply as far as practicable.

26.3 In the event of any seat in the Appeals Committee becoming vacant during the life of the Committee, through any cause whatsoever, such seat shall be filled by the first on the list of unsuccessful candidates.

26.4 The quorum shall be three and the Committee shall appoint its own chair. Any member of the Appeals Committee who signs a petition for a Special Representative Conference (SRC), or who takes part in a decision of a Committee or Branch requesting or supporting an SRC which is referred to the Appeals Committee, shall automatically be disqualified in respect of that referral.

27 Duties of Appeals Committee

27.1 The Appeals Committee shall independently consider and decide on any matters that are referred to it as set out in Rules 28 and 37. It shall determine its own regulations other than where they are laid down in these Rules.

27.2 In accordance with Rule 28, the Appeals Committee shall hear appeals raised under Rule 28.20 against any decision of the Disciplinary Committee to uphold an allegation and/or against any penalty decision imposed by the Council. The process for such appeals shall be in accordance with Rule 28.23.

27.3 If the Council decides that a Special Representative Conference (SRC) requested by a Committee or Branch of the Union under Rule 37.3.2 or by petition under Rule 37.3.3 should not be held, then it shall immediately after the first Council meeting called after receipt of the written request or petition, inform the Committee or Branch, or the first member listed on the petition, of its decision and refer the matter to the Appeals Committee (elected in accordance with Rule 26), which shall meet within 28 days after such referral. The Appeals Committee shall hear argument from representatives of both sides. Its decision (for which it shall not be obliged to give reasons) shall be final and binding. If such decision is in favour of the Committee or Branch or the

petitioners, then the SRC shall be called or proceeded with as soon as practicable.

28 Complaints and Disciplinary Procedures

Complaints Procedure

28.1 The Union, through its Council, shall establish a procedure for consideration of complaints by members relating to the services provided by the Union.

28.2 The procedure, which the Council shall make, amend, or revoke from time to time shall be made available to any member.

Disciplinary Procedure

Allegations

28.3 A member or Officer of the Union (or the personal representative of a deceased member or Officer) who considers that another member or any Officer, Council member or Trustee has committed one or more of the offences in Rule 28.5 can ask the Union to investigate the allegation by submitting a written notice marked "Disciplinary Complaint" to the General Secretary.

28.4 If the Disciplinary Complaint is against the General Secretary, the notice shall be sent to the President. The General Secretary or the President shall acknowledge receipt of the notice within 14 days of its receipt.

28.5 The offences are:

28.5.1 Acted in a manner prejudicial to the interests of the Union;

28.5.2 Committed a breach of these Rules;

28.5.3 Failed to obey a lawful instruction of the Union; and

28.5.4 Neglected his or her duties to the Union.

Investigation

28.6 The General Secretary (or, in the case of a Disciplinary Complaint by or against the General Secretary, the President) shall decide who is the most appropriate person to act as an investigating officer and carry out preliminary enquiries into the allegation.

28.7 If preliminary enquiries by the investigating officer lead them to conclude that the allegation is trivial, vexatious, lacking in evidence, does not fall within the offences in

Rule 28.5, or is not sufficiently particularised despite the complainant being given the opportunity to clearly particularise the Disciplinary Complaint, it shall be dismissed on the grounds that there is no case to answer.

28.8 If preliminary enquiries reveal a case to answer, the allegation(s) shall be forwarded to the Disciplinary Committee which shall proceed as provided for under the procedure referred to in Rule 28.11.

28.9 A complainant dissatisfied by a dismissal in accordance with Rule 28.7 can request a review of the decision by the General Secretary, except in a Disciplinary Complaint by or against the General Secretary where a review shall be carried out by the President. The review decision shall be final.

Disciplinary Committee

28.10 A Disciplinary Committee shall consist of seven members of the Council and shall be elected every two years by a ballot of the whole of the Council. The ballot shall take place immediately after the election of the Vice-Presidents and Honorary Treasurer under Rule 19.

28.11 The Disciplinary Committee shall conduct its work according to the terms of this Rule and such procedure which the Council shall make, amend, or revoke from time to time. This procedure shall be made available to any member.

