TSSA

RULE BOOK

PREFACE

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

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

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

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

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

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

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

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

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

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Revised TSSA Rule Book, October 2018 (incorporating amendments from Special Delegates Conference, 20th May 2017, Annual Conferences June 2017, June 2018, June 2019, September 2021, June 2023, June 2024 and June 2026).

RULES

1 NAME and OBJECTS of TSSA

1.1 Name

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

1.2 Objects

TSSA's objects are:

(a) To organise its members.

(b) To improve the conditions and protect the interests of its members.

(c) To regulate the relations between employers and employees and between members and others in similar employment, including, if necessary, by collectively withholding labour.

(d) To assist in Movements for the betterment of industrial conditions and to take such steps as may be necessary to operate the national negotiating machinery provided for in any relevant legislation, or to safeguard the interests of its members in connection with pensions.

(e) To help its members when unemployed.

(f) To create Benevolent and Death Benefits.

(g) To secure or help to secure legislation and the more effective administration of existing laws which may affect the welfare of its members and other workers.

(h) To promote equality for all in all ways including, for example:

(1) collective bargaining, publicity material and campaigning, representations, union organisation and structures, education and training, organising and recruitment, the provision of all other services and benefits and all other activities, and
(2) TSSA's own employment practices.

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

1.3 ISSUE OF CIRCULARS AND USE OF ASSOCIATION'S NAME

(a) No Officer, Member, Branch, Self Organised Group or Divisional Council shall issue any circular relating to TSSA which brings the Association into disrepute or contravenes any TSSA rule, policy or law.

(b) No member shall claim to represent TSSA without TSSA's permission. This may be granted expressly by the Executive Committee or by virtue of holding elected office within the Association.

2 POWERS OF THE UNION

2.1 Powers of the Union

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

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

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

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

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

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

(f) To borrow any monies required for TSSA's purposes upon such terms and on such securities as may be determined and to do all such other things permitted by the law for the time being in force as are identical or conducive to the attainment of the above objects, or any of them, or may be deemed to be advisable in the interests of its members or to be calculated directly or indirectly to benefit TSSA or any of its members. In particular TSSA may print, publish, issue and circulate such papers, periodicals and other literature as may seem conducive to any of the above Objects.

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

2.2 Dissolution of the Association

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

3 RULES

The Executive Committee may decide how to deal with any matter not provided for in these Rules, but any Member, Officer, Branch or SOG aggrieved by their decision shall have the right to appeal (see Rules 9.1(g)). There will be no direct appeals to Conference.

A report on all of the Executive Committee's activities and decisions for the year will be sent to delegates along with the financial report. These can be challenged at Conference under the 'Reference Back' mechanism.

For the avoidance of doubt, Conference will not receive details or information relating to matters that will be addressed by the elected Appeals Panel, i.e. complaints made by identifiable member(s) pertaining to but not limited to: sexual harassment, misogyny, discrimination, victimisation, safeguarding concerns, conduct bringing the union into disrepute and other behavioural complaints involving identifiable individuals.

3.1 Structure

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

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

3.2 Alteration of Rules

No new Rules shall be made, nor shall any Rule be altered, amended or rescinded, except by a two thirds majority of the votes cast at the Annual Delegate Conference in 2018, and in every third year after 2018, or at any other Annual Delegate Conference at the recommendation of the Executive Committee.

3.3 Guidance Notes

This Rule Book is complemented by a book of Guidance Notes and reference to it is made throughout this Rule Book.

Guidance Notes contain the administrative processes required to maintain the standards of and give effect to the Rules. Guidance Notes are binding on members and on organisations within the Association's structures (Branches, etc).

However, one or more of the processes and arrangements described in the Guidance Notes may be varied by the EC at any time in the following ways:

(a) at the request of a member or organisation to make allowance for specific circumstances;

(b) at the suggestion of a member or organisation that a generally applicable change is required;

(c) as a result of the EC's own deliberations regarding the efficient operation of the Association;

(d) as part of the three yearly review to be carried out by the EC in line with the Rule change cycle.

