
EQUITY

RULEBOOK



DECEMBER 2022

Independent Trade Union

General Secretary Paul W Fleming

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RULES

A. Name & Office

- A1. The Union shall be called "Equity (Incorporating the Variety Artists' Federation)" or "Equity" for short purposes.
- A2. Its registered office is Guild House, Upper St Martin's Lane, London, WC2H 9EG, or such other place as the Council decides.

B. Aims

B1. The Union's Aims shall be:

- (1) to protect and further the interests of members;
- (2) to maintain and improve relationships between members and those that employ or otherwise engage them;
- (3) to improve the pay and conditions of members;
- (4) to protect and promote the social and economic value of live and recorded arts and media;
- (5) to promote equal opportunities for members at work and in the Union's services and employment practices;
- (6) to oppose unlawful victimisation, harassment and discrimination on the grounds prohibited under equality law and on grounds of social class;
- (7) to provide benefits and services to members in accordance with these Rules; and
- (8) to support and assist individuals and organisations whose aims are the same or similar to the Union's Aims, nationally and internationally.

C. Powers

C1. In addition to the Powers referred to elsewhere in these Rules, to further its Aims, the Union may:

- (1) negotiate rates of pay and conditions;
- (2) organise and campaign for policies and legislation;
- (3) collect and receive fees, subscriptions, gifts of money and property and any other payments;
- (4) secure loans, overdrafts and any other banking facilities;
- (5) maintain and distribute benevolent and other funds;
- (6) establish fighting funds;
- (7) maintain a pension fund for its employees;
- (8) enter into contracts of insurance;
- (9) provide accident, funeral and other benefits and services, directly or through third parties;
- (10) run legal assistance schemes;
- (11) operate and enter into collective licensing schemes;

- (12) collect and distribute royalties and other payments to members;
- (13) retain money from the funds at Rule C1 (12) to cover the costs of collection and distribution;
- (14) use undistributed funds at Rule C1 (12) for the general benefit of members;
- (15) produce relevant publications;
- (16) acquire, hold and sell property, including land or buildings;
- (17) set up and/or own a trading arm to raise funds;
- (18) work with others whose aims are the same or similar to the Union's Aims, nationally or internationally, providing that the Union does not affiliate to any political party; and
- (19) take any other action that will help the Union further its Aims.

D. Membership

Eligibility

- D1. The Union represents members who study or work in live and recorded arts and media.
- D2. Any person studying, working or seeking work in these areas who meets the eligibility criteria can apply to join the Union.
- D3. The Council may admit a person who does not meet the eligibility criteria if it decides that the person is so closely connected to the areas at Rule D1, it qualifies them for membership.

Categories & Eligibility Criteria

- D4. The Council shall decide on the different membership categories (e.g. student member, full member etc.) and the eligibility criteria for these from time to time. Details of the criteria that apply to the different categories shall be available on Equity's website.
- D5. The Council may award honorary life membership and temporary membership to any person.
- D6. The Council may set differing rates of entrance fees and subscriptions and provide for differing rights to benefits, to vote and to stand for office between the membership categories.

Applications

- D7. Membership applications shall be made on the Union's application form and submitted to the Union with the correct application fee and subscription.
- D8. Applications and awards shall be decided by the Council by a majority vote.
- D9. The Council may provisionally reject an application if:
- (1) the applicant does not meet the eligibility criteria;
 - (2) the applicant's conduct (at any time) would justify disciplinary action under these Rules had they been a member at the time;
 - (3) the applicant is a member of a political party or organisation whose aims are contrary to the Union's equality Aims at Rules B1(5) and B1(6); or
 - (4) the applicant has previously been expelled from the Union and the Council has not approved their re-admission.

Representations

- D10. If a membership application is provisionally rejected the Union shall notify the applicant of the reason and the right to make representations to the Council.
- D11. The Council shall consider the representations fairly and decide the application by a majority vote.

Admission Date

- D12. Membership takes effect for the purposes of members' benefits, rights and obligations from the date an applicant is entered on to the Union's register of members.

Communications to Members

- D13. Written communication by the Union to a member shall be deemed as received if sent by post to the last supplied address.

Members' Obligations

D14. All members shall:

- (1) observe these Rules;
- (2) abide by any decision properly made under these Rules;
- (3) refrain from conduct that is detrimental to the interests of the Union;
- (4) behave reasonably in dealing with fellow members and Equity staff;
- (5) pay the correct subscription and keep payments up to date; and
- (6) notify the Union in writing of any change of permanent address.

D15. A failure by a member to comply with the obligations at Rule D14 may result in disciplinary action.

Members' Benefits & Rights

- D16. Members in benefit are entitled to the benefits and rights provided for in these Rules. "In benefit" means a member who has not resigned, honourably withdrawn or been suspended or expelled and who is not more than 13 weeks behind with any subscription, fine or levy.
- D17. Members who are not in benefit lose their entitlements at Rule D16 except at the discretion of the Council.
- D18. A card of membership shall be issued to each member.
- D19. Any member who transferred from the Variety Artistes' Federation (the VAF) shall be treated as a member of Equity from the date they became a member of the VAF.
- D20. Accident, funeral and such other benefits and services as the Council decides from time to time may be provided to members by the Union.

Holding Members' Money

D21. The Union shall hold any money received on behalf of a member.

D22. Members shall be sent a notice by post of any such money held on their behalf.

D23. If, after two years have passed from the date of the notice, the Union has not received an instruction from the member or their personal representative for the money's disposal, the Council may apply the money for the benefit of the Union.

D24. Rule D23 shall only apply if the Council has placed an advertisement in at least two issues of the Equity magazine, seeking instructions from the member or their personal representative in respect of any money held.

Honourable Withdrawal

D25. A member may apply for an honourable withdrawal from membership.