28.12 In the event that a Disciplinary Committee is considering matters referred to it at the end of the term of office of the Council, it shall continue to do so until it reports to the Council. Members of such continuing Disciplinary Committee re-elected to the Council shall be entitled to stand for the Disciplinary Committee elected by the following Council.

Report to Council

28.13 The Disciplinary Committee shall produce a report for the Council which shall state whether or not it upholds the Disciplinary Complaint and, if so, whether or not it recommends one or more of the penalties in Rule 28.18. The report shall outline the range of penalties considered and the reasons why it believes the recommended penalty is fair and appropriate.

28.14 Any person who is the subject of a disciplinary allegation or the complainant shall not be present when the

Council considers the report of the Disciplinary Committee and shall take no part in the Council's decision on any penalty.

Penalty Decisions

28.15 The Council may not vary the decision of the Disciplinary Committee as to whether or not to uphold the allegation(s). The Council's role is to determine what, if any, penalty is appropriate. In doing so it will consider the penalty recommendation of the Disciplinary Committee but it is not bound by that recommendation.

28.16 Notice of such a determination must be sent to every member of Council at least seven days before the date of the Council meeting.

28.17 Any penalty decision requires that at least 50% of the members of Council are present when the decision is taken.

28.18 By a vote in favour by more than 50% of those Councillors present, voting in descending order of severity, the Council may impose in relation to each allegation any of the following penalties:

28.18.1 expel from membership of the Union, in which case all that person's dues, levies, subscriptions etc paid to that date shall be forfeited;

28.18.2 suspend membership of the Union for such period as the Council thinks fit;

28.18.3 remove, suspend or disqualify the person from all or any specified Office(s) for such period as the Council thinks fit (which term here includes, but without limitation, membership of the Council or of any committee of the Union or Trusteeship of the Union);

28.18.4 suspend all or any benefits or privileges of membership of the Union for such period as the Council thinks fit;

28.18.5 impose a fine not exceeding the amount of two years' subscriptions to the Union at the rate then prevailing for that member;

28.18.6 issue a formal reprimand;

28.18.7 any combination of the above.

Suspension

28.19 The Disciplinary Committee may at any stage, from when an allegation is first referred to it, if it considers that the interests of the Union so require, by a vote of at least two-thirds of all its members suspend the person complained against from Office until the conclusion of the proceedings, but in the case of paid Office, on full pay.

Appeals

28.20 Where an allegation is upheld by the Disciplinary Committee, the person complained against may appeal to the Appeals Committee (elected in accordance with Rule 26) against the decision of the Disciplinary Committee and/or any penalty imposed by the Council.

28.21 The appeal shall be in writing addressed to the General Secretary (or, in a case where the matter concerns an allegation by or against the General Secretary, the President). It must be received by the General Secretary (or, as the case may be, the President) at the Union's office not later than the 28th day after the date of the Council's decision on any penalty.

28.22 The Appeals Committee shall consider the appeal as soon as practicable.

28.23 The Appeals Committee shall determine and regulate its own procedure. The Appeals Committee may in its absolute discretion confine its consideration to the Disciplinary Committee's report, the record of the decision of the Council on penalty and the submissions, if any, of the appellant or the appellant's companion at any Appeals Committee hearing. It shall not be obliged also to receive evidence or new evidence but may in its absolute discretion decide to do so.

28.24 The Appeals Committee may uphold or overturn the outcome decision of the Disciplinary Committee. It can also uphold any penalty which was imposed by the Council, substitute a lesser penalty or determine that no penalty shall be applied. If the Appeals Committee overturns the penalty decision of the Council, the decision of the Appeals Committee shall be given effect from the date when the Council decision originally took effect, or such later date as the Appeals Committee may determine.

28.25 The decisions of the Appeals Committee shall be final and binding and shall be reported by it to the Council as

soon as practicable. There shall be no further recourse within the Union.

29 Complaints by members of a breach of Rule

29.1 A member of the Union who wishes to complain of an alleged breach or threatened breach of any of the Rules of the Union may lodge a complaint by written notice to the General Secretary or, in a case where the alleged breach or threatened breach is by the General Secretary, to the President.

29.2 The Council may from time to time make, amend or revoke regulations providing a procedure for the handling of complaints lodged under Rule 29.1.

