

The logo for IMPACT, with the word in a bold, green, sans-serif font. The letter 'A' is stylized with a leaf-like shape above it.

IMPACT

Serving Those Who Serve the Public

rule book

and

Instrument of Amalgamation

Valid as at April 2009

Includes changes from Conference 2008



CONSTITUTION AND RULES

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RULES OF IMPACT

(up to and including Conference 2008)

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1. NAME

The name of the Union shall be “Ceard Chumann Rialtas Áitiúil, Sheirbhís Phoiblí agus Státseirbhís na hÉireann” or the “Irish Municipal, Public and Civil Trade Union”, hereinafter referred to as the “Union”.

2. REGISTERED OFFICE

The registered office and principal place of business of the Union shall be at Nerney’s Court, Dublin 1 or at such other place as may be determined from time to time by the Central Executive.

3. OBJECTS

The principal objects of the Union shall be

- to protect and promote the interests of its members,
- to maintain and improve the conditions of their employment,
- to regulate the relations between members and between them and their employers,
- to provide and maintain services, including a Legal Assistance Scheme, for the benefit of members,
- to promote excellence and effectiveness throughout the Public Sector,
- to promote equality of opportunity in the workplace, and
- to promote equity and equality in Society.

4. POWERS

The Union may, in furtherance of the objects, do all such things, including the holding of property, as are incidental or conducive to the attainment of the objects.

5. ELIGIBILITY FOR MEMBERSHIP

Any employee, including a temporary employee, of an appropriate employer, as determined by the Central Executive, who accepts the objects and Rules of the Union shall be eligible for membership.

6. ENTRY INTO MEMBERSHIP

Application for membership shall be made to the appropriate Branch Executive or to the Central Executive on such form as prescribed by the Central Executive.

Acceptance of an applicant into membership by the Branch Executive or by or on behalf of the Central Executive shall not be treated as final until the application has been approved both by the appropriate Branch Executive and by or on behalf of the Central Executive.

Subject to the above, an applicant's membership shall be treated as effective for all Union purposes from the date and time of its approval by the appropriate Branch Executive or by or on behalf of the Central Executive, as appropriate.

In the event of an application for membership not being approved by both the appropriate Branch Executive and by the Central Executive, any matter arising in relation to the status of the applicant in the period following the original approval by the Branch Executive or Central Executive shall be determined by the Central Executive.

6A. RETIRED MEMBERS

A member of the Union who has retired from the service of an appropriate employer may continue in membership of, or apply to rejoin, the Union as appropriate.

Former members who have retired from the service of an appropriate employer may reapply to join the Union in accordance with Rule 6.

A retired member shall be entitled to such rights and such benefits as may be determined from time to time by the Union Conference.

7. MEMBERSHIP OF AN ORGANISED BODY

The Union, through the Central Executive, may receive into membership all or any of the members of an organised body of the employees of any employer on such terms as may be mutually agreed, subject to the approval of the Union Conference.

8. CESSATION OF MEMBERSHIP

- (i) A member shall cease to be a member:
 - (a) on being in arrears of paying the Union subscription for such period as the Branch Executive may determine provided that such period shall not be less than 90 days, or
 - (aa) on being in arrears of paying the Union subscription for a period of more than 180 days, or
 - (b) on ceasing to be employed by an appropriate employer, unless the member opts to continue in membership provided that such membership shall be deemed to be suspended for any period during which the member is gainfully occupied other than in the employment of a recognised employer, or

- (c) on acceptance of a written resignation by the appropriate Branch Executive, or
 - (d) on foot of a decision by the Central Executive to comply with a ruling of the Irish Congress of Trade Unions on a dispute between Unions on the organisation of members, or
 - (e) on being expelled from the Union.
- (ii) Responsibility for ceasing to pay the Union subscription shall rest with the person who has ceased to be a member.

9. ASSOCIATE MEMBERSHIP

- (i) A member who remains employed by an appropriate employer, as determined by the Central Executive, and who is appointed to a grade for which the Union does not hold recognition may become an Associate Member by applying in writing to the Central Executive.
- (ii) The Central Executive may reject any application for Associate Membership or may cancel any Associate Membership.
- (iii) An Associate Member shall be entitled to such benefits as may be determined from time to time by the Union Conference but shall not be entitled to vote or to hold any office in the Union.

10. DISTINGUISHED SERVICE AWARD

- (i) A Branch may, subject to the approval of the Central Executive, confer a Distinguished Service Award on any person who, while a member of that Branch, gave outstanding service to the Union.
- (ii) The Union Conference may, on the recommendation of the Central Executive, confer a Distinguished Service Award on any person who, while a member, gave most outstanding service to the Union.

11. BRANCHES

- (i) There shall be such Branches of the Union as the Central Executive may from time to time determine subject to a Branch, at the date of its formation, consisting of not less than 100 members except where two or more Branches come together to form a larger Branch or a group of members are assigned to a newly formed Branch or to facilitate the recruitment of a body of workers.
- (ii) The Branch shall be the basic unit of organisation for the members of the Union and shall promote the objects of the Union.

- (iii) Every member shall be a member of the appropriate Branch as determined by the Central Executive.
- (iv) A Branch may levy members and hold assets subject to any conditions and procedures as the Central Executive may from time to time determine. Such assets shall be held on behalf of the Union in the names of Trustees for the time being of the Branch who shall be appointed and may be removed from office by the Branch.
- (v) Branches shall conduct their business in accordance with such procedures, including procedures to elect a Branch Executive, as are approved by the Central Executive.
- (vi) A Branch shall make an annual return of finances and membership for the preceding calendar year in such a form and before any deadline as may be set by the Central Executive, subject to such deadline not being earlier than 31st March of the year. The Central Executive may, following an appeal in writing from a branch, exceptionally extend this deadline in respect of that branch where it considers it appropriate to do so.
- (vii) A Branch shall furnish to the Central Executive and to the Divisional Executive of any Division with members in the Branch such information as may be requested from time to time by the Central Executive or by the appropriate Divisional Executive.
- (viii) All Branches and Branch Executives shall be subject to the overriding authority of the Central Executive.

12. CONSULTATIVE COUNCIL

- (i) There shall be a Consultative Council of members of the Central Executive Committee, Divisional Executive Committees and Branch Chairpersons and Secretaries to facilitate communication in the Union and the co-operation of Union members in the promotion of the objects of the Union. The Consultative Council shall be subject to the overriding authority of the Central Executive and Union Conference.
- (ii) The Consultative Council shall meet on dates to be determined from time to time by the Central Executive but it shall meet at least twice in any calendar year.
- (iii) The procedures for the conduct of the business of the Consultative Council shall be as determined from time to time by the Central Executive.

13. DIVISIONS

- (i) There shall be five Divisions in the Union:
 - The Civil Service Division
 - The Health and Welfare Division
 - The Local Government, Education and Local Services Division
 - The Municipal Employees Division
 - The Services and Enterprises Division
- (ii) Every member shall be allocated to the appropriate Division as determined by the Central Executive.
- (iii) Each Division shall deal with matters of concern to the members in that Division.

14.* DIVISIONAL COUNCIL

- (i) There shall be a Council for each Division to provide a forum for communication and consultation between Branches and the Divisional Executive.
- (ii) Each Divisional Council shall consist of the Divisional Executive and one representative from each Branch with members in the Division.
- (iii) Such representatives shall be selected by each Branch at an Annual Meeting of the Branch from the members in the Division of that Branch who are on the Branch Executive, provided that when such a representative is unable to attend a meeting of a Divisional Council, the Branch Executive may appoint a substitute to attend.
- (iv) Each Divisional Council shall meet at least once every three months.
- (v) The National Secretary shall convene a meeting of a Divisional Council at the request of the Central Executive or of the Divisional Executive or of any five or more Branches representing members in the Division.

15.* DIVISIONAL CONFERENCE

- (i) There shall be a Divisional Conference for each Division which shall consist of the Divisional Executive, delegates nominated by Branches for their members in the Division as at the preceding 31 December on the basis of one delegate for Branches up to 25 members and for larger Branches for every complete 25 members or additional part thereof and such employees of the Union as are nominated by the Divisional Executive.
- (ii) With the exception of the casting vote of the Chairperson, only delegates may vote at a meeting of a Divisional Conference.