D26. The grounds of withdrawal, and the procedure that shall apply, shall be decided by the Council from time to time.

D27. A member who wishes to withdraw under Rule D25 shall pay an application fee. No membership subscription shall be due during the period of withdrawal.

D28. A member may re-apply for an honourable withdrawal. An application fee shall be charged on each application.

Ending Membership

- D29. A member may end their membership by sending a written resignation to the General Secretary or the staff member authorised to act as their delegate for these purposes. A list of relevant staff members shall be available on request.
- D30. Membership ends automatically for any expelled member.
- D31. All subscriptions due are payable until the date on which a resignation is received or the date of any expulsion. All subscriptions or other money paid to the Union by a member who resigns or is expelled shall be forfeited to the Union.
- D32. Membership shall end automatically on a member becoming 13 weeks in arrears with their subscription. In exceptional circumstances, the Council may suspend an automatic termination if, at its absolute discretion, it decides it is appropriate to do so.

Re-joining

- D33. A member who has resigned or lost membership (for any reason) may apply to re-join the Union. The Council shall decide the application in accordance with these Rules. The Council may require the applicant to pay a re-joining fee and/or payment of any arrears as a condition of re-joining.

E. Subscriptions & Other Payments

Application Fee

- E1. An application fee is due on applying for membership of the Union.

Annual Subscription

- E2. Members shall pay an annual membership subscription, payable in advance or in equal instalments in advance.

Amount & Rates

- E3. The Council shall decide the amount and due date/s of the application fee and annual subscription from time to time.
- E4. The Council may set different subscription rates by reference to members' earnings levels.
- E5. A member may write to the Honorary Treasurer to request they pay a reduced subscription (or no subscription) on financial hardship grounds. If dissatisfied with the Honorary Treasurer's decision, they can appeal to the Council, who shall decide the matter by a majority vote.

Fines & Levies

- E6. Members shall pay any fine imposed on them in accordance with these Rules.
 - E7. The Union may impose an additional fee on members for a specific purpose, called a "levy". A levy shall be paid immediately when it becomes due.
 - E8. The Council shall determine if any levy is due. Not more than one levy may be imposed in a Council term unless approved by a majority vote at Equity Conference or a Special Conference or by a Referendum.
-

F. Members' Meetings

- F1. The Council may call:
 - (1) National Meetings;
 - (2) Regional Meetings; and
 - (3) General Meetings.

National & Regional Meetings

- F2. National and Regional Meetings shall take place once each calendar year in so far as is practicable.
- F3. The Council shall decide the time and place for National and Regional Meetings and whether such meetings shall be attended in person or online (or a combination of both).
- F4. Any full or student member in benefit who normally resides in the applicable nation or region may attend and vote at National and Regional Meetings.

General Meetings

- F5. The Council may call General Meetings on such day/s and in any location in which members are present.
- F6. The Council shall decide whether such meetings shall be attended in person or online (or a combination of both).
- F7. Any full or student member in benefit may attend a General Meeting.

G. Legal Assistance

Applications

- G1. A member in benefit may apply for legal assistance from the Union in any dispute connected to their employment.
- G2. In all cases, the Council has absolute discretion to grant, continue or withdraw legal assistance.
- G3. Legal assistance may include advice and/or representation.
- G4. Applications for legal assistance shall be made to the General Secretary or the staff member authorised to act as their delegate for these purposes. A list of relevant staff members shall be available on request. An application shall include a summary of the relevant facts.

Provision

- G5. The Council (or the General Secretary acting under delegated authority) shall decide the extent of any legal assistance granted and how it is to be provided.
- G6. The Council (or the General Secretary acting under delegated authority) may nominate a solicitor, barrister, Union official, employee or such other person as it considers appropriate to provide legal assistance.
- G7. Legal assistance shall not be provided for any complaint or claim against:
- (1) the Union; or
 - (2) any of the Union's officials or employees or another member, unless such persons are acting in the capacity of a proprietor, manager, agent or similar.

Conditions

- G8. If legal assistance is granted to a member they shall, for the duration of the grant:
- (1) provide a full and honest disclosure of all relevant facts; and
 - (2) follow the advice of the Union or its appointed solicitors.

Indemnity

G9. When the legal assistance granted includes representation by a solicitor and/or counsel instructed by the Union, the Council shall indemnify the member in respect of all legal costs, fees and expenses that it has authorised up to the date legal assistance is withdrawn.

G10. The indemnity at Rule G9 shall not apply if a member:

- (1) breaches Rule G8; or
- (2) knowingly provides untrue or incomplete information.

G11. If Rule G10 applies, the member shall be liable to pay the full costs of the claim, and refund to the Union all expenses that it may have incurred.

H. Deputies

Appointment

- H1. In each company or production, members may elect one or more other members to act as a Deputy.
- H2. Failing such election, and with the consent of the company or production, the Council may appoint Deputies.

Authority

- H3. Deputies shall be given a certificate of authority by the Union permitting them to:

- (1) inspect membership cards;
- (2) hold and inspect cast lists; and
- (3) maintain and facilitate contact between members and the Union

on behalf of the Union.

- H4. The permission at Rule H3 may be withdrawn, at any time and for any reason, by a majority vote of the members in benefit in the company or production or by the Council. If the Council notifies a Deputy of withdrawal, the member shall cease acting as a Deputy immediately.

H5. Nothing in these Rules authorises a Deputy to negotiate directly with the employer, engager or any other individual or body on behalf of the Union.

I. Complaints

- I1. The Union shall have a procedure for dealing with members' complaints.
 - I2. The procedure, which the Council may amend from time to time, shall be made available on the Union's website and on request.
-

J. The Council

Authority

- J1. The Council is the Union's governing body and principal executive committee.