Any changes made to the Guidance Notes in the case of (b), (c) or (d) will:

i. be opened up for consultation with Branches, etc;

ii. require changes to be presented for ratification at the next Annual Conference;

iii. need to receive a simple majority of those voting at Annual Conference.

3.4 TSSA Communications

References to written and postal communications contained within the Rule Book and Guidance Notes shall also include electronic forms of communication as agreed by the EC for the purpose in question unless prohibited by statute. Whenever using electronic communications, the EC will take account of members who have difficulties with these means of communication and provide alternatives on request, by making physical copies or accessible electronic versions available or by other appropriate means.

4 MEMBERS

4.1 Qualifications for membership

Membership of TSSA is open to

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

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

(c) Employees of TSSA.

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

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

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

(f) The Executive Committee may decide to accept or reject any application.

4.2 Categories of membership

Details of categories of membership are to be found in Guidance Note A and Rule 6.1(b).

4.3 Subscriptions

4.3.1 Subscription rates

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

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

(c) From January 2024 members shall pay a subscription set by reference to their basic salary and sub clauses (b) and (i) of this Rule 4.3 shall cease to apply.

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

Basic Salary	Weekly subscription rate
£1 - £22,000	£2.30
£22,001 - £50,000	£4.80
£50,001+	£5.80
Retired Members	£2.25

Basic Salary	Republic of Ireland Weekly subscription rate
€1 - €27,000	€ 2.80
€27,001 - €60,000	€ 5.50
€60,001+	€ 6.60

Retired Members € 2.70

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

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

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

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

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

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

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

4.3.2 Subscriptions – Reduced rate cases

(a) At the discretion of the Executive Committee a member may be required to pay either no subscription or part of the subscription otherwise payable under these Rules for a period set by the Executive Committee. Guidance Note A sets out some such circumstances.

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

4.3.3 Subscriptions – Arrears

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

4.3.4 EC determination of Subscription Rates

Membership contributions are essential to the future of TSSA remaining as an independent trade union. Therefore, contribution rates and methods of payment shall be determined by the Executive Committee with implementation in January each year with effect from 2027 subject to subscription rates increasing by no more than RPI (maximum of 4%). The RPI figure used will be at the September prior to the January of implementation.

The EC shall separately review the increase to the apprenticeship rate in January each year, which shall not be increased by more than £1 each financial year without approval from Conference.

In addition, members remaining in the apprenticeship category beyond the typical 3-year training period should be required to prove their eligibility, upgrade their subscription, or otherwise face being removed from membership

4.4 MEMBERS' ENTITLEMENTS

4.4.1 Legal Proceedings and Legal Assistance to Members

(a) The Executive Committee may take legal proceedings on behalf of the Union and/or its members against any Officer of TSSA who misappropriates any of its funds.

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

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

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

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

4.4.2 Benefits

Benefits payable to members
(a) Details of benefits payable are set out in Guidance Note B.

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

The Executive Committee has discretion as to these matters.

4.4.3 JOURNAL

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

4.4.4 Website

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

4.4.5 Accessibility

All members have the opportunity where practicable to participate in TSSA meetings and activities. Therefore, all TSSA meetings including, without limitation, but particularly meetings of Branches, Self-Organised Groups, Annual and Special Delegate Conferences, and the Executive Committee shall as far as reasonably practical be fully accessible, both in terms of physical presence and online participation, and all such arrangements shall be suitable and sufficient in terms of allowing maximum participation.

4.4.6 Other

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

4.5 MEMBERSHIP AUDIT CERTIFICATES

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

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

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

4.6 YOUNG MEMBERS

All members under the age of 36 will be classified as young members for the purposes of any activities or strategies of the union targeted at young members.