*This rule does not apply to the Municipal Employees Division of the Union as per the Transfer of Engagements from the IMETU to IMPACT in 1991. See Appendix E for details of the alternative arrangements applicable to the Municipal Employees Division.

- (iii) A Branch may opt to be represented at a meeting of a Divisional Conference by a lesser number of delegates than it is entitled to by notice in writing to the Standing Orders Committee in advance of the meeting specifying the name of a Principal Delegate whose vote shall additionally reflect the shortfall in delegates.
- (iv) Voting on any motion at a meeting of a Divisional Conference shall be on a show of hands unless a ballot is called for by delegates from two or more Branches.

16.* BIENNIAL MEETINGS OF DIVISIONAL CONFERENCES

- (i) The National Secretary shall convene a Biennial Meeting of the Divisional Conference during the first six months of every second calendar year.
- (ii) The date of each Biennial Meeting of each Divisional Conference shall be as determined by the Central Executive.
- (iii) Each Biennial Meeting of each Divisional Conference shall consider a report from the Divisional Executive and such motions and amendments thereto as may have been proposed by the Divisional Executive or by any Branch with members in the Division.
- (iv) The National Secretary shall give each Branch with members in the Division and each member of the Divisional Executive not less than 98 days notice of each Biennial Meeting of each Divisional Conference.
- (v) Notice of motions and nominations for consideration at each Biennial Meeting of each Divisional Conference shall be given to the National Secretary not later than midday on the 77th day before the meeting is to commence.
- (vi) A preliminary agenda, prepared by the Standing Orders Committee and containing the motions of which notice has been given, shall be circulated by the National Secretary to each Branch with members in the Division and each member of the Divisional Executive not later than 56 days before the meeting is to commence.
- (vii) Notice of amendments to motions contained in the preliminary agenda shall be given to the National Secretary not later than midday on the 42nd day before the meeting is to commence.
- (viii) A final agenda, prepared by the Standing Orders Committee and containing motions and amendments of which notice has been given, shall be circulated by the National Secretary to each Branch with members in the Division and to each member of the Divisional Executive not later than 14 days before the meeting is to commence.

*This rule does not apply to the Municipal Employees Division of the Union as per the Transfer of Engagements from the IMETU to IMPACT in 1991. See Appendix E for details of the alternative arrangements applicable to the Municipal Employees Division.

- (ix) A motion or amendment not included in the final agenda shall not be considered at any Biennial Meeting of any Divisional Conference except when two thirds of the delegates present and voting at such a meeting agree to add to the final agenda a motion of which timely notice could not have been given, in which case that motion and any amendment thereto shall be added to the business of the meeting.

17.* SPECIAL MEETINGS OF DIVISIONAL CONFERENCES

- (i) The National Secretary shall convene a Special Meeting of the Divisional Conference at the request of the Central Executive or of the Divisional Executive or of 20% or more of Branches representing 20% or more of the members in the Division.
- (ii) The National Secretary shall give each Branch with members in the Division and each member of the Divisional Executive not less than 35 days notice of a Special Meeting of the Divisional Conference advising of the terms of the requisition which shall specify the business to be conducted at the meeting and no other business shall be conducted thereat.
- (iii) The Divisional Executive or any Branch with members in the Division may propose amendments to any motion contained in the notice only by giving notice of such amendments to the National Secretary not later than midday on the 21st day before the meeting is to commence.
- (iv) The National Secretary shall issue an agenda prepared by the Standing Orders Committee to each Branch with members in the Division and to each member of the Divisional Executive not later than 14 days before the meeting is to commence.

18.* DIVISIONAL EXECUTIVE

- (i) There shall be a Divisional Executive for each Division which shall conduct the business of the Division in accordance with and subject to the decisions of meetings of the Divisional Conference and subject to the overriding authority of the Central Executive.
- (ii) Each Divisional Executive shall consist of a Chairperson or Cathaoirleach, Vice-Chairperson or Leas-Cathaoirleach and not more than 13 other members elected by each Biennial Meeting of the Divisional Conference, by proportional representation, from the nominees of Branches with members in the Division provided that:

*This rule does not apply to the Municipal Employees Division of the Union as per the Transfer of Engagements from the IMETU to IMPACT in 1991. See Appendix E for details of the alternative arrangements applicable to the Municipal Employees Division.

- (a) such nominees shall be selected from members in the Division,
- (b) the Chairperson or Cathaoirleach and Vice-Chairperson or Leas-Cathaoirleach shall not be from the same Branch and, not more than one of the other members of the Divisional Executive shall be from the same Branch,
- (c) each Biennial Meeting of the Divisional Conference shall elect, by proportional representation, one of the other members of the Divisional Executive elected by a separate ballot at that meeting to be a member of the Central Executive in addition to the Chairperson or Cathaoirleach and Vice-Chairperson or Leas-Cathaoirleach.
- (d) the terms of office of the Chairperson or Cathaoirleach, Vice-Chairperson or Leas-Cathaoirleach and other elected members of the Divisional Executive shall commence at the conclusion of the meeting at which they were elected and shall cease at the conclusion of the following Biennial Meeting of the Divisional Conference,
- (e) when a vacancy arises in the office of Chairperson or Cathaoirleach, it shall be filled by the Vice-Chairperson or Leas-Cathaoirleach;

when a vacancy arises in the office of Vice-Chairperson or Leas-Cathaoirleach the Divisional Executive shall elect, by proportional representation, a member of the Divisional Executive to fill the vacancy;

when a vacancy arises in one of the other places on the Divisional Executive and should the Divisional Executive decide that it be filled, it shall be filled by the person who, in the election held at the previous Biennial Meeting of the Divisional Conference, most closely failed to be elected, provided that, when there is no such person the Divisional Council shall elect, by proportional representation, a member in the Division to fill the vacancy, and

- (f) a member of the Divisional Executive who becomes an Officer of the Union shall be deemed to have resigned from the Divisional Executive.

(iii) The Divisional Executive shall meet at least six times during every calendar year.

* This rule does not apply to the Municipal Employees Division of the Union as per the Transfer of Engagements from the IMETU to IMPACT in 1991. See Appendix E for details of the alternative arrangements applicable to the Municipal Employees Division.

See Appendix II to the IMETU Transfer of Engagements for details of the application of this section to the Municipal Employees Division.

- (iv) The National Secretary shall convene a meeting of a Divisional Executive at the request of the Central Executive or of the Divisional Executive or of half of the members of the Divisional Executive or of the Chairperson or Cathaoirleach thereof.
- (v) The quorum for meetings of a Divisional Executive shall be half of the members of the Divisional Executive.
- (vi) The members of a Divisional Executive may be removed from office by a Special Meeting of the Divisional Conference convened for that purpose and that meeting shall elect replacements by proportional representation.
- (vii) A member of a Divisional Executive Committee who fails to attend at three consecutive meetings of the Executive, and whose absence has not been excused, may be removed from office by a decision of the Central Executive.
- (viii) The National Secretary shall ensure that proper minutes of all meetings are kept and circulated to all Branches with members in the Division.

19. UNION CONFERENCE

- (i) There shall be a Union Conference which shall be the governing body of the Union.
- (ii) The Union Conference shall consist of the Central Executive, delegates nominated by Branches from their members as at the preceding 31 December on the basis of one delegate for Branches of up to 25 members and for larger Branches one delegate for every complete 25 members or additional part thereof and such employees of the Union as are nominated by the Central Executive.
- (iii) With the exception of the casting vote of the Chairperson, only delegates may vote at a meeting of the Union Conference.
- (iv) A Branch may opt to be represented at a meeting of the Union Conference by a lesser number of delegates than it is entitled to by notice in writing to the Standing Orders Committee in advance of the meeting specifying the name of a Principal Delegate whose vote shall additionally reflect the shortfall in delegates.
- (v) Voting on any motion at a meeting of the Union Conference shall be on a show of hands unless a ballot is called for by delegates from two or more Branches.