Members of Council

- J2. The Council shall consist of 35 members including the President.
- J3. The 35 members shall represent the following specialisms and geographical areas:

Specialism/ Geographical Area	Number of Council Members
General	12
Audio Artists	1
Dancers	1
Deaf & Disabled Members	1
LGBT+	1
Race Equality	1
Singers	1
Stage Management	1
Theatre Designers	1
Theatre Directors	1
Variety, Circus and Entertainers	4
Women	1
Young Members	1
East and South East England (excluding London)	1
Midlands	1
North East, Yorkshire, and Humberside	1
Northern Ireland	1
North West England	1
Scotland	1
South West England	1
Wales	1

Eligibility

- J4. The 35 members shall be elected every two years by a full Union vote.
- J5. All candidates for election shall be members in benefit at the date on which nominations open and proposed and seconded by five other members in benefit.
- J6. Candidates are not permitted to stand for more than one Council seat except that a candidate may also stand for the office of President, in which case Rule M6 shall apply.
- J7. Candidates representing a geographical area shall ordinarily reside in that area.
- J8. Candidates representing a specialism shall have worked in that specialism.
- J9. Candidates for the race equality seat shall self-define as Black or belong to any group who face discrimination based on ethnicity, race, colour, nationality, national origin or heritage and have worked in one of the areas of work at Rule D1.
- J10. Candidates for the seat representing Deaf and Disabled members shall self-define as Deaf and / or Disabled and have worked in one of the areas of work at Rule D1.

- J11. Candidates for the seat representing Lesbian, Gay, Bisexual and Transgender + members shall self-define as LGBT+ and have worked in one of the areas of work at Rule D1.
- J12. Candidates for the seat representing Women members shall self-define as women and have worked in one of the areas of work at Rule D1.
- J13. Candidates for the seat representing young members shall be below the age of 31 when nominations close and have worked in one of the areas of work at Rule D1.
- J14. All candidates for Council seats, other than for the General and geographical area seats, shall be required to produce evidence of work satisfactory to the Council. All work relied upon shall have taken place in the three years prior to the closing date for nominations.
- J15. The candidates at Rules J8 to J13 may also be required to meet an earnings threshold decided by the Council from time to time.
- J16. At least three of the proposers of the candidates at Rules J7 to J13 shall be similarly qualified.

J17. A member who falls into any of the groups below is not eligible to stand for election:

- (1) a member of a managers' or engagers'/employers' association with which the Union negotiates or seeks to negotiate;
- (2) an employee (manager level) of an association at Rule J17(1);
- (3) a manager or engager/employer of members working in any of the areas at Rule D1;
- (4) a paid agent or fixer for other members; or
- (5) a person who has been employed by the Union in the five years prior to the closing date for nominations.

J18. A member of the Council who takes up any membership, employment or activity caught by Rule J17 shall immediately resign their seat.

J19. Rule J17 shall not apply to members who:

- (1) are solely responsible for casting or production appointments and have no direct or indirect connection with negotiations involving the Union in those roles and do not receive any commission from the members or employer concerned;
- (2) hold unpaid positions with no direct or indirect connection with negotiations involving the Union;
- (3) are elected representatives of democratic or co-operative acting companies; or
- (4) engage other members to provide personal assistance or to support their act.

J20. At least three months prior to the date on which nominations open, the Council shall publish the timetable setting out:

- (1) the dates between which nominations must be received by the General Secretary;
- (2) the date when voting papers will first be sent to members entitled to vote;
- (3) the date by which completed voting papers must be returned; and
- (4) the date upon which the results will be announced.

J21. Nominations shall be made in writing to the General Secretary using the Union's nomination form.

J22. All members in benefit five working days before the date on which nominations open shall be entitled to vote. As far as reasonably practicable, all members entitled to vote shall be sent voting papers at their address in the Union records.

J23. Members may vote for one candidate for each of the 35 seats at Rule J3.

- J24. The candidate who receives the most votes for a Council seat with only one place available (e.g. Audio Artists) shall be elected.
- J25. The 12 candidates who receive the most votes for the 12 General seats shall be elected, unless the President takes up the 12th seat in accordance with Rule M6, in which case the 11 candidates who receive the most votes shall be elected.
- J26. The four candidates who receive the most votes for the Variety, Circus and Entertainers seats shall be elected.
- J27. All candidates may submit an election address of no more than 150 words. The addresses shall be included with the voting papers. The Council may decide whether photographs and other material not in words may be included in the election address from time to time.
- J28. A completed voting paper that does not comply with the instructions accompanying the paper and as stated in these Rules shall be disqualified.
- J29. A voting paper arriving after the deadline at Rule J20(3) shall be disqualified.

Term of Office & Meetings

- J30. The Council's term of office shall be the period from the date of the first Council meeting immediately after the Council election to the date of the first Council meeting immediately after the Council election two years later.
- J31. The first meeting of a new Council shall take place within 28 days of the date at Rule J20(4). The Council shall have sole responsibility for the calling of all further Council meetings.
- J32. A Council meeting is valid if at least 10 members of the Council are present. Such meetings may be held in person or online (or a combination of both), as the Council may decide.
- J33. If a Council seat becomes vacant for any reason, an election shall be held to fill the vacancy as soon as practicable. This shall not apply if the vacancy falls within three months of the opening date for nominations to a new Council.
- J34. A Council member who satisfies the eligibility requirements provided for in these Rules may stand for re-election.