5 LAY STAFF REPRESENTATIVES

5.1 STAFF REPRESENTATIVE RESPONSIBILITIES

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

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

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

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

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

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

6 BRANCHES

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

Additional details in relation to Branches can be found in Guidance Note C

6.1 National Retired Branch

(a) There shall be a National Retired Branch.

(b) Retired members are classed as members who are not in qualifying employment and include:

(i) Members retired from employment in the industries organised by the Transport Salaried Staffs' Association

(ii) Members maintaining membership by paying voluntary Ordinary member subscriptions but are no longer in qualifying employment

(iii) Honorary members

(c) Retired members and honorary members shall be members of the National Retired Branch and may not retain membership, officer or representative positions of any other branch or divisional council.

(d) Retired members who were members of Branches within Ireland immediately before their retirement may retain membership of Branches within Ireland in accordance with decisions of the Irish Committee.

(e) The National Retired Branch shall be entitled to representation at Annual and Special Delegate Conferences through up to two retired member delegates, at least one of whom must be a woman. These delegates will be elected at a meeting of the National Retired Branch. All retired members must have been given notice of this meeting.

(f) The National Retired Branch shall have the right to submit motions to Annual Conference on the same basis as Branches under Rule 10.1 (l).

(g) The National Retired Branch shall be entitled to submit nominations for President, Treasurer, General Secretary.

(h) The National Retired Branch shall be able to make nominations to organisations related to retirement matters and appropriate bodies (such as National Pensioners Convention, Constituency Labour Parties, trades councils and charity boards). Retired members may also be nominated to those organisations.

6.2 Branch Management

(a) Each Branch shall either:

1) make by-laws (otherwise referred to as Standing Orders) for the government of its own local affairs, subject to the approval of the Executive Committee, or

2) follow the model by-laws published by the Executive Committee.

These by-laws shall be published on the TSSA Website.

Branch Banking

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

Branches and Head Office reporting

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

6.3 Branch Funds and payments to Central Fund

Branch Funds

(a) Each Branch may retain for its own funds, from subscriptions paid by its members not more than 10p per week per paying member but if the weekly total is less than £5.00, the Branch may retain a total of £5.00.

A Branch shall not, without the sanction of the Executive Committee, affiliate to, or make donations to, any organisation to which TSSA is not affiliated nationally, save as provided in Rule 9.4.6.

Branches may also retain sufficient funds to make payments under Rule 6.2(b).

No branch with two or more financial returns outstanding will receive further payments under this clause.

Payments to Branch Officers

(b) Unless the Executive Committee otherwise directs, Branch Secretaries, Correspondence Secretaries, Financial Secretaries, Organising Secretaries and Branch Organisers may be paid a weekly sum from Branch Funds, if the Branch so directs at a properly convened General Meeting.

The total amount payable between them shall not exceed 10p per week per paying member up to a maximum of three hundred and shall be distributed between them as the Branch directs.

The Executive Committee may issue to Branches directions governing the use of allowances made to Branch Officers under this clause.

The Executive Committee may, at its discretion, direct in the case of any Branch or Branches that no sums shall be allowed to Branch Officers under this clause. By way of example only, and without limiting the Executive Committee's discretion, such a direction may be made where a Branch has failed to send to Head Office any of the reports provide for in Rule 9.1(i) and/or where a Branch has failed to comply with any of the directions issued under this clause.

Branch Cash-in-Hand

(c) The Branch cash-in-hand at the close of each financial period shall not exceed £400, or other such sum as the Executive Committee may specify from time to time. Any amount in excess of £400 (or any specified amount) shall be paid to Head Office for the Central Fund in

accordance with Rule 6.2(d). Such excess balances may be reclaimed for Branch use within the payment year by arrangement with the General Secretary.

Payment of Subscriptions to Head Office

(d) Each Branch Financial Secretary shall pay to Head Office for the Central Fund not later than the fourteenth day after the close of each financial period the receipts of the Branch for that financial period as are in excess of the sums authorised under Clauses (a), (b) and (c) of this Rule. Where the fourteenth day after the close of each financial period does not fall on a normal working day, time shall be extended until the close of business on the next following normal working day.