20. BIENNIAL MEETING OF UNION CONFERENCE

- (i) The General Secretary shall convene a Biennial Meeting of the Union Conference during the first six months of every second year.
- (ii) The date of each Biennial Meeting of the Union Conference shall be as determined by the Central Executive.
- (iii) Each Biennial Meeting of the Union Conference shall consider a report from the Central Executive and such motions and amendments thereto as may have been submitted by the Central Executive or by any Branch.
- (iv) The General Secretary shall give each Branch not less than 98 days notice of each Biennial Meeting of the Union Conference.
- (v) Notice of motions and nominations for consideration at each Biennial Meeting of the Union Conference shall be given to the General Secretary not later than midday on the 77th day before the meeting is to commence.
- (vi) A preliminary agenda, prepared by the Standing Orders Committee and containing the motions of which notice has been given, shall be circulated by the General Secretary to each Branch and to each member of the Central Executive not later than 56 days before the meeting is to commence.
- (vii) Notice of amendments to motions contained in the preliminary agenda shall be given to the General Secretary not later than midday on the 42nd day before the meeting is to commence.
- (viii) A final agenda, prepared by the Standing Orders Committee and containing motions and amendments of which notice has been given, shall be circulated by the General Secretary to each Branch and to each member of the Central Executive not later than 14 days before the meeting is to commence.
- (ix) A motion or amendment not included in the final agenda shall not be considered at the meeting except when two thirds of the delegates present and voting at the meeting agree to add to the final agenda a motion of which timely notice could not have been given in which case that motion and any amendments thereto shall be added to the business of the meeting.

21. SPECIAL MEETINGS OF UNION CONFERENCE

- (i) The General Secretary shall convene a Special Meeting of the Union Conference at the request of the Central Executive or of 20% or more of Branches representing 20% or more of the members of the Union.
- (ii) The General Secretary shall give each member of the Central Executive and each Branch not less than 35 days notice of any Special Meeting of the Union Conference advising of the terms of the requisition which shall specify the business to be dealt with at the meeting and no other business shall be dealt with thereat.
- (iii) The Central Executive or any Branch may propose amendments to any motion contained in the notice only by giving notice of such amendments to the General Secretary not later than midday on the 21st day before the meeting is to commence.
- (iv) The General Secretary shall issue an agenda prepared by the Standing Orders Committee to the Central Executive and to each Branch not later than 14 days before the meeting is to commence.

22. CENTRAL EXECUTIVE

- (i) There shall be a Central Executive which shall exercise the powers of the Union in furtherance of the objects of the Union and which shall manage, direct and control the affairs of the Union in accordance with and subject to the decisions of the Union Conference.
- (ii) The Officers of the Union shall ensure that the decisions of the Central Executive are carried out.
- (iii) The Central Executive shall consist of:
 - (1) a President, 4 Vice-Presidents, an Honorary Secretary, an Honorary Treasurer and an Honorary Equal Opportunities Officer who shall be known as the Union Officers, elected by each biennial meeting of the Union Conference, by proportional representation, from nominees of Branches provided that;
 - (a) the President shall be the Officer primarily responsible for ensuring that the General Secretary fulfils the responsibilities of the office,
 - (b) the Honorary Secretary and the Honorary Treasurer shall be the Officers primarily concerned with administrative and financial matters respectively,

- (c) the Honorary Equal Opportunities Officer shall be the Officer primarily concerned with equality matters,
 - (d) the terms of office of the Officers shall commence at the conclusion of the Conference at which they were elected and shall cease at the conclusion of the following Biennial Meeting of the Union Conference,
 - (e) when a vacancy arises in the office of President, it shall be filled by the Senior Vice-President;
 when a vacancy arises in an office of Vice-President it shall be filled by the person who, in the election held at the previous Biennial Meeting of the Union Conference, most closely failed to be elected, provided that, when there is no such person, the vacancy shall be filled by the election, by proportional representation, of a member by the Central Executive;
 when a vacancy arises in the office of Honorary Treasurer or Honorary Secretary or Honorary Equal Opportunities Officer it shall be filled by the election, by proportional representation, of a member by the Central Executive.
 - (f) the Senior Vice-President shall be the Vice-President first elected with the highest vote; or, in the event of there being no election or an equality of votes, the longest serving Vice-President; or, in the event of equality of service as Vice-President, the Vice-President with longest service on the Central Executive; or, in the event of equality of service on the Central Executive, by the drawing of lots,
- (2)* the Chairperson or Cathaoirleach and Vice-Chairperson or Leas-Cathaoirleach for the time being of each Divisional Executive, whose terms of office as members of the Central Executive shall commence on 1 July following their election and shall cease on 30 June two years later,
 - (3)* one other member of each Division elected by the Biennial Meeting of the Divisional Conference, by proportional representation, from the members elected to the Divisional Executive by that meeting provided that:
 - (a) the terms of office of such members on the Central Executive shall commence on 1 July following their election and shall cease on 30 June two years later, and

*Section (iii)(2) and (iii)(3) of this rule do not apply to the Municipal Employees Division of the Union as per the Transfer of Engagements from the IMETU to IMPACT in 1991. See Appendix E for details of the alternative arrangements applicable to the Municipal Employees Division.

- (b) when a vacancy occurs the Divisional Executive shall elect, by proportional representation, a member of the Divisional Executive to fill the vacancy, and
- (4) the immediate past President.
- (iv) Not more than one member of any Branch shall be a member of the Central Executive at any time, excepting only the immediate past President.
- (v) The Central Executive shall meet at least six times during every calendar year.
- (vi) The General Secretary shall convene a meeting of the Central Executive at the request of the Central Executive or of half of the members thereof or of half of the Officers or of the President.
- (vii) The quorum for meetings of the Central Executive shall be eight.
- (viii) The Central Executive may delegate powers or authorities under such conditions as the Central Executive may decide.
- (ix) The members of the Central Executive may be removed from office by a Special Meeting of the Union Conference convened for that purpose and that meeting shall elect replacements by proportional representation.
- (x) A member of the Central Executive who fails to attend at three consecutive meetings of the Executive, and whose absence has not been excused, may be removed from office by a decision of the Central Executive.
- (xi) The General Secretary shall ensure that proper minutes of all meetings are kept and circulated to all Branches.

23. STANDING ORDERS COMMITTEE

- (i) There shall be a Standing Orders Committee whose duty it shall be to prepare the agenda for each meeting of the Union Conference and of each Divisional Conference and to make recommendations to each such meeting on such matters as the Standing Orders Committee may deem necessary for the efficient and expeditious dispatch of the business of the meeting or as may be referred to it by the Central Executive, by the Divisional Executive or by the meeting.

* This rule does not apply to the Municipal Employees Division of the Union as per the Transfer of Engagements from the IMETU to IMPACT in 1991. See Appendix E for details of the alternative arrangements applicable to the Municipal Employees Division.

See Appendix II to the IMETU Transfer of Engagements for details of the application of this section to the Municipal Employees Division.

- (ii)* The Standing Orders Committee shall consist of members elected by Biennial Meetings of the Divisional Conferences who may not, while members of the Standing Orders Committee, act as delegates to any meeting of the Union Conference or as members of the Central Executive or of any Divisional Executive.
- (iii) Each Biennial Meeting of each Divisional Conference shall elect two members of the Standing Orders Committee, from nominees of Branches with members in the Division, provided that:
 - (a) such nominees shall be selected from the members in the Division,
 - (b) such members' terms of office shall commence on the following 1 July and shall cease on 30 June two years later, and
 - (c) when a vacancy occurs, the relevant Divisional Executive shall appoint a member in the Division to fill the vacancy.
- (iv) The members of the Standing Orders Committee shall elect a Chairperson, by proportional representation, from amongst themselves.
- (v) The quorum for meetings of the Standing Orders Committee shall be five.
- (vi) For each meeting of each Divisional Conference the Standing Orders Committee shall select three of its members who shall carry out the duties of the Standing Orders Committee at that meeting provided that:

at least one of those selected shall be from the relevant Division and none of those selected shall be delegates to the relevant Conference.