Council Powers

- J35. The Council (or the General Secretary acting on its behalf) shall have full authority to act on behalf of the Union in all Union matters.
- J36. The Council may take any action that is consistent with these Rules and that it considers promotes the interests of the Union and its members including, but not limited to:
- (1) establishing and maintaining offices, branches, committees and sub-committees;
 - (2) calling meetings of the Union in any of the nations and regions of the UK;
 - (3) engaging or dismissing such staff as may be required to conduct Union business; and
 - (4) authorising the conduct of negotiations.
- J37. The Council shall elect the Vice-Presidents and Honorary Treasurer in accordance with these Rules.
- J38. The Council shall receive and consider reports and motions from the Union's branches and committees.
- J39. The Council may appoint solicitors to act for the Union as it considers appropriate and may initiate legal action if it considers it is necessary.

J40. The Council shall approve the Union's annual budget and control the expenditure of the Union in conjunction with the General Secretary.

J41. The Council shall authorise the General Secretary to determine staff pay and other terms and conditions.

J42. Under its general powers at Rules J35 and J36, the Council shall decide on any Union matters where these Rules are silent, providing that it shall always act in the best interests of the Union.

J43. In the event of any dispute as to meaning, the Council shall be responsible for the interpretation of these Rules.

Committees & the Council

J44. The purpose of the Union's committees is to:

- (1) represent those members who make up the group that the committee represents;
- (2) advise the Council as appropriate; and
- (3) take such action as the Council or General Secretary approves.

Standing Orders

J45. The Council shall make and amend from time to time all Standing Orders for the Union's conferences, meetings, committees and branches. Such Standing Orders shall stipulate the rules and procedures that shall apply. The Standing Orders shall be made readily available to members.

K. Trustees

Appointment

- K1. The Council shall elect (by a vote of the full Council) and appoint in writing not less than three and up to six members of the Union to be Trustees of the Union.
- K2. A Trustee shall remain in office until death, resignation, disqualification or removal by the Council.
- K3. Trustee decisions shall be made by a simple majority vote.

Duties

K4. All property of the Union shall be vested in the names of the Trustees.

K5. The Trustees shall:

- (1) obey all lawful directions of the Council;
- (2) sign all documents and do all acts and things that may be necessary to carry out the Council's directions;
- (3) invest any funds of the Union available for investment in such shares, stock, funds, securities, land, buildings, chattels or other investments or property under the direction of the Council;
- (4) transfer any funds or other property of the Union under the direction of the Council; and
- (5) not in any way sell, transfer or otherwise deal with the property of the Union except under the direction of the Council.

K6. The Trustees may, with the written consent of the Council or, if directed by the Council, delegate to any person or Company the powers given to them under these Rules.

L. Elected Officers

- L1. The Union's Officers are its President, two Vice-Presidents, Honorary Treasurer and General Secretary.
 - L2. Other than meetings of the Union's Disciplinary and Appeals Committees, Officers are entitled to attend all Union meetings.
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M. President

Term

- M1. The President shall be elected every two years by a full vote of the Union at the same time that the Council is elected.
- M2. Unless re-elected, the President's term of office shall be two years, starting from the date of the first Council meeting immediately after the President's election, and ending on the date of the first Council meeting immediately after the next President's election two years later.
- M3. If the office of President becomes vacant (for any reason) with at least three months of the term remaining, a further election for President shall be held.

Candidates

- M4. Candidates for President shall have been members in benefit for four continuous years at the date on which nominations open, and nominated by at least 50 other members in benefit using the Union's nomination form.
- M5. Members who have been employed by the Union in the five years prior to the closing date for nominations are not eligible to stand for election.
- M6. Candidates for the President shall also stand for one of the Council seats at J3. If successful in both elections, they shall sit on the Council as President and councillor for their chosen seat. If successful in their election as President only, they shall sit on the Council as President and councillor for one of the 12 General seats (automatically taking the 12th place).

Elections

- M7. The timetable for the election of the President shall be the same as the timetable for the Council elections and Rule J20 shall apply.
- M8. All members in benefit five working days before the date on which nominations open shall be entitled to vote. As far as reasonably practicable, all members entitled to vote shall be sent voting papers at their address in the Union records.
- M9. Each member shall have one vote. The candidate who receives the most votes for President shall be elected.
- M10. Each candidate may submit an election address of no more than 250 words. The Union shall send these addresses with the voting papers to all members entitled to vote. The Council may decide whether photographs and other material not in words may be included in the election address from time to time.
- M11. A voting paper that does not comply with the instructions accompanying the paper and with these Rules shall be disqualified.
- M12. A voting paper arriving after the deadline at Rule J20(3) shall be disqualified.

Duties

M13. The President may chair all meetings and conferences when present.

M14. In respect of Council meetings and Union conferences, if a vote is tied, the President (or Vice-President or Honorary Treasurer if presiding in place of the President) shall have the casting vote in addition to their vote as councillor.

M15. The President shall carry out their duties in accordance with these Rules, the policies of the Union and the directions given by the Council.

M16. The President shall represent the Union where appropriate and perform such other duties as decided by the Council from time to time.

M17. The President may delegate their duties to one or other of the Vice-Presidents.

N. Vice-Presidents

Elections

- N1. The Union shall have two Vice-Presidents who shall be elected from the Council by the Council at the beginning of its term.
- N2. Unless re-elected, the Vice-Presidents' term of office shall be two years.
- N3. If the office of Vice-President becomes vacant (for any reason) with at least three months of the term remaining, the Council shall elect another councillor to hold the office.

Duties

- N4. Either of the Vice-Presidents shall chair Council meetings and Union conferences in the President's absence.
- N5. The Vice-Presidents shall represent the Union where appropriate and perform such other duties as decided by the Council from time to time.
- N6. The Vice-Presidents shall carry out their duties in accordance with these Rules, the policies of the Union and the directions given by the Council.