30 Assistant General Secretaries, Senior Organisers, Organisers and other Staff

30.1 The Council may, from time to time, appoint one or more Assistant General Secretaries, Senior Organisers, Organisers and/or other officials, as it considers necessary, within a salary structure determined by the Council. Such officials shall act under, or in accordance with, the directions of the General Secretary and the Council.

30.2 The Council may, from time to time, authorise the General Secretary to engage such other staff as it considers necessary, within a salary structure determined by the Council. Such staff shall act under, or in accordance with, the directions of the General Secretary and the Council.

31 Deputies

31.1 In each company or production, the members shall, so far as practicable, elect a deputy. Where more than one deputy is elected, the deputies, together with such other members as may be elected for the purpose, shall constitute a committee.

31.2 Failing such election a deputy or deputies may be appointed by the Council with the consent of the company or production concerned.

31.3 Upon election or appointment as aforesaid each deputy shall be issued with a certificate of authority to act on behalf of the Union in the inspection of membership cards, the collection of subscriptions, and the maintenance of contact between the members and the Head Office, provided that, should a deputy prove unsuitable, the deputy's authority may be withdrawn at any time by a majority vote of

the members in benefit in the company or production, or by the Council.

31.4 Each deputy who undertakes the collection of subscriptions shall be entitled to receive the sum equivalent to five per cent on all subscriptions (but excluding entrance fees) actually collected. The deputy shall at all times comply with the directions of the General Secretary in the collection and forwarding of subscriptions collected on behalf of the Union.

31.5 Nothing in this Rule shall be taken to authorise a deputy or deputies to negotiate directly with the employer or employers concerned; any such negotiations shall be conducted by the General Secretary or by officials specially authorised by him or her.

32 Appointment of Trustees

32.1 The Council shall appoint no more than six but not fewer than three Trustees of the Union. The Trustees shall be members of the Union, but not necessarily of the Council. A Trustee shall hold office until they retire voluntarily, are removed from office in accordance with Rule 28 or are removed by the Council on the grounds that they are no longer able fully to carry out their duties under the Rules. Each appointment shall be ratified by a vote of the whole Council. All decisions of the Trustees shall be made on the basis of a simple majority of all the appointed Trustees.

33 Duties of Trustees

33.1 Their duties, responsibilities and authority in respect of the funds of the Union shall be as follows:

33.1.1 they shall from time to time invest in their joint names all money belonging to the Union as directed by the Council;

33.1.2 they shall at any time, when required by the decision of the Council, do all necessary acts to effect the transfer of any assets of the Union standing in their joint names as Trustees in such manner as the Council shall direct;

33.1.3 they shall not dispose of, or permit the disposal of, any of the Union's money that may be deposited, or stand, or be invested in their joint names, contrary to the true meaning and intent of these Rules.

34 Finance

34.1 So much of the funds of the Union not required for immediate use or to meet the usual accruing liabilities shall, according to the directions of the Council, be invested in or upon the security of any investment for the time being authorised by law for the investment of trust funds, in the names of the Trustees of the Union.

34.2 On taking a security upon any hereditaments the Trustees may, if they think fit and the Council so authorise and notwithstanding any rule or Statute limiting the amount to be advanced by Trustees, advance to a member in benefit, to Officers of the Union and to members of the permanent staff any sum not exceeding nine-tenths of the value of the hereditaments at the time of making such advance, such value to be ascertained by the valuation of a surveyor or valuer either appointed for the purpose by the Council or appointed generally to report on securities offered to the Trustees.

34.3 All documents of title in regard to investment shall be kept at the Union's bankers and investment houses.

34.4 Except as provided in Rule 34.5, all financial transactions made on behalf of the Union, other than Branch funds, shall be authorised by the General Secretary, and also by one or more other members as may be appointed for the purpose by the Council. In the case of the General Fund of the Union such other members shall be Officers, Councillors or Trustees.

34.5 The Council may authorise the Honorary Treasurer to open an imprest account or accounts for administrative purposes at any time and may authorise such of its officials as it may designate to draw upon such account or accounts.