24. VOCATIONAL GROUPS

- (i) The Central Executive may grant or withdraw recognition to a body of members as a Vocational Group.
- (ii) A Vocational Group shall be entitled to:-
 - (a) make representation on matters relating to salary and conditions of service to the Union,
 - (b) be informed and consulted by the Union on matters of interest to its members,
 - (c) participate in negotiations affecting its members including related research and preparation, and

- (d) representation at meetings of the Union Conference and of appropriate Divisional Conferences by two members who may speak but not vote thereat.
- (iii) A Vocational Group may levy members and hold assets subject to any conditions and procedures as the Central Executive may from time to time determine. Such assets shall be held on behalf of the Union in the names of the Trustees for the time being of the Vocational Group who shall be appointed and any may be removed from office by the Vocational Group.
- (iv) Vocational Groups shall conduct their business in accordance with such procedures, including procedures to elect a Vocational Group Executive, as are approved by the Central Executive.
- (v) A Vocational Group shall furnish a return of its finances and membership where required by the Central Executive and in such form and for such period as is determined by the Central Executive.

25. STRIKES AND INDUSTRIAL ACTION

- (i) The provisions of this rule shall apply notwithstanding any other provision contained in these rules.
- (ii) In this rule the terms "strike" and "industrial action" shall have the same meaning as in the Industrial Relations Act 1990.
- (iii) In this rule the term "member" shall be those not excluded by rule 33 (ii).
- (iv) Members may take strike or other industrial action only when authorised to do so by the Central Executive or the appropriate Divisional Executive.
- (v) The union shall not organise, participate in, sanction or support a strike or other industrial action without a request from a Branch, following a secret ballot in which two thirds of those voting or at least half of those entitled to vote support the proposed action and entitlement to vote shall have been accorded equally to all members whom it is reasonable at the time of the ballot to believe will be called upon to engage in the strike or other industrial action.
- (vi) Notwithstanding the provisions of (v) above in respect of a request from a Branch:
 - (a) the Central Executive may authorise an aggregate ballot on industrial action of the membership or sections of the membership in more than one Division;

- (b) the appropriate Divisional Executive may authorise an aggregate ballot on industrial action of the membership or sections of the membership in that Division.
- (vii) The union shall take reasonable steps to ensure that every member entitled to vote in the ballot votes without interference from, or constraint imposed by, the union or any of its members, officials or employees, and, so far as is reasonably possible, that such members shall be given a fair opportunity of voting.
- (viii) The Central Executive or the appropriate Divisional Executive shall have full discretion in relation to organising, participating in, sanctioning or supporting a strike or other industrial action notwithstanding that the majority of those voting in the ballot, including an aggregate ballot referred to in paragraph (ix) of this rule, favours such strike or other industrial action.
- (ix) The Central Executive or Divisional Executive shall not organise, participate in, sanction or support a strike or other industrial action against the wishes of the union's members as expressed in a secret ballot, except where, in the case of a ballot by more than one trade union, an aggregate majority of all the votes cast favours such strike or other industrial action.
- (x) Where the outcome of a secret ballot conducted by the union or in the case of ballots conducted by the union and any number of other trade unions which are affiliated to the Irish Congress of Trade Unions records the necessary majority of all the votes cast in favour of supporting a strike organised by another trade union, a decision to take such supportive action shall not be implemented by the union without the sanction of the Irish Congress of Trade Unions.
- (xi) Notwithstanding the provisions of Rule 25 (viii) and (ix), the Central Executive may over-rule a decision of any Divisional Executive to authorise or not to authorise members to take strike or other industrial action.
- (xii) The Central Executive may authorise strike or other industrial action to be taken by members of Branches in more than one Division following a secret ballot of the members concerned at meetings in which the majority of those voting or the majority of those entitled to vote supported the proposed action.
- (xiii) Following a decision of a Divisional Conference to allow for the use of postal ballots for the purposes of the Rule, a postal ballot of the members concerned shall be held instead of a ballot at meetings where the Divisional Executive, at the request of a Branch Executive, has approved of a postal ballot due to it being impracticable to hold meetings.

- (xiv) As soon as practicable after the conduct of a ballot under this Rule the union shall take reasonable steps to make known to the members of the union entitled to vote in the ballot
 - (a) the number of ballot papers issued;
 - (b) the number of votes cast;
 - (c) the number of votes in favour of the proposal;
 - (d) the number of votes against the proposal; and
 - (e) the number of spoiled votes.
- (xv) The Central Executive or a Divisional Executive may delegate authority under this Rule to a sub-Committee.
- (xvi) Nothing in this rule shall constitute an obstacle to negotiations for the settlement of a trade dispute nor the return to work by members of the union party to the trade dispute, and any decision taken in accordance with this rule to organise, participate in, sanction or support a strike or industrial action may be rescinded or amended without the necessity of a further ballot of the members concerned.

26. DISCIPLINARY ACTION

- (i) The Central Executive or the appropriate Divisional Executive or Branch Executive may on foot of a complaint made to it take disciplinary action against a member on the grounds that:
 - (a) the member has taken any action or been guilty of any conduct which is detrimental to the interests of the Union, or
 - (b) the member has failed to comply in any respect with these rules.

Executives conducting disciplinary hearings and Appeals Tribunals must apply fair procedures and must have regard to any guidelines or procedures for the hearing of such cases or appeals determined by Union Conference or issued by the Central Executive from time to time.

- (ii) Disciplinary action may take the form of expulsion, suspension from membership for a specified period or until stated conditions are met, other specified limitations on activity within the Union and/or financial penalties not to exceed twice the member's annual subscription or formal censure of the member.
- (iii) When disciplinary action is taken by a Branch Executive or a Divisional Executive, the General Secretary shall be notified immediately.

- (iv) No decision to take disciplinary action or to confirm or vary it on appeal shall be taken until the person concerned has been advised in writing of the reasons for the disciplinary action and afforded an opportunity of making a case, verbally or in writing.
- (v) A disciplinary decision, other than expulsion by a Branch Executive, shall take effect when the member is informed in writing of the decision and of the right of the member to appeal.

A member expelled by a decision of a Branch Executive shall be informed in writing of the decision and of the right of the member to appeal. Such a member shall be deemed to be suspended from membership with effect from the date of the written notice of expulsion, but the expulsion shall not take effect for 28 days or until an appeal by the member has been determined by an Appeals Tribunal, if later.
- (vi) A member or complainant may appeal a disciplinary decision by notice in writing to the General Secretary within twenty eight days of being informed of the decision.
- (vii) An appeal against a disciplinary decision shall, in the first instance, be to an Appeals Tribunal which shall deal with the matter expeditiously.
- (viii) An Appeals Tribunal shall consist of three members, not being members of the Central Executive, appointed by the President from a panel of former Officers of the Union nominated by the Central Executive.
- (ix) The member who was the subject of the disciplinary decision or complainant may appeal a decision of an Appeals Tribunal by notice in writing to the General Secretary within twenty eight days of being informed of the decision.
- (x) An appeal against a decision of an Appeals Tribunal shall be to the Union Conference whose decision shall be final.
- (xi) A person whose membership is suspended shall not be relieved of any duties imposed by these Rules (including liability to pay the Union subscription) but shall not be entitled to take part in the affairs of the Union or to hold any office in the Union.

27. APPEALS

- (i) Any decision taken in a Branch or Division may be appealed to the Central Executive by any member or by the Executive of any Branch or Division affected by that decision.
- (ii) Any decision of the Central Executive shall be reviewed expeditiously by the Central Executive at the request of any member or of the Executive of any Branch or Division affected by that decision and, should the member or Executive remain dissatisfied with the decision of the Central Executive following such review, the member or Executive may appeal the decision to the Union Conference.
- (iii) Any decision which is the subject of an appeal shall have effect unless, and until, it is varied on appeal.
- (iv) An appeal or request for review of a decision shall be by notice in writing to the General Secretary within three months after the decision has been made and an appeal shall be made at least one month before a meeting of the Union Conference to be heard at that meeting.
- (v) The provisions of this Rule do not apply to disciplinary decisions.