O. Honorary Treasurer

Elections

- O1. The Union shall have an Honorary Treasurer who shall be elected from the Council by the Council at the beginning of its term.
- O2. Unless re-elected, the Honorary Treasurer's term of office shall be two years.
- O3. The Honorary Treasurer shall give not less than three months' notice of resignation. On receipt of such notice, the Council shall elect another councillor who shall take up the office with effect from the date the notice expires.
- O4. In the event that the office of Honorary Treasurer becomes vacant (for any reason other than resignation on notice) the Council shall elect a new Honorary Treasurer as soon as reasonably practicable. The President shall act as interim Honorary Treasurer during the period of any vacancy.

Duties

O5. The Honorary Treasurer shall:

- (1) present the annual statement of accounts to Equity Conference, if present;
- (2) have the right to inspect the Union's financial records to ensure compliance with these Rules;
- (3) assist the auditors if they require it;
- (4) examine the annual accounts and endorse them for the Council's approval;
- (5) present a draft annual budget for the Council's approval;
- (6) chair Council meetings and Union conferences in the absence of the President and the Vice-Presidents;
- (7) perform such other duties as decided by the Council from time to time; and
- (8) carry out their duties in accordance with these Rules, the policies of the Union and the directions given by the Council.

P. General Secretary

Term

- P1. The General Secretary shall be elected by a full vote of the Union and remain in office for five years or until:
- (1) the expiry of three months' notice of resignation given in writing to the President;
 - (2) removal from office; or
 - (3) death or retirement.
- P2. The Council may elect a councillor or staff member to temporarily act as General Secretary if the office of General Secretary becomes vacant (for any reason).

Eligibility

- P3. Any member in benefit who has been a member in benefit for not less than five continuous years, immediately prior to nomination, may stand for election if nominated by at least 50 other members in benefit using the Union's nomination form.
- P4. In addition, the Council shall nominate a candidate to stand for election (referred to as the Council's Nominee).

- P5. In advance of its nomination at Rule P4 above, the Council shall ask the sitting General Secretary if they wish to be nominated for a further term of office. If so, the General Secretary shall be the Council's Nominee unless the Council has lawfully terminated (or has given notice to terminate) the General Secretary's contract or has commenced the disciplinary procedure at Rule P24.
- P6. If the sitting General Secretary confirms that they do not wish to be nominated for a further term, the Council shall decide on the Council's Nominee by a majority vote of the full Council. The Council's Nominee may be a member, non-member, employee or any other person.
- P7. A member who is disqualified from holding an office of the Union under the Union's disciplinary Rules at the time of nomination is not eligible to stand for election.
- P8. The General Secretary post will be advertised in such place/s as the Council decides. The advertisements shall include details of the main terms of employment.
- P9. In advance of the Union confirming nominations, nominees shall confirm in writing their consent to be nominated and their agreement, if elected, to such terms and conditions of employment as decided by the Council.

P10. At least three months prior to the date on which nominations open, the Council shall publish the timetable setting out:

- (1) the dates between which nominations must be received;
- (2) the date when voting papers will first be sent to members entitled to vote;
- (3) the date by which completed voting papers must be returned; and
- (4) the date upon which the result will be announced.

P11. All members in benefit five working days before the date on which nominations open shall be entitled to vote. As far as reasonably practicable, all members entitled to vote shall be sent voting papers at their address in the Union records.

P12. The voting papers shall contain a list of the nominated candidates and up to 50 of their individual nominators and the Council Nominee. Nominated candidates may select the names of the individual nominators to be included, if more than 50. The Council's Nominee may also be nominated by individual members in accordance with Rule P3 (including individual councillors) whose names shall also be included with the voting papers.

- P13. Each member shall have one vote. The candidate who receives the most votes for General Secretary shall be elected.
- P14. Each candidate may submit an election address of no more than 250 words. The addresses shall be included with the voting papers. The Council may decide whether photographs and other material not in words may be included in the election address from time to time.
- P15. A voting paper that does not comply with the instructions accompanying the paper and with these Rules shall be disqualified.
- P16. A voting paper arriving after the deadline at Rule P10(3) shall be disqualified.
- P17. In the event that the election is uncontested, there shall be no requirement to hold a vote.

Duties

- P18. The General Secretary is the Union's Chief Executive Officer and shall be responsible to the Council.
- P19. The General Secretary shall receive a salary and be employed under terms and conditions of employment set by the Council.
- P20. The General Secretary shall attend the meetings of the Council and Union conferences but shall not have a vote.

P21. The General Secretary shall carry out their duties as directed by the Council and in accordance with the policies of the Union and with these Rules.

P22. The General Secretary, under the authority of the Council, shall be responsible for the efficient administration and financial management of the Union, which shall include, but is not limited to:

- (1) advising on and implementing policy and other decisions of the Council;
- (2) acting as principal spokesperson for the Union;
- (3) managing all offices and staff of the Union;
- (4) ensuring that all decisions of the Council are properly recorded;
- (5) negotiating with employers, governments, and other organisations in the interests of members;
- (6) convening meetings;
- (7) preparing the Union's annual budget in consultation with the Honorary Treasurer; and
- (8) preparing and presenting the Council's annual report to Equity Conference.

P23. The General Secretary may delegate their duties if they consider it necessary or desirable to do so.

P24. The General Secretary may be subject to disciplinary action by the Council, including suspension and/or dismissal from office, if they:

- (1) fail to perform their duties;
- (2) commit serious misconduct; or
- (3) bring the Union into disrepute,

under such disciplinary procedure that the Council shall decide from time to time.

Q. Finance

Financial Year

Q1. The financial year of the Union shall be from 1 January to 31 December.

Q2. The Council shall appoint a professional auditor to audit the accounts of the Union for each financial year.

Accounting Records

Q3. The Union shall keep accounting records of its transactions, assets and liabilities at its registered office.

Q4. Any member has the right to inspect the accounting records in line with legislation.