34.6 The Bankers of the Union shall from time to time be appointed by the Council.

35 Financial Year

35.1 The financial year shall end on 31st December in each year, and the accounts of the Union shall be made up to and including that day, and shall be audited by a professional auditor who shall have qualifications in compliance with the requirements of current legislation and shall be appointed by the Council. It shall be the duty of the auditor to scrutinise the Union's annual statement of accounts and balance sheet and in scrutinising same to carry out such investigations as

shall enable them to form an opinion on the following:

35.1.1 whether proper records are being kept at Head Office;

35.1.2 whether a satisfactory system of control of its transactions has been maintained at Head Office;

35.1.3 whether the accounts to which the balance sheets refer are in agreement with the accounting records.

36 Levies

36.1 A special general levy may be raised for any purpose. It must be approved by a majority of those present and entitled to vote at any Representative Conference and shall be enforced if confirmed by ballot of the entire Union.

All levies must be paid immediately they become due, and the non-payment of any levy ordered shall be charged as arrears of contribution.

37 Representative Conferences

37.1.1 A Representative Conference shall be held annually, and at other times as provided in these Rules, at which representatives of the National, Industrial and Specialist Committees, Area Annual General Meetings and Branches of the Union, established by the Council under Rules 16.2.1 to 16.2.3 and 16.2.5, shall meet together with the Council to discuss and decide matters of general policy and/or make Rule changes.

37.1.2 If any ordinary motion is passed by a Representative Conference by a two-thirds majority of those Representatives and members of the Council present and voting for and against on such a motion, it shall be binding on the Council. However the Council may, if it so decides, submit the motion to a referendum vote of the whole membership under Rule 40.1. In which case, the motion shall only become binding if confirmed by the referendum.

37.1.3 Any ordinary motion which is passed by a Representative Conference, but fails to achieve such a two-thirds majority, shall be considered by the Council which shall decide what action is to be taken on it. The Council shall report its decision in writing to the Committee or Branch which originally proposed the motion (or to the Committee of the body of members from which the motion originated) giving the reasons for its decision; and also publish this to the members.

37.1.4 In accordance with and subject to Rule 46, Rule changes may be made by a rule change motion at a Representative Conference if such a motion is passed by a two-thirds majority of those Representatives and members of the Council present and voting for and against.

37.2 Annual Representative Conferences

37.2.1 The Annual Representative Conference shall be held in the month of April or May in London, or such other place as the Annual Representative Conference shall have decided previously, and shall be convened for two consecutive days or such longer period as the Council shall determine.

37.2.2 The Annual Representative Conference shall receive the Annual Report of the Council on the general work of the Union and the annual statement of accounts.

37.2.3 Each National, Industrial, Specialist and Branch Committee of the Union, established by the Council under Rules 16.2.1 to 16.2.3, shall elect annually from among its members, representatives to attend the Annual Representative Conference on the following basis:

National Committees: Three representatives

Industrial Committees: Three representatives

Specialist Committees: Two representatives

Branches: Two representatives. However, any Branch which represents fewer than 200 members shall be entitled to only one representative.

Each candidate for election as a representative must be proposed and seconded by members of the same Committee and shall be elected by a ballot of all the members of the Committee

37.2.4 Each Area Annual General Meeting of the Union, established by the Council under Rule 16.2.5, shall elect by secret ballot from among those members present and entitled to vote two representatives to attend the Annual Representative Conference.

37.2.5 No representative may be a representative at the Conference in more than one capacity.

37.2.6 Scrutineers for the election of representatives shall be appointed by the Council.

37.2.7 If an elected representative is unable to attend the

Conference, he or she shall immediately notify the General Secretary who shall invite the next unsuccessful candidate to attend in place of the elected Representative.

37.2.8 Council members shall attend the Conference in their capacity as members of the Council and shall not be eligible for election as Conference Representatives. They shall be entitled to speak, move or second motions and amendments, and vote.

37.2.9 The President (or in the President's absence from the Chair, one of the Vice-Presidents), in addition to their own vote as a Council member, shall have a casting vote.

37.2.10 Trustees of the Union may attend the Conference and speak but shall have no vote (unless also a Council member or elected Representative).

37.2.11 Members of the Standing Orders Committee may attend the Conference and speak, but only on matters within the responsibilities of the Standing Orders Committee, and shall have no vote (unless also a Council member or elected Representative).

37.2.12 Members of the Union shall have the right, at their own expense and on production of their paid up membership card, to attend any meeting of the Conference as observers, subject to giving at least 28 days' written notice to the General Secretary. An observer shall not be entitled to speak or vote.