28. CLAIMS AND OFFERS

- (i) Any claim on behalf of members shall, before being submitted to a Conciliation and Arbitration Scheme or to the Labour Court, be approved by the appropriate Divisional Executive or, where the claim covers members in more than one Division, by the Central Executive.
- (ii) A Divisional Executive or the Central Executive, as appropriate, shall consider any claim submitted by any Branch or Vocational Group.
- (iii) A decision to accept or reject an offer on foot of a claim shall be taken by the members directly affected. The Central Executive or appropriate Divisional Executive may sanction the aggregation of votes of IMPACT members directly affected with those of similar members in another union(s) where it considers it appropriate to do so.

29. FINANCIAL CONTROL

- (i) The Central Executive shall be responsible for the general management, direction and control of the financial affairs of the Union, subject only to the financial functions of the Trustees and the Union Conference.

- (ii) The General Secretary shall be responsible to the Union Officers and to the Central Executive for the financial administration of the Union.

30. ASSETS TO BE APPLIED TO OBJECTS

The assets of the Union shall be applied only to the promotion of the objects of the Union.

31. ASSETS TO BE IN THE NAMES OF TRUSTEES

All of the assets of the Union shall be held in the names of the Trustees for the time being of the Union for and on behalf of the Union.

32. TRUSTEES

- (i) Three Trustees, being members of the Union, shall be appointed and may be removed from office by the Union Conference which shall determine the duration of any appointment.
- (ii) A member of the Central Executive or of a Divisional Executive or an employee of the Union shall not be eligible to be a Trustee.
- (iii) In the event of any Trustee becoming unable or unwilling to act as such the Central Executive shall remove that Trustee from office, if necessary, and shall appoint a replacement from a panel of members approved by the Union Conference provided that, pending such replacement, the other Trustees shall act as the Trustees of the Union.

33. MEMBERSHIP SUBSCRIPTION

- (i) The Union subscription payable by members, including retired members, and Associate Members shall be as determined from time to time by the Union Conference. Responsibility for ensuring that the Union subscription is paid at the correct rate and for the payment of any arrears arising shall rest with the member.
- (ii) A member who is in arrears of paying the Union subscription for 90 days or more shall not be entitled to the industrial relations services of the Union or to take part in the affairs of the Union or to hold any office in the Union and shall not be reckoned for the purposes of any Rule where numbers of members are relevant.
- (iii) The Central Executive may waive the Union subscription in a case of hardship.

34. DISPUTE FUND

An amount, as determined from time to time by the Union Conference, of the Union subscription shall be set aside and kept separately from the general funds of the Union in a Dispute Fund. This fund shall be administered by the Central Executive and shall be used for such purposes as may be determined from time to time by the Union Conference.

35. FINANCIAL YEAR

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

36. ANNUAL ACCOUNTS

Audited accounts for each financial year shall be submitted to the next Biennial Meeting of the Union Conference held following the end of the calendar year.

37. AUDITORS

Auditors, not being members of the Union, shall be appointed annually by the Trustees.

38. INSPECTION OF RECORDS

The financial records of the Union, including a list of the names of the members, shall be kept at the registered office and may be inspected by any member. Such financial records include the audited accounts, which shall be available for inspection within six months of the end of the financial year in question, regardless of when a meeting of the Union Conference is next due to be held.

39. INVESTMENT OF FUNDS

Such funds of the Union as are not immediately required may be invested on the authority of the Central Executive.

40. GENERAL SECRETARY AND OTHER EMPLOYEES

- (i) The Central Executive shall appoint and may dismiss a General Secretary. The appointment of the General Secretary shall be subject to the ratification of the Union Conference.
- (ii) The General Secretary shall be responsible to the Union Officers and to the Central Executive for the administration of the affairs of the Union.
- (iii) The General Secretary may, subject to the Central Executive, delegate functions to other employees of the Union.
- (iv) The Central Executive shall appoint and may dismiss National Secretaries who shall, subject to the authority of the General Secretary, be responsible for the administration of the Divisions.

- (v) The Central Executive may appoint and may dismiss such other employees of the Union as it considers necessary.
- (vi) The Central Executive shall determine the conditions of employment of all employees of the Union.

41. ALTERATION OF RULES

- (i) These Rules may be revoked, altered or added to by a motion carried by two thirds of the valid votes cast at a meeting of the Union Conference.
- (ii) Any change to these Rules shall have effect from the end of the meeting at which adopted unless the meeting decides otherwise.

42. INTERPRETATION OF RULES

Decisions of the Central Executive on the interpretation of the Rules and on matters in respect of which the Rules are silent shall be final unless and until a meeting of the Union Conference decides otherwise.

43. DECISIONS AT UNION MEETINGS

- (i) At any meeting a simple majority shall determine the outcome of any vote, unless otherwise provided for in these Rules.
- (ii) In the event of an equality of votes the Chairperson of a meeting shall have a casting vote in addition to the deliberative vote, if any, to which entitled.
- (iii) The Central Executive shall be entitled to be represented at any meeting.

44. DISSOLUTION OF THE UNION

- (i) The Union shall be dissolved by the consent of five sixths of the members.
- (ii) The assets and/or liabilities of the Union shall be divided equally among the members of the Union as at the date of dissolution.

NOTES NOT FORMING PART OF THE RULES

Legal obligations of the Union include:

- notification to the Registrar of Friendly Societies of any change of the address of the Registered Office of the Union,
- notification to the Registrar of any amendment to the Rules of the Union,
- provision to the Registrar of an Annual Return, including the Union's accounts, before 1 June each year,
- provision of a copy of the Rules on demand.

INSTRUMENT OF AMALGAMATION

THIS INDENTURE made the 20th day of October, one thousand, nine hundred and ninety, between the Local Government and Public Services Union and the Union of Professional and Technical Civil Servants (The Amalgamating Trade Unions).

WHEREAS it has been agreed that the Local Government and Public Services Union and the Union of Professional and Technical Civil Servants shall be amalgamated,

NOW THIS INDENTURE WITNESSETH

1. That the Amalgamation shall take effect on 1 January 1991 or on the date on which this Instrument is registered by the Registrar of Friendly Societies, if later.
2. That with effect from the day of the Amalgamation the Rules of the Amalgamated Trade Union shall be those set out in Appendix 1 hereto which may thereafter be amended in accordance with the provisions of those Rules provided that any change proposed to the Rules of the Amalgamated Trade Union prior to the 1994 Biennial Meeting of the Union Conference shall require 75% of the votes cast at a meeting of the Union Conference to be carried.

The provisions of Rule 23 (ii) in relation to the prohibition on the Standing Orders Committee members also acting as delegates to any meeting of the Union Conference shall not have effect until after the Biennial Meeting of the Union Conference to be held in 1994.

3. That with effect from the day of the Amalgamation:
 - (i) the members of the Amalgamating Trade Unions shall become members of the Amalgamated Trade Union and be subject to that Trade Union's Rules,
 - (ii) the Honorary Life Members of the Amalgamating Trade Unions shall become Honorary Life Members of the Amalgamated Trade Union and be subject to that Trade Union's Rules,
 - (iii) the Life Members of the Local Government and Public Services Union and the Associate Members of the Union of Professional and Technical Civil Servants shall become Associate Members of the Amalgamated Trade Union and be subject to that Trade Union's Rules,