Financial Periods

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

Central Fund Assistance to Branches

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

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

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

Funds and TSSA Property

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

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

6.4 BRANCH FINANCIAL SECRETARY

(a) Each branch must have a Financial Secretary

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

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

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

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

6.5 BRANCH AUDITORS

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

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

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

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

7 DIVISIONAL COUNCILS

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

Representation of Branches at Divisional Councils

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

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

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

Up to 400 members – 4 delegates

401 to 700 members – 5 delegates

701 to 1,000 members – 6 delegates

and one additional delegate for each 500 members beyond 1,000.

Objects of Divisional Councils

(c) The objects of each Council shall be:

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

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

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

By-laws

(d) Each Divisional Council shall either:

(1) make by-laws (otherwise referred to as Standing Orders) for the government of its own local affairs, subject to the approval of the Executive Committee, or

(2) follow the model by-laws published by the Executive Committee.

These by-laws shall be published on the TSSA Website.

Auditors

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

Payments by Divisional Councils

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

Divisional Council Expenses

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

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

Divisional Councils – Payments to Officers

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

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

Divisional Council Balance Sheets

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

8 SELF ORGANISED GROUPS

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

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

8.1 DEFINITION

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

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

8.2 PROCEDURE FOR RECOGNITION

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

(a) the name of the group

(b) the justification for the group

(c) the membership qualifications for the group

(d) the purpose and goals of the group

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

8.3 FORMAL ACTIVITIES OF SOGs

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

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

8.4 ELECTIONS

SOGs may not participate in elections for internal TSSA positions.

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

Rule 11.4 (Conference Elections) shall apply to SOGs participating in the elections mentioned in this paragraph, as if the references in Rule 11 to Branches were references to SOGs, save that each SOG shall have one vote in such elections regardless of its membership.

8.5 FUNDING

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

The Executive Committee will encourage and support each SOG in applications for external funding.

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

A SOG shall not, without the sanction of the Executive Committee, affiliate to, or make donations to, any organisation to which TSSA is not affiliated nationally, save as provided in Rule 9.4.6.

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

8.6 WITHDRAWAL OF RECOGNITION

In the event that a SOG does not comply with the Rules or policies as determined by Annual Conference or the Executive Committee, the Executive Committee shall have the power to withdraw formal recognition from any SOG.

The Executive Committee shall only withdraw recognition after having consulted with the SOG members in question and having allowed the SOG a reasonable opportunity to remedy any issue or problem identified by the Executive Committee. The Executive Committee may suspend a SOG prior to withdrawal of recognition should there be a serious breach of TSSA Rules or policies or if gross misconduct has been identified, such as promotion of racism, misogyny or ableism etc, misappropriation of TSSA funds, actions likely to bring the TSSA into disrepute etc.

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

9 THE EXECUTIVE COMMITTEE

9.1 EC MEETINGS AND POWERS

Executive Committee, President, Treasurer

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

(b) There shall also be a President and a Treasurer who shall by reason of their office, and without further election, be members of the Executive Committee.

In these Rules the term “members of the Executive Committee” shall include the President and Treasurer unless the context requires otherwise.

Executive Committee Members – Qualifications

(c) The members of the Executive Committee must be an ordinary members of TSSA at the date of their nomination and election. Throughout their period of office they shall comply with the qualification for membership provisions of Rule 4.1(a) (Qualifications for Membership) and if they do not comply they shall immediately cease to hold office unless the period of non-compliance does not exceed one working day.