37.2.13 The quorum for all meetings of the Representative Conference shall be one-third of the number of the combined total of Council members and Representatives entitled to attend.

37.2.14 Each National Annual General Meeting and Area Annual General Meeting established by the Council under Rule 16.2.5 may submit one motion and each Committee or Branch, referred to in Rule 37.1.1, may submit one motion and one amendment to the motions for debate at the Annual Representative Conference (except that an Industrial Committee may submit two motions and two amendments), provided that the subject matter of such motions and amendments is not outside the Objects, Powers and Duties of the Union in Rule 3. The Council's decision in this respect shall be final and binding.

37.2.15 Motions and amendments from National and Area Annual General Meetings, Committees and Branches must

reach the General Secretary by the times and dates agreed by the Council. Motions and amendments may be composited, with the approval of the movers and of the Standing Orders Committee.

37.2.16 The Council may submit motions and amendments for debate in its own right, and also on behalf of any Committee of the Union not represented at the Conference.

37.2.17 No motion or amendment which, in either case, exceeds 250 words shall be accepted for debate. This provision shall not apply to any motion to amend the Rules of the Union, or to any motion or amendment which has been composited.

37.2.18 After the closing date for receipt of motions, the Council or any Committee or Branch referred to in Rule 37.1.1 shall be permitted to submit an emergency motion, which must concern a serious matter or matters which arose after, or could not reasonably have been known about prior to, the closing date for receipt of motions. The Council shall decide on whether any motion is an emergency motion and its decision in this respect shall be final and binding. Emergency motions shall in every other respect comply with the provisions of these Rules.

37.2.19 Representatives of a Committee or Branch shall discuss the Conference agenda with their Committee or Branch at a meeting prior to the Conference, and shall report back to a meeting afterwards or submit a written report if for good reason they are unable to attend. Representatives of an Area Annual General Meeting shall report back to the following Annual General Meeting or submit a written report if for good reason they are unable to attend

37.2.20 Representatives shall not be mandated by their Committee or Branch or Annual General Meeting, but each representative shall be free to decide how to vote after listening to the debate at the Conference. They shall have a single vote each.

37.2.21 Not later than eight weeks before the Annual Representative Conference, the General Secretary shall convene a meeting of the Standing Orders Committee which shall be elected under Rule 25.

37.2.22 The Standing Orders Committee shall arrange the business for the Annual Representative Conference, which shall include a timetable of motions to be debated. Any alteration to the business or the timetable can only be made

with the approval of the Standing Orders Committee.

37.3 Special Representative Conferences

37.3.1 A Special Representative Conference may be called by the Council as often as the Council deems necessary.

37.3.2 A Committee or Branch referred to in Rule 37.1.1 may request the holding of a Special Representative Conference, provided it has the support of resolutions from at least ten other similar Committees and/or Branches (i.e. a total of 11), by sending a written request to the General Secretary setting out the motion(s) which it wishes to move at the Special Representative Conference. Following receipt of the request, and sufficient supporting resolutions, the General Secretary shall report such receipt to the next meeting of the Council which shall, subject to Rule 27.3, call for a Special Representative Conference to debate the said motion(s) to be held at the earliest practicable date.

37.3.3 Members may request the holding of a Special Representative Conference by petition, which must be signed by members in benefit, being not less than one per cent of the total number of members of the Union recorded in the previous year's Annual Statement of Accounts. The petition must set out the motion(s) which the petitioners wish to move at the Special Representative Conference. Following receipt of the petition, the General Secretary shall report such receipt to the next meeting of the Council which shall, subject to Rule 27.3, call for an SRC to debate the said motion(s) to be held at the earliest practicable date.

37.3.4 The Council shall make the necessary arrangements for each Special Representative Conference, hold elections for representatives in accordance with the procedures set out in Rules 37.2.3 and 37.2.5 to 37.2.7, and decide the order and timetable of business. The provisions of Rules 37.2.8 to 37.2.13 and Rules 37.2.19 and 37.2.20 shall apply to a Special Representative Conference.

37.3.5 A Special Representative Conference may discuss only the business for which it is called.

37.3.6 No motion shall be placed on the agenda of a Special Representative Conference if its subject matter is outside the Objects, Powers and Duties of the Union in Rule 3 and the decision of the Council in this respect shall be final and binding.