Union Funds

- Q5. The Union shall use its funds to support and further its Aims.
- Q6. All financial transactions made on behalf of the Union shall be authorised by the General Secretary in accordance with the directions of the Council.
- Q7. Union funds available for investment shall be invested by the Trustees under the direction of the Council in investments for the time being authorised by law.
- Q8. Accounts in the name of the Union shall be maintained at such bank/s as the Council may decide from time to time.

Loans

- Q9. The Council may authorise the Trustees to borrow money, whether or not secured by way of a mortgage against any of the property of the Union.

Administrative Expenditure

- Q10. The Honorary Treasurer may authorise the opening and use by designated Union staff of an account/s for payment of expenses, fares, subsistence and such other administrative expenditure.

R. Independent Scrutineer

Appointment

- R1. The Council shall appoint an Independent Scrutineer to oversee all executive elections and any vote on industrial action.
- R2. The Council shall appoint an Independent Scrutineer to oversee any Referendum.

Role

- R3. The Independent Scrutineer's role is to:
- (1) ensure compliance with relevant trade union law;
 - (2) prepare and send out voting papers;
 - (3) examine and count voting papers;
 - (4) record and report on the votes;
 - (5) preserve the confidentiality and secrecy of the voting process; and
 - (6) deal with the security, storage and secure destruction of voting papers.

S. Disciplinary Action

Application

- S1. These disciplinary Rules apply to all members of the Union, including those members who sit as members of the Council. They do not apply to the Union's employees, including the General Secretary, for which separate disciplinary procedures shall be made by the Council from time to time.

Charges

- S2. If, after investigation, the General Secretary believes there are reasonable grounds to think that a member might be guilty of a disciplinary offence, the General Secretary shall consider if charges should be brought.
- S3. The General Secretary may delegate the investigation at Rule S2 to such person/s as the General Secretary thinks fit.
- S4. A member commits a disciplinary offence for these purposes if they:
- (1) fail to comply with their obligations at Rule D14; or
 - (2) neglect their duties to the Union.
- S5. If charges are to be brought, the General Secretary shall refer the matter to the Disciplinary Committee.

Disciplinary Committee

- S6. The Disciplinary Committee shall consist of seven councillors elected by a secret ballot of the full Council following its meeting at Rule J31. The term of the Disciplinary Committee shall be the period from the date of its election to the end of the term of the electing Council.
- S7. The Disciplinary Committee shall carry out its work in accordance with these Rules and such procedure that the Council shall make or amend from time to time. It shall be supported by a member of Equity's staff, referred to as the Secretary.
- S8. If a charge is referred to the Disciplinary Committee in accordance with Rule S5, the Secretary shall liaise with the Disciplinary Committee to form a panel of three of its members to hear the charge. The panel shall nominate one of its members to act as its Chair.

Penalties

- S9. If the Disciplinary Committee upholds a disciplinary charge against a member, it may impose the following penalties:
- (1) expulsion from the Union, in which case any subscriptions or other payments paid to that date shall be forfeited;

- (2) suspension from the Union for whatever period it considers appropriate;
- (3) suspension of all or any benefits or rights of Union membership for whatever period it considers appropriate;
- (4) removal, suspension or disqualification from all or any office, position, trusteeship, branch or committee of the Union for whatever period it considers appropriate;
- (5) payment of a fine not exceeding two years' subscriptions at the member's rate;
- (6) the issuing of a formal written reprimand or warning to the member;
- (7) debarring the member from attendance at all or any of the Union's committees, branches, meetings or conferences for whatever period it considers appropriate; or
- (8) a combination of the above.

Interim Suspension

- S10. Once a charge has been referred to the Disciplinary Committee it may, at any time before it decides on the charge, suspend a member from membership and/or from holding any office or position within the Union, if it considers it appropriate.

Appeals

- S11. A member may appeal the decision to uphold the charges against them and/or any penalty imposed.
- S12. An appeal shall be in writing and state the grounds of appeal. It shall be sent to the General Secretary within 14 days of the member being notified of the decision by the Disciplinary Committee. The General Secretary shall refer the appeal to the Appeals Committee.
- S13. The Appeals Committee shall hear the appeal in accordance with the Union's Disciplinary Appeals Procedure, which the Council shall make or amend from time to time.
- S14. The Appeals Committee may confirm or vary the decision and/or penalty of the Disciplinary Committee but may not increase the penalty imposed by the Disciplinary Committee.
- S15. The decision of the Appeals Committee shall be final and binding.

- S16. In the event that the Disciplinary or Appeals Committees are hearing matters referred to them at the end of their terms, they shall continue to hear the matters until completion.
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T. Equity Conference

Purpose

- T1. The Union shall hold a conference each calendar year (called Equity Conference) on such dates and at such place to be decided by the Council. Equity Conference shall be held in person, but it may be held online (or a combination of both) if the Council considers that it is not reasonably practicable to hold it in person.
- T2. Representatives from the Union's committees and branches at Rule T4 (the Representatives) shall meet together with the Council at Equity Conference to discuss and decide matters of general policy and/or any Rule changes.
- T3. Equity Conference shall receive the Council's Annual Report and the Annual Statement of Accounts.

The Representatives

T4. The Representatives shall be:

- (1) two members from each of the national committees;
- (2) three members from each of the industrial committees;
- (3) two members from each branch with fewer than 1,000 members;
- (4) one further member per 1,000 members from each branch with more than 1,000 members; and
- (5) three members from each of the equalities committees.

T5. The Representatives shall be elected in accordance with the Standing Orders that the Council shall make from time to time.

T6. No Representative may be a Representative in more than one capacity.

T7. The Representatives are entitled to speak, move or second motions and amendments, and vote. Each Representative has a single vote.