- (iv) the Branches of the Local Government and Public Services Union and the Branches of the Union of Professional and Technical Civil Servants shall become Branches of the Amalgamated Trade Union; whose Branches will then be based on location or employment, and be subject to that Trade Union's Rules, and
 - (v) the Vocational Groups of the Local Government and Public Services Union shall become Vocational Groups of the Amalgamated Trade Union and be subject to that Trade Union's Rules.
4. That on the day the Amalgamation takes effect:
- (i) the assets and liabilities, rights and obligations of the Amalgamating Trade Unions shall become assets, liabilities, rights and obligations of the Amalgamated Trade Union,
 - (ii) all of the property and assets of the Amalgamating Trade Unions shall be vested in the appropriate Trustees of the Amalgamated Trade Union,
 - (iii) the Reserve Fund of the Local Government and Public Services Union and the Contingency Fund of the Union of Professional and Technical Civil Servants shall become the Dispute Fund of the Amalgamated Trade Union, and
 - (iv) the Employees of the Amalgamating Trade Unions shall become Employees of the Amalgamated Trade Union on no less favorable terms and conditions of employment than those enjoyed by them as Employees of the respective Amalgamating Trade Unions.
5. That the Central Executive of the Amalgamated Trade Union may integrate the Superannuation Funds of the Amalgamating Trade Unions into a single Superannuation Fund.
6. That with effect from the date of the Amalgamation and until otherwise decided in accordance with the Rules of the Amalgamated Trade Union:
- (i) the holders of positions provided for in the proposed Rules of the Amalgamated Trade Union shall be as provided for in Appendix II hereto provided that the arrangements contained therein relating to the Central Executive shall apply until 1.7.1991,
 - (ii) the contributions to be paid by members and the application of subscription income of the Amalgamated Trade Union shall be as provided for in Appendix III hereto,

- (iii) the Dispute Fund of the Amalgamated Trade Union shall be applied to industrial dispute expenses of that Trade Union,
income earned on assets of the Dispute Fund shall be added to the Dispute Fund,
expenditure to maintain and enhance the assets of the Dispute Fund shall be charged to the Dispute Fund,
- (iv) procedures for the conduct of business which have been adopted by any Branch of either of the Amalgamating Trade Unions under the Rules of that Trade Union shall continue,
the procedures at Appendix IV shall apply to any other Branch,
- (v) representation at the Divisional Conferences shall be on the basis of one delegate for Branches of up to 25 members and for larger Branches one delegate for each complete 25 members or additional part thereof except in the case of the Civil Service Division where the scale of representation for Delegate Conferences of the Union of Professional and Technical Civil Servants shall apply viz:

| | | | | | |
|-----|---|-----|---|---|------------------|
| 1 | – | 15 | = | 1 | <i>delegate</i> |
| 16 | – | 30 | = | 2 | <i>delegates</i> |
| 31 | – | 50 | = | 3 | <i>delegates</i> |
| 51 | – | 100 | = | 5 | <i>delegates</i> |
| 101 | – | 200 | = | 7 | <i>delegates</i> |

 thereafter 1 additional delegate for each complete additional 100 members or additional part thereof, and
- (vi) the Divisional Conference of the Civil Service Division shall be deemed to have decided to allow for the use of postal ballots for the purposes of Rule 25.

7. That with effect from the date of the Amalgamation and until otherwise determined by the Union Conference of the Amalgamated Trade Union:

- (i) the procedures to apply at meetings of the Amalgamated Trade Union shall be as provided for in Appendix V hereto,
- (ii) each Divisional Conference shall determine policy on pay, conditions and other matters affecting only the members in the Division;

Divisional Conferences may also consider other matters provided that they are not matters which are of sole concern to the members of another Division or which conflict with policy as previously determined by the Union Conference;

decisions of Divisional Conferences in relation to such other matters shall constitute Divisional Policy having the status of recommendations to the Central Executive which shall decide on any action to be taken, and

- (iii) the members of the Central Executive to be elected by the Divisional Conference of the State Enterprises Division shall be confined to the Chairperson or Cathaoirleach and Vice-Chairperson or Leas-Cathaoirleach of that Division and shall not include the other member referred to in Rule 18 (ii) (c) and Rule 22 (iii) (3) of the Amalgamated Trade Union until the Union Conference, having regard to the relative size of the Divisions, determines otherwise.
8. That there shall be Inaugural Biennial Meetings of the Union Conference and of each Divisional Conference during the first six months of 1991;
- that there shall be a meeting of the Union Conference during 1992 which shall be treated as a Biennial Meeting; and
- that there shall be Biennial Meetings of each Divisional Conference during 1993.
9. That the former Officers of the Amalgamating Trade Unions shall be deemed to be former Officers of the Amalgamated Trade Union for the purposes of eligibility to serve on the Appeals Tribunal provided for by Rule 26 (Disciplinary Action) of the Amalgamated Trade Union.
10. That, notwithstanding the provisions of the Rules of the Amalgamated Trade Union:
- (i) the terms of the Instrument of Transfer of Engagements from the Irish Tax Officials' Union to the Union of Professional and Technical Civil Servants shall be complied with by and in the Amalgamated Trade Union, and
 - (ii) the terms of Appendix VI shall apply to the post of General Secretary provided for in the Rules of the Amalgamated Trade Union.
11. That the Central Executive of the Amalgamated Trade Union shall:
- (i) ensure that the combined resources of the Amalgamating Trade Unions are effectively and efficiently utilised to provide an improved and enhanced service to members with specific reference to:
 - the economies of scale arising from increased membership in the Amalgamated Trade Union,
 - the organisational benefits accruing from the staffing structure of the Amalgamated Trade Union, and
 - the potential for more fully realising both of the above in the context of a single Head Office premises, and

- (ii) in line with developments at (i) above keep the allocation of subscription income under review with a view to proposing to the Union Conference that the proportions allocated to the Third World and Dispute Funds be increased to 5% and 20% respectively.

Signed on behalf of the Local Government and Public Services Union:

Phil Flynn
General Secretary

Executive Board Member

Executive Board Member

Executive Board Member

Signed on behalf of the Union of Professional and Technical Civil Servants:

Greg Maxwell
General Secretary

*National Executive
Committee Member*

*National Executive
Committee Member*

*National Executive
Committee Member*

Note:

APPENDIX A Amalgamated Trade Union positions

APPENDIX E General Secretaries

These appendices contained transitional provisions which are no longer relevant and are not reproduced here. Copies are available on request.

APPENDIX B (*Appendix III to Instrument*)

IMPACT MEMBERSHIP SUBSCRIPTION INCOME

1. Since the 1st January 2004 the Union subscription payable by members of IMPACT is 0.8% of basic salary, subject to a maximum subscription based on the 1st point of the Grade VI scale in the Local Authority/Health areas applicable on 1st January of the year, rounded to the nearest €100. The Grade VI 1st point as at 1st January 2009 was €47,675. As such the maximum IMPACT subscription is based on €47,700 for 2009.

Note:

- (i) The salary maximum for subscription purposes was originally fixed at €20,315.80 (£16,000). This was increased on a number of occasions and was last set at Conference 2002.
 - (ii) The rate of subscription payable by retired members is 0.4% of pension subject to a maximum annual payment based on the above salary amounts.
 - (iii) Some branches impose a branch levy in addition to the above union subscriptions.
2. The subscription income of IMPACT shall be applied as follows:

| | |
|-----------------------|-------|
| Developing World Fund | 3.0% |
| Dispute Fund | 10.0% |
| General Fund | 87.0% |

(Note: The application of subscriptions was originally 3.0%, 12.5% and 84.5% respectively to each of the above funds. Union Conference agreed this revised application of funds in 2002 and again in 2004.)

3. Branches of the Amalgamated Trade Union shall be funded from Central Funds to the extent of 10% of the subscriptions paid by branch members in addition to an amount determined by branch size as follows:

| | | | | | |
|-----|---|-----|------------------|---|-----------|
| 1 | – | 25 | members | – | €290.00 |
| 26 | – | 50 | members | – | €575.00 |
| 51 | – | 75 | members | – | €860.00 |
| 76 | – | 100 | members | – | €1,145.00 |
| 101 | – | 125 | members | – | €1,430.00 |
| 126 | – | 300 | members | – | €2,860.00 |
| 301 | – | 700 | members | – | €3,810.00 |
| | | | Over 700 members | – | €4,765.00 |

(Note: The above branch refunds were set at the 1998 union conference and came into effect from 1st January 1999. They were originally set in Irish pounds and were rounded up, to the nearest €5 with effect from 1st January 2002).