38 Ordinary Members' Meetings

38.1 In addition to meetings of members in accordance with Rule 16.2.1 to 16.2.5, meetings of the Union may take place on any convenient day appointed by the Council in any town or city in which members of the Union are present. No valid or binding resolutions or decisions can be made at such meetings, but all resolutions shall receive the careful consideration of the Council.

39 Rules of Debate

39.1 Speakers must address the Chair and no member shall interrupt a speaker except on a point of order, which must deal only with procedure.

39.2 A member may raise a point of information only with the consent of the Chair. A point of information is to seek rather than give information.

39.3 Subject to Rules 39.9 and 39.11, the Chair's ruling on any point whatsoever shall be binding unless it be challenged by at least two members (but at Representative Conferences by at least ten members entitled to vote), in which case the motion "that the Chair's ruling be upheld" shall be immediately submitted to the vote of the meeting by the Secretary without discussion.

39.4 The Chair shall not permit discussion upon any question except upon a motion. All motions and amendments shall be moved and seconded before being discussed. No "direct negative" to any motion shall be taken as an amendment.

39.5 A motion or amendment which has been moved and seconded may not be withdrawn by the mover without the consent of the meeting.

39.6 The mover of an original motion but not the mover of an amendment shall have the right to reply, but he or she shall not introduce any fresh matter. No other member shall speak more than once on any one motion or amendment except by special permission of the Chair.

39.7 When a mover of a motion has replied, the Chair shall proceed to take the vote forthwith. After the vote has been taken upon any question no further discussion upon the same subject shall be allowed at that meeting.

39.8 The vote(s) on any amendment(s) shall precede the vote on the original motion and, if the amendment(s)

is(are) carried, the amended motion shall then be put to the meeting as the substantive motion.

39.9 Any member may move "that the question be now put" (meaning that the matter has been sufficiently debated) or "next business" (meaning that the meeting shall proceed to the next business and allow the matter under discussion to drop), provided that they have not previously spoken in the particular debate. A motion "that the question be now put" or "next business", if accepted by the Chair whose ruling may not be challenged under Rule 39.3, shall be put to the vote immediately and without discussion. If a motion "that the question be now put" is carried, the mover of the original motion has the right to reply before it is put to the meeting.

39.10 Any member refusing to obey when called to order shall be named from the Chair. If the named member still refuses to come to order they shall be expelled from the meeting.

39.11 The Chair, whose ruling may not be challenged under Rule 39.3, has the discretion to accept a motion to suspend any regulation in this Rule. The member moving such suspension must clearly state the numbers of the regulations to be suspended and the length of time (not exceeding 30 minutes) such suspension shall last. No suspension shall take place unless agreed to by a two-thirds majority vote of those present and voting for and against.

39.12 This Rule shall govern the conduct of all Representative Conferences (Rule 37), Ordinary Members' Meetings (Rule 38) or Committees of the Union except those Committees which, subject to the approval of the Council, adopt their own Standing Orders.

40 Referendum

40.1 The Council has power to conduct a vote of the entire Union (in these Rules called a "referendum") on any question, proposal, resolution or motion whenever the Council deems it necessary.

40.2 A referendum shall be decided by a simple majority of the votes cast for and against and the result thereof shall be binding in accordance with its terms. A summary of arguments for and against the question, proposal, resolution or motion which is the subject matter of the referendum shall be included in the referendum paper circulated to the membership in such form as the General Secretary considers appropriate in accordance with the Rules of the Union.

40.3 Any question, proposal, resolution or motion decided or passed at a referendum other than a Rule change which is governed by Rule 46 shall remain binding unless and until it is altered or reversed by a further referendum taken in accordance with this Rule.

40.4 In these Rules any reference to the time of holding of a referendum shall refer to the last date for the return of ballot papers in that referendum.

40.5 The General Secretary shall announce the result of the referendum at the first meeting of the Council after he or she shall have received the same.

41 Books and their Inspection

41.1 The Union's accounting records and its register of names and addresses shall be kept at Head Office and be available for inspection on notice by any member, subject to the appropriate statutory provisions.

42 Addresses and Notices

42.1 Every member shall supply a permanent address and must acquaint the General Secretary with changes of address at any time.