Council

- T8. Council members shall attend Equity Conference in their capacity as members of the Council.
- T9. Council members are entitled to speak, move or second motions and amendments, and vote.
- T10. Each Council member has a single vote except for the President (or in their absence, one of the Vice-Presidents, or in both their absence, the Honorary Treasurer) who shall also have a casting vote.

Trustees

- T11. Trustees may attend Equity Conference and speak but shall have no vote (unless also a Council member or a Representative).

Conference Business Committee

- T12. Members of the Committee may attend Equity Conference and speak, but only on matters within the responsibilities of the Committee and shall have no vote (unless also a Council member or a Representative).

Union Members

- T13. Any member in benefit may attend Equity Conference at their own expense subject to venue capacity and to giving at least 28 days' notice to the General Secretary or the staff member authorised to act as their delegate for these purposes. They shall not be entitled to speak or vote.

Motions

- T14. A motion is passed if two-thirds of those voting for and against vote in favour of it.
- T15. A passed motion is binding on the Council unless the Council exercises its power to put the motion to a Referendum in accordance with Rule Y1. In which case, the motion shall only become binding if passed by the Referendum.
- T16. If a motion achieves a majority vote but fails to reach a two-thirds majority, as soon as reasonably practicable, the Council shall consider what, if any, further action it will take in relation to the motion and notify the proposers and the wider membership of its decision and the reason for the decision.
- T17. Each of the equalities committees may submit one motion for debate.
- T18. Each of the industrial committees may submit one motion for debate.

T19. Any of the branches and national committees may propose a motion/s at the annual Regional or National Meetings of members in their nation or region of:

- (1) East and South East England (excluding London);
- (2) London;
- (3) Midlands;
- (4) North East, Yorkshire, and Humberside;
- (5) Northern Ireland;
- (6) North West England;
- (7) Scotland;
- (8) South West England; and
- (9) Wales.

T20. Each of the meetings at Rule T19 shall then decide on one motion to be submitted for debate, except that each of the East and South East England and London meetings may decide on two motions for submission.

T21. Such motions shall not be accepted if they:

- (1) do not concern matters of general policy or a rule change;
- (2) propose action that is contrary to the Union's Rules or Aims or outside of the Union's Powers; or
- (3) exceed 250 words,

and the Council's decision in this respect shall be final and binding.

T22. The term "general policy" means the Union's policies that concern the Union as a whole. It encompasses those policies that provide for its political and industrial aims, its governance and democratic structures, and its services to members. It excludes day-to-day operational, financial and administrative functions and decisions.

T23. The Council may submit motions and amendments for debate on behalf of itself. No word length restriction shall apply to such motions and amendments. The Council may also submit motions for any committee not represented at Equity Conference. Rule T21 shall apply to motions submitted for committees.

T24. All motions and amendments must reach the General Secretary by the deadline set by the Council.

- T25. Late motions shall not be accepted unless the Council decides that the motion concerns an urgent matter that arose after, or could not reasonably have been known about prior to, the deadline. The Council's decision in this respect shall be final and binding.
- T26. Motions and amendments may be joined with other motions and amendments (composited) with the consent of the movers and the Conference Business Committee.

Arrangement of Business

T27. Not later than eight weeks before the conference, the General Secretary shall convene a meeting of the Conference Business Committee.

T28. The Conference Business Committee shall:

- (1) consider if a motion complies with Rule T21; and
- (2) prepare the draft agenda that shall include the timetable of motions for debate.

T29. The draft agenda shall be submitted to the Council for approval. The Council may remove items from the draft agenda that it considers do not comply with Rule T21.

T30. The Conference Business Committee may amend the text of any motion to:

- (1) correct any grammar or misspelling and/or to clarify its meaning if necessary; or
- (2) bring it within Rule T21, with the consent of the mover.

Quorum

T31. Equity Conference is valid if at least one-third of those entitled to attend and to vote are present.

U. Special Conference

Called by the Council

- U1. The Council may call for a Special Conference as often as it decides it is necessary. A Special Conference may discuss any business for which it is called, but only that business.

Arrangements

- U2. The Council shall make such arrangements as are necessary for each Special Conference and Rules T4 to T16 shall apply. A Special Conference may be held in person or online (or a combination of both), as the Council may decide.
- U3. The Council shall decide the order and timetable of business. It may, if it chooses, direct the Conference Business Committee to prepare the draft agenda for its approval.
- U4. No motion shall be accepted on the agenda of a Special Conference if it proposes action that is contrary to the Union's Rules or Aims or outside of the Union's Powers. The Council's decision in this respect shall be final and binding.

U5. A Special Conference is valid if at least one-third of those entitled to attend and to vote are present.

V. Rules of Debate

Application

V1. These Rules of Debate shall apply to all:

- (1) Union conferences;
- (2) Council meetings;
- (3) committee meetings;
- (4) branch meetings; and
- (5) National, Regional and General Meetings.

Speakers

- V2. Speakers shall address the Chair at all times.
- V3. No member shall interrupt a speaker unless raising a point of procedure or information with the Chair's permission. A point of information means a request for information.
- V4. At a conference, the Chair's ruling (on any point) shall be binding unless challenged by at least 10 members entitled to vote. In all other meetings, at least two members entitled to vote shall raise the challenge. All members entitled to vote shall then immediately vote on whether to uphold the Chair's ruling.

Motions

- V5. The Chair shall only permit discussion upon a motion.
- V6. All motions and amendments shall be moved and seconded before being discussed.
- V7. Grammatical corrections to a motion shall not be taken as an amendment.
- V8. Motions or amendments that have been moved and seconded shall not be withdrawn by the mover without the consent of the meeting or conference.