Quorum

(d) Six, including at least one of the President or Treasurer, shall form a quorum for a meeting of the Executive Committee

Duties of Executive Committee

(e) The Executive Committee's duties shall be:

(1) to manage and supervise the affairs of TSSA

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

(3) to direct the actions of the Trustees

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

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

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

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

Disciplinary Powers of EC

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

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

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

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

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

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

Right of Appeal against EC decisions

(g) The Executive Committee may take such action as it may deem necessary in the interests of TSSA in relation to any of the matters mentioned in this Rule, but any Member, Officer or Branch aggrieved by such action shall have the right to appeal to the Appeals Panel. All reasonable expenses incurred by a Member, Officer or Branch making an appeal shall be borne by TSSA's Central Fund.

Appeals Panel

(h) (1) Any member dissatisfied with a Branch or SOG decision may refer the subject in dispute to the Executive Committee, from whose decision appeal can be made to the Appeals Panel.

(2) Once an appeal has been lodged with the General Secretary the Appeals Panel will be convened within 6 weeks and in most cases a final decision will be made within two weeks. This decision will be communicated to interested parties as soon as practicable.

In complex cases where more witnesses or evidence has to be gathered and considered it may take longer.

If a case is not going to be concluded within 2 months the official providing administration support to the Panel will advise the GS and EC in writing.

(3) The Panel will be elected annually from members who are not on the Executive Committee, Standing Orders Committee or the Association's Trustees.

It will consist of 5 members with any appeal being heard by three of the 5 members. Any member with a conflict of interest could not sit on that specific case

The Panel will be supported by a staff member who would not have a vote. The official will not be the General Secretary or Assistant General Secretary.

(4) Nominations for the Panel will be called for in July of each year, and elections will take place if more than five eligible candidates are nominated. Where more than five eligible candidates are nominated elections will be conducted by electronic ballot over a four week period. A postal ballot will be used where TSSA does not have an email address.

(5) Training will be provided for Panel Members within one month of taking up the role.

Conference

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

Power to Require Reports and Returns

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

9.2 ELECTION OF PRESIDENT, TREASURER AND EXECUTIVE COMMITTEE

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

The President and Treasurer shall hold office for a period of two years and be eligible for re-election if nominated. Their election shall be by individual vote of the members and they shall take office from the first day of the month following the Annual Delegate Conference in the year in which they are elected.

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

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

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

Nominations by Branches

(b) Each Branch may nominate one candidate for President, one candidate for Treasurer and one candidate for the Executive Committee.

The candidate for the Executive Committee must be a member of the nominating Branch or some other Branch in the same electoral district. Subject to Rule 9.2(n), the candidates for President and Treasurer must be members of any TSSA Branch.

Election Procedures

(c) Subject to this Rule, Rule 11.3 shall apply to the conduct of the election.

(d) Close of nominations shall be the last Head Office working day in February of any year.

(e) The last date for sending out the ballot pack shall be 1 April

(f) The close of voting shall be 30 April.

(g) Each member shall have one vote for the electoral district Executive Committee representative and one vote in each of the elections for President and Treasurer.

(h) The candidates for the Executive Committee obtaining the highest number of votes in their respective districts shall be declared elected, and shall take office from 1 July.

Electoral Districts

(i) The Executive Committee shall comprise one member representing each of the electoral districts shown in the table below. Each member shall be elected and retire in accordance with the table.

Elections in 2017 only for:	North West.
Elections in 2017 and every third year thereafter for:	Ireland; London Transport; North East; London South.
Elections in 2018 and every third year thereafter for:	Midlands; Wales & Western; Anglia & London North East.
Elections in 2019 and every third year thereafter for:	Scotland; London North West; North West.

(j) Subject to Rules 9.2(a) and 9.2(n), members retiring in accordance with the above table shall be eligible for re-election if nominated.

(k) The Executive Committee may make special arrangements for any new Branches or Councils, or to meet important changes in any of the electoral districts.

Casual Vacancies – Elections

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

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

Removal of EC Members by Vote of Conference

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

Members not Eligible to be Nominated

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

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

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

Members not Eligible to Vote

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

(1) an Honorary member, as defined in Guidance Note A

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

that member shall not be eligible to vote in elections for the offices of President or Treasurer or for Executive Committee representatives.