42.2 Any communication to any member shall be deemed to have been served on such member if sent by post to the last address supplied.

42.3 The Union shall notify, by serving a communication in accordance with this Rule, any member on whose behalf monies have been received by the Union, and shall hold such monies to the member's order for not less than two years from the date of such communication. If the Union shall have received no instructions for the disposal of such monies from the member or from the member's personal representatives then, provided that advertisement shall have been made in at least two issues of the Union's official publication, or similar publication, or in at least two issues of a recognised theatrical journal, and that the said period of two years shall have elapsed, the Council shall have power to apply such monies in such manner for the benefit of the Union or of the members as the Council shall think fit. The cost of advertisements made by the Union under this Rule may be deducted from the monies received on behalf of the member concerned.

43 Dissolution of the Union

43.1 The dissolution of the Union shall take effect whenever at a Representative Conference a motion to that effect obtains a two-thirds majority as in Rule 37.1.2, and is afterwards submitted to the vote of all members by referendum, and obtains the consent of three-quarters of all members voting for and against

Prior to the referendum, the proposal to dissolve shall be published in at least three issues of the theatrical journals in which such notices are usually given. A voting paper shall also be printed in the theatrical journals. The referendum shall not commence until at least 28 days after the first publication of the adoption of such motion by the Representative Conference.

44 Interpretation of the Rules

44.1 Words importing the singular shall include the plural unless otherwise stated.

44.2 In any case arising as to the interpretation of these Rules, the decision of the Council by a two-thirds majority of those present and voting for and against shall be final and binding.

45 Copies of Rules

45.1 All members on joining shall be supplied free with a copy of these Rules and may receive subsequent copies on request.

46 Alteration of Rules

46.1 Subject to the provisions of this Rule, alterations to the Rules shall be made either at an Annual Representative Conference or Special Representative Conference, or by means of a ballot of the entire membership under Rule 40. The former procedure shall be referred to as "Alteration by Conference" and the latter as "Alteration by Referendum".

46.2 Alterations by Conference shall be made at a properly convened Annual Representative Conference or Special Representative Conference in accordance with Rule 37.1.4, subject to the motion to change the rule achieving a two-thirds majority of those Representatives and members of the Council present and voting for and against.

46.3 Notwithstanding Rules 46.1 and 46.2, in the case of a proposed alteration of any of the following Rules, the alteration

shall only be effective if made (or approved) by referendum:

- Rule 3 Objects, Powers and Duties
- Rule 13 The Governing Body
- Rule 14 Qualification for Council or President
- Rule 15 Election of the Council
- Rule 16 Powers and Duties of the Council
- Rule 17 Officers
- Rule 18 Election of the President
- Rule 19 Election of the Vice Presidents and Honorary Treasurer
- Rule 22 Election of the General Secretary
- Rule 27 Duties of Appeals Committee
- Rule 32 Appointment of Trustees
- Rule 37 Representative Conferences
- Rule 40 Referendum
- Rule 46 Alteration of Rules

46.4 Notwithstanding Rules 46.1 and 46.3, any alteration by referendum shall not be effective unless the general subject matter of the alteration has been discussed within the period of two years prior to the holding of the referendum at an Annual or Special Representative Conference, or at two or more open meetings of members held under Rule 38, notice of which shall have been given in the trade press and of which one at least shall have been held in London.

46.5 An Alteration by Referendum shall come into effect at the conclusion of the meeting of the Council at which the result of the referendum is announced.

An Alteration by Conference shall come into effect at the conclusion of the Council meeting following the Annual or Special Representative Conference at which such alteration is made, but shall be subject to suspension if the Council so decides. In these circumstances, the Council must, as soon as is practicable, put the rule change to a referendum in accordance with Rule 40. Such a rule change motion shall only become effective if confirmed by the referendum.

46.6 Before putting any rule change motion to referendum under Rules 46.3 or 46.5, the Council may make such drafting amendments to the motion and include in the referendum such consequential amendments to the Rules of the Union as the Council shall consider desirable solely for the purpose of clarity.

46.7 Any Rule, other than those Rules listed in Rule 46.3, changed by a referendum, can subsequently be changed either by an Alteration by Conference or an Alteration by Referendum.

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