- V9. The mover of an original motion has a right of reply but shall not introduce any new matter. No other member shall speak more than once on any one motion or amendment without special permission of the Chair.
- V10. When a mover of a motion has replied, the Chair shall take the vote. No further discussion upon the same subject shall be allowed.
- V11. The vote/s on an amended motion shall take place before any vote/s on the original motion. If carried, the amended motion shall be put to the meeting as the substantive motion.
- V12. A member who has not previously spoken in the discussion of a motion may move that it has been sufficiently debated and should now be put to a vote. If accepted by the Chair and carried (without discussion), the mover of the motion may reply before it is put to a vote.

Calls to Order

- V13. Any member called to order by the Chair who refuses to comply with the call shall be expelled from the meeting.

Suspension

- V14. Any of these rules of debate may be suspended for up to 30 minutes if two-thirds of those voting for and against vote in favour of it.

W. Appeals Committee

Election

- W1. The Union shall have an Appeals Committee made up of five members in benefit (not being staff or members of the Council).
- W2. The five members shall be elected by a full vote of the Union. Candidates are not permitted to stand for election to the Council at the same time as standing for election to the Appeals Committee.
- W3. The election shall take place at the same time as the Union's Council elections and Rule J20 shall apply in respect of publication of the timetable.
- W4. All candidates shall be members in benefit at the date on which nominations open and proposed and seconded by two other members in benefit. Nominations shall be made in writing to the General Secretary using the Union's nomination form.
- W5. The five candidates who receive the most votes shall be elected.

Term

W6. The term of the Appeals Committee shall be for two years commencing from the date on which the result of the election is announced.

W7. If a seat becomes vacant (for any reason) before the term ends, the remaining members shall choose another member (not being staff or a member of the Council) to fill it.

Duties

W8. The Appeals Committee hears:

- (1) disciplinary appeals in accordance with Rule S13;
and
- (2) disciplinary appeals by the General Secretary in accordance with the appeals procedure that the Council shall make for this purpose from time to time.

W9. Not less than three members of the Appeals Committee shall be required to determine an appeal.

W10. The Appeals Committee shall elect one of its members to be its Chair. In the event of a tied vote on any matter, the Chair's vote shall count as two votes.

X. Conference Business Committee

Election

- X1. The Union shall have a Conference Business Committee made up of five members in benefit (not being staff or members of the Council) and four members of the Council.
- X2. The five non-Council members shall be elected by a full vote of the Union. Candidates are not permitted to stand for election to the Council at the same time as standing for election to the Conference Business Committee.
- X3. The election shall take place at the same time as the Union's Council elections and Rule J20 shall apply in respect of publication of the timetable.
- X4. The candidates at Rule X2 shall be members in benefit at the date on which nominations open and proposed and seconded by two other members in benefit. Nominations shall be made in writing to the General Secretary using the Union's nomination form.
- X5. The five candidates at Rule X2 who receive the most votes shall be elected.
- X6. The four Council members on the Conference Business Committee shall be elected from the Council by the Council at the beginning of its term.

Term

- X7. The term of the Conference Business Committee shall be for two years commencing from the date the result of the election is announced.
- X8. If a seat occupied by a Council member becomes vacant (for any reason) before the term ends, the remaining Council members shall choose another councillor to fill it. If a seat occupied by a non-Council member becomes vacant (for any reason), the remaining non-Council members shall choose another member (who is not a councillor) to fill the vacancy.

Duties

- X9. The Conference Business Committee shall arrange the business for Equity Conference in accordance with Rules T27 to T30. It may arrange the business for any other Union conference or meeting if delegated to do so by the Council.

Y. Referendum

- Y1. The Council, in its absolute discretion, may conduct a vote of the entire Union (referred to in these Rules as a "Referendum") on any question, proposal, resolution or motion.
 - Y2. A Referendum shall be decided by a simple majority of the votes cast.
 - Y3. The results of a Referendum shall be binding until revoked or changed by a further Referendum or motion passed at an Equity or Special Conference.
 - Y4. The results of a Referendum shall be announced by the General Secretary at the first Council meeting following the report of the Independent Scrutineer.
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Z. Rule Changes

Copies of these Rules

- Z1. All members on joining shall be given a copy of these Rules.
- Z2. A copy of the most recent edition of these Rules shall be available on the Union's website and on request.

Method of Change

Z3. These Rules may be revoked, altered or added to by:

(1) a Council motion passed by a two-thirds majority at Equity Conference or at a Special Conference; or

(2) a simple majority vote by way of a Referendum.

Z4. The Council shall decide, in its absolute discretion, which method at Rule Z3 is appropriate.

Z5. A motion for a rule change may also be submitted to Equity Conference in accordance with Rules T17 to T21. If the change is passed by a two-thirds majority, the Council shall make such amendments to the wording of the motion (and any consequential amendments) as it considers desirable for the purposes of clarity and drafting consistency with these Rules. The Council shall then submit the motion to Equity Conference or to a Special Conference or to a Referendum in accordance with Rule Z3(1) or Z3(2).

Z6. A Council motion for a rule change submitted to Equity Conference or to a Special Conference may subsequently be put to a Referendum if the Council so decides. A Council motion that fails to pass by a Referendum shall not be put to Equity Conference or to a Special Conference within the same term of the Council.

- Z7. All rule changes shall come into effect on the date decided by the Council, which shall be notified to members in the motion or referendum ballot paper.
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AA. Dissolution of the Union

AA1. The Union may only be dissolved by a motion to that effect:

- (1) passed by a two-thirds majority at Equity or a Special Conference; and
- (2) approved by three quarters of all members voting by a Referendum.

AA2. If the motion is passed and approved, the Council shall remain in office until the affairs of the Union are wound up.

AA3. Any surplus Union funds, after providing for all known liabilities, shall be distributed to members of the Union, as of the date that the result of the Referendum is announced, in such manner as the Council shall decide.

EQUITY