9.3 ELIGIBILITY FOR ELECTION TO PRESIDENT, TREASURER AND EXECUTIVE COMMITTEE: DUAL UNION MEMBERHIP

Executive Committee Eligibility: Dual Union Membership

(a). A candidate for election to the Executive Committee must be an ordinary member of TSSA in accordance with the Rules of the Union.

(b) A member shall not be eligible to stand for election to, or hold office on, the Executive Committee if they are, or have been, a member of a competing union, as defined in Rule 9.3(c), within the six months immediately preceding the opening date of nominations for the applicable election.

(c) For the purposes of this Rule, a competing union shall mean any other trade union that seeks to represent or organise transport workers.

(d) Eligibility for the purposes of this Rule shall be determined using the opening date of the nomination period as the eligibility freeze date.

(e) This Rule shall not apply to membership of an organisation or professional body whose purpose in representation does not conflict with the aims or interests of TSSA.

Application to President and Treasurer

(f) The eligibility requirements set out in clauses (a) to (e) shall apply equally to all members of the Executive Committee, including those elected or appointed to the roles of President or Treasurer.

(g) No member who is ineligible under this Rule may stand for election, be elected to, or continue to hold office as a member of the Executive Committee or as President or Treasurer.

Candidate Declaration

(h) Any member seeking nomination for election to the Executive Committee must, at the point they formally accept their nomination, confirm that they are not in breach of this Rule, including confirmation that they are not, and have not been within the preceding six months, a member of a competing union as defined above.

Continuing Eligibility

(i) Any member of the Executive Committee who becomes a member of a competing union, as defined in Rule 9.3(c), during their term of office shall automatically cease to hold office on the Executive Committee, including as President or Treasurer.

9.4 PRESIDENT and TREASURER

9.4.1 PRESIDENT

The President shall have the right to preside at any Delegate Conference and Executive Meetings, and any Special Meeting called by the Executive Committee.

See also Rule 9.1(b) and Rule 9.2 for more information about the President, and how the President is elected.

9.4.2 TREASURER

The Treasurer shall present, as required, the Executive Committee's Report, and Accounts and Balance Sheet at the Annual Delegate Conference, and make a statement on TSSA's financial position. The Treasurer shall present Financial Statements as required to the Executive Committee and Annual Delegate Conference.

The Treasurer shall deputise for the President as required.

See also Rule 9.1(b) and Rule 9.2 for more information about the Treasurer, and how the Treasurer is elected.

9.5 TSSA FUNDS

9.5.1 TRUSTEES

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

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

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

9.5.2 AUDITORS

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

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

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

9.5.3 APPOINTMENT OF AUDITORS

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

9.5.4 PROVIDENT BENEFIT FUND AND BENEVOLENT FUND

Provident Benefit Fund

(a) TSSA operates a Provident Benefit Fund. The Executive Committee may decide what part of TSSA's investment returns, as defined in Rule 9.4.4(c), shall be paid into the Fund.

This Fund shall be used solely for the purpose of providing provident benefits.

Benevolent Fund

(b) TSSA operates a Benevolent Fund into which shall be paid any donation for Benevolent purposes.

The Executive Committee may make payments to this Fund from the TSSA General Fund, whenever they think fit.

Grants may be made from the Benevolent Fund by the Executive Committee in cases of exceptional distress not covered by other Rules and the Benevolent Fund may be drawn upon whenever the Executive Committee deems necessary for the provision of provident benefits.

Definition of Provident Benefits

(c) In this Rule the expression 'Provident Benefits' shall mean such provident benefits, within the meaning of Section 982 (2) of the Corporation Tax Act 2010 (or any statutory modification or re-enactment of that Act), as are provided for by these Rules and the expression 'investment returns' shall include any chargeable gains, and income from: interest and dividends on stocks, shares, debentures and