APPENDIX C (Appendix IV to Instrument)

AMALGAMATED TRADE UNION BRANCH RULES

1. SECTIONS

- (i) The Branch may, by decision of a general meeting of the Branch, be organised on a sectional basis by reference to the nature of the employment of members provided that the appropriate Section for each member shall be as determined by the Branch Executive.
- (ii) Each Section Secretary shall convene an Annual Meeting of the members of the Section during each calendar year on a date to be determined by the Section Executive.
- (iii) A Special Meeting of the members of any Section shall be convened by the Section Secretary at the request of the Central Executive, an appropriate Divisional Executive, the Branch Executive, the Section Executive or half of the members of the Section.
- (iv) There shall be a Section Executive for each Section which shall consist of a Chairperson, Vice-Chairperson, Secretary and such other officers and other members as may be determined from time to time by meetings of the Section.
- (v) The Section Executive shall be elected, by proportional representation, by the Annual Meeting of the members of the Section provided that when a vacancy arises, the Section Executive shall co-opt to fill the vacancy.
- (vi) Each Section Executive shall be subject to the Branch Executive.
- (vii) Each Section Secretary shall give the Branch Secretary notice of each meeting of the members of the Section or of the Section Executive and the Branch Secretary shall be entitled to attend any such meeting.

2. ANNUAL GENERAL MEETING OF THE BRANCH

- (i) The Branch Secretary shall convene an Annual General Meeting of the Branch during each calendar year.
- (ii) The date of each Annual General Meeting of the Branch and the latest date for receipt of nominations, motions and amendments shall be as determined by the Branch Executive.
- (iii) Each Annual General Meeting of the Branch shall consider a report from the Branch Executive and such motions and amendments thereto as may have been submitted by the Branch Executive or, where the Branch is organised on a sectional basis, by any Section or, where the Branch is not organised on a sectional basis, by any two members.

* Note: Conference 2008 approved several changes to the Amalgamated Trade Union Branch Rules. These are: New rule 2(vii); new rule 5 and the subsequent renumbering of rules 5 and 6 to 6 and 7 respectively.

- (iv) Delegates and substitute delegates from the Branch to meetings of the Union Conference and the Divisional Councils and Conferences shall be elected, by proportional representation, by the Annual General Meeting of the Branch or as may be determined from time to time by a general meeting of the Branch.
- (v) Nominees from the Branch for election to the Central Executive, the Union Standing Orders Committee or any Divisional Executive shall be elected, by proportional representation, by the Annual General Meeting of the Branch or as may be determined from time to time by a general meeting of the Branch.
- (vi) Motions for submission on behalf of the Branch to the Biennial Meetings of the Divisional Conferences and of the Union Conference shall be decided by the Annual General Meeting of the Branch or as may be determined from time to time by a general meeting of the Branch.
- (vii)* Where, for whatever reason, it is not possible or feasible to hold the Annual General Meeting of the branch to carry out the business set out in (v) and (vi) above by the deadlines set out in Union rules for such nominations and motions, or where, in the case of nominations, a member nominated is no longer able or willing to stand for election, the Branch Executive may, subject to any decision taken by a subsequent general meeting of the branch, elect nominees by proportional representation to the Central Executive, the Union Standing Orders Committee or any Divisional Executive and/or propose motions to the biennial meetings of Divisional Conference or Union Conference.

3. SPECIAL GENERAL MEETINGS OF THE BRANCH

A Special General Meeting of the Branch shall be convened by the Branch Secretary at the request of the Central Executive or the Branch Executive or one third of the members of the Branch.

4. BRANCH EXECUTIVE

- (i) There shall be a Branch Executive for the Branch which shall conduct the business of the Branch in accordance with, and subject to, the decisions of general meetings of the Branch and subject to the overriding authority of the Central Executive.
- (ii) The Branch Executive shall consist of a Chairperson, Vice-Chairperson, Secretary, Treasurer and such other officers and other members as may be determined from time to time by a general meeting of the Branch.

* Note: Conference 2008 approved several changes to the Amalgamated Trade Union Branch Rules. These are: New rule 2(vii); new rule 5 and the subsequent renumbering of rules 5 and 6 to 6 and 7 respectively.

- (iii) The Branch Executive shall be elected, by proportional representation, by the Annual General Meeting of the Branch or as may be determined from time to time by a general meeting of the Branch provided that when a vacancy arises the Branch Executive shall co-opt to fill the vacancy.
- (iv) The quorum for meetings of the Branch Executive shall be half or as may be determined from time to time by a general meeting of the Branch.
- (v) The Branch Secretary shall convene a meeting of the Branch Executive at the request of the Central Executive or of the Branch Executive or of the Chairperson or half of the members thereof.
- (vi) Amendments for submission on behalf of the Branch to the Biennial Meetings of the Divisional Conferences and of the Union Conference and motions and amendments for submission on behalf of the Branch to Special Meetings of any Divisional Conference or of the Union Conference shall be decided by the Branch Executive, or as may be determined from time to time by a general meeting of the Branch.

5.* WORKPLACE REPRESENTATIVE

- (i) Where appropriate, Workplace Representatives should be appointed/elected in workplaces where there are members of the branch.
- (ii) The role of the Workplace Representative shall include
 - liaising with the branch and union staff on matters relating to members in that workplace;
 - assisting with communications between the branch and the members in that workplace;
 - helping to recruit new members in that workplace;
 - representing members in that workplace, where appropriate and generally assisting the branch executive to carry out branch policy and business.
- (iii) Branch Executives should arrange consultative meetings at least twice per calendar year for branch executive and workplace representatives within the branch.

* Note: Conference 2008 approved several changes to the Amalgamated Trade Union Branch Rules. These are: New rule 2(vii); new rule 5 and the subsequent renumbering of rules 5 and 6 to 6 and 7 respectively.

6.* AMENDMENTS TO BE NOTIFIED TO CENTRAL EXECUTIVE

Any decision by a general meeting of the Branch to modify the basic provisions of these Rules as provided for herein shall be notified immediately to the Central Executive.

7.* BRANCH FUNDS

- (i) The Treasurer of the Branch shall:
 - (a) lodge all receipts to a bank account in the name of the Branch from which all payments shall be made by cheque signed by the Treasurer and another officer of the Branch authorised to do so by the Branch Executive,
 - (b) submit to the Branch Executive and to the General Secretary a regular receipts and payments account, as decreed by the General Secretary,
 - (c) submit to the Annual General Meeting of the Branch and the General Secretary income and expenditure accounts for the preceding calendar year with a Balance Sheet as at year end which have been audited by any one or more of up to three auditors appointed by the previous Annual General Meeting of the Branch.
- (ii) The amount of honorarium, if any, payable to a Branch or Section Officer shall be as decided by the Branch Executive or as may be determined from time to time by a general meeting of the Branch and shall be subject to specific approval by the Central Executive prior to payment.

* Note: Conference 2008 approved several changes to the Amalgamated Trade Union Branch Rules. These are: New rule 2(vii); new rule 5 and the subsequent renumbering of rules 5 and 6 to 6 and 7 respectively.

APPENDIX D (Appendix V to Instrument)

**AMALGAMATED TRADE UNION
PROCEDURES TO APPLY AT MEETINGS**

- (1) A member shall, when speaking, address the Chairperson.
- (2) A member who speaks shall speak strictly to the motion or amendment under discussion or to a question of order.
- (3) A member shall not speak more than once on any motion or amendment, and shall not occupy the time of the meeting for a longer period than ten minutes, save with the permission of the meeting, but the mover of a resolution may reply before a vote is taken thereon, or on an amendment thereto, and the reply shall be strictly confined to answering previous speakers, and shall not introduce any new matter into debate. Provided always that a member may, with the permission of the Chairperson, speak to a point of order, or in explanation of some material part of a speech which has been misunderstood.
- (4) Every motion or amendment shall be written and shall be read or circulated before it is proposed.
- (5) A motion or amendment, once moved and seconded, shall not be withdrawn save with the consent of the meeting.
- (6) Every amendment shall be relevant to the motion on which it is moved, and shall be either:–
 - (a) to leave out a word or words;
 - (b) to leave out a word or words and insert or add another or others;
 - (c) to insert or add a word or words; or
 - (d) to refer back for further consideration.
- (7) Whenever an amendment has been moved and seconded, no other amendment shall be moved until the first amendment has been disposed of, but notice of any number of amendments may be given.
- (8) If an amendment is rejected, another amendment may be moved.
- (9) If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the question on which any further amendment may be moved.
- (10) Any member may move or second a motion or amendment reserving the right to speak for a later period of the debate.

- (11) Whenever any member is called to order by the Chairperson, the member so called shall immediately be seated and shall not address the meeting until the Chairperson has disposed of the question of order.
- (12) Any member who refuses to obey the ruling of the Chairperson may be removed on the order of the Chairperson.
- (13) Whenever two or more members seek to speak at the same time the Chairperson shall decide the order of speakers.
- (14) A member moving that the meeting do now adjourn may speak for not more than five minutes, and, if the motion is seconded, it shall be seconded without a speech, and put by the Chairperson without debate and, if carried, the meeting shall be adjourned by the Chairperson.
- (15) A member moving that the meeting do now proceed to the next business, or that the debate be adjourned, may speak for not more than five minutes, and, if the motion is seconded, it shall be seconded without a speech. The Chairperson shall then call on the mover of the motion under discussion to speak to the motion just moved, and, subject thereto, the latter motion shall forthwith be put to the vote and, if carried, the Chairperson shall proceed to the next business or adjourn the debate, as appropriate.
- (16) A second motion - that the meeting do now adjourn, or that the meeting proceed to the next business, or that the debate be adjourned - shall not be made within a period of half an hour unless it is moved by the Chairperson.
- (17) The meeting may adopt such additional procedures as are necessary for the expeditious dispatch of business.

APPENDIX E

TRANSFER OF THE ENGAGEMENTS OF THE IMETU TO IMPACT

Instrument to transfer the engagements of the Irish Municipal Employees' Trade Union to the Irish Municipal, Public and Civil Trade Union

THIS INDENTURE made the th day of May 1991 between the IRISH MUNICIPAL EMPLOYEES' TRADE UNION (IMETU) and the IRISH MUNICIPAL, PUBLIC AND CIVIL TRADE UNION (IMPACT),

WHEREAS it has been agreed that the IMETU shall transfer its engagements to IMPACT, NOW THIS INDENTURE WITNESSETH

- 1 that the Transfer of Engagements shall take effect on 1 October 1991 or on the date on which this Instrument is registered by the Registrar of Friendly Societies, if later,
- 2 that with effect from the date of the Transfer of Engagements;
 - (i) all the engagements of the IMETU shall be transferred to IMPACT and IMPACT shall fulfil all such engagements,
 - (ii) the members of the IMETU shall become members of IMPACT and be subject to that Trade Union's Rules,
 - (iii) the members of the IMETU shall constitute a Branch of IMPACT to be known as "the Municipal Employees' Branch" and a Division of IMPACT to be known as "the Municipal Employees' Division", which Branch and Division shall be subject to the Rules of IMPACT,
 - (iv) the procedures for the conduct of the business of the Municipal Employees' Branch of IMPACT shall be as set out in Appendix I and may be varied as provided for in those procedures and subject to the approval of the Central Executive as provided for in the Rules of IMPACT,
 - (v) the Sections of the IMETU shall become Sections of the Municipal Employees' Branch of IMPACT and be subject to the procedures of that Branch,
 - (vi) the property and assets of the IMETU shall be vested in the Trustees of IMPACT with the exception of cash to the value of £10,000 which shall be vested in the Trustees of the Municipal Employees' Branch of IMPACT,
 - (vii) the employees of the IMETU shall become employees of IMPACT on no less favourable terms and conditions of employment than those enjoyed by them as employees of the IMETU,
- 3 that with effect from the date of the Transfer of Engagements and until otherwise decided in accordance with the procedures of the Municipal Employees' Branch of IMPACT;

- (i) the Branch Executive of the Municipal Employees' Branch of IMPACT shall consist of the members of the General Committee of the IMETU,
 - (ii) the Trustees of the Municipal Employees' Branch of IMPACT shall consist of the Trustees of the IMETU, and
 - (iii) the Branch subscription of the Municipal Employees' Branch of IMPACT shall be 0.1% of salary subject to the same cut-off as applies from time to time to the Union subscription,
- 4 that with effect from the date of the Transfer of Engagements and until otherwise determined in accordance with the Rules of IMPACT,
- (i) the Central Executive of IMPACT shall include the President and Vice-President of the Municipal Employees' Branch of IMPACT, and
 - (ii) the Standing Orders Committee of IMPACT shall include two members who shall have been nominated prior to 1 October 1991 by the General Committee of the IMETU,
- 5 that with effect from the date of the Transfer of Engagements and until otherwise decided by a General Meeting of the Municipal Employees' Branch of IMPACT or by the Central Executive the affiliation of the IMETU to the Labour Party shall be continued by the Municipal Employees' Branch of IMPACT,
- 6 that the alterations to the Rules of IMPACT provided for in the Memorandum in Writing at Appendix II shall apply with effect from the date of the Transfer of Engagements.

Signed:

Central Executive Member

General Committee Member

Central Executive Member

General Committee Member

Central Executive Member

General Committee Member

General Secretary

General Secretary

On behalf of IMPACT

on behalf of IMETU

Appendix I (of IMETU Transfers of Engagements)

IRISH MUNICIPAL, PUBLIC AND CIVIL TRADE UNION

MUNICIPAL EMPLOYEES' BRANCH

PROCEDURES FOR THE CONDUCT OF BRANCH BUSINESS

The procedures applicable at the time of IMETU transfer of engagements have been amended on a number of occasions since that time by the members of the Municipal Employees' Division. A copy of the up to date procedures are available on request from the Executive Committee of that Division.

Appendix II (of IMETU Transfer of Engagements)

MEMORANDUM IN WRITING UNDER THE TRADE UNION ACT 1975

(Instrument of Transfer of Engagements, Paragraphs 2(i), 2 (vii), 6 refers).

The following proposals and amendments to the Rules of the Irish Municipal, Public and Civil Trade Union (IMPACT) are adopted to give effect to the Instrument of Transfer of the Engagements of the Irish Municipal Employees' Trade Union (IMETU) to IMPACT.

- 1 The Irish Municipal, Public and Civil Trade Union undertakes to fulfil the engagements of the Irish Municipal Employees' Trade Union.
- 2 The employees of the Irish Municipal Employees' Trade Union are appointed, with effect from the date of the Transfer of Engagements, as employees of the Irish Municipal, Public and Civil Trade Union, on no less favourable terms and conditions of employment than those enjoyed by them as employees of the Irish Municipal Employees' Trade Union.
- 3 That Rule 13 (i) be amended as follows:
 - Delete "four" insert "five";
 - Add "The Municipal Employees' Division".
- 4 That Rule 23 (ii) be amended as follows:
 - Delete "eight".
- 5 That the Rules of IMPACT as applied to the Municipal Employees' Branch and Division be amended as follows unless and until a resolution of the Union Conference of IMPACT provides that any or all of such amendments no longer continue to apply:
 - (i) Rule 22(iii) (3) shall not apply,
 - (ii) Rules 14, 15, 16, 17 and 18 shall not apply but the powers of the Divisional Executive of the Municipal Employees' Division shall be exercised by the Municipal Employees' Branch Executive,
 - (iii) Rule 22 (iii) (2) shall not apply but the President and Vice-President for the time being of the Municipal Employees' Branch shall be members of the Central Executive for one year from 1 July following their election.
 - (iv) The Sections of the Municipal Employees' Branch shall be treated as Branches of the Union for the purposes of Rule 22 (iv),

- (v) Rule 23 (iii) shall not apply but two members of the Union Standing Orders Committee shall be elected, by proportional representation, by the Annual General Meeting of the Municipal Employees' Branch held in the year in which Biennial Meetings of the Divisional Conferences are held, and such members; terms of office shall be for two years from 1 July following their election and when a vacancy occurs, the Municipal Employees' Branch Executive shall appoint a replacement,
- (vi) Rule 23 (vi) shall apply to the General Meetings of the Municipal Employees' Branch as they do to meetings of the Divisional Conferences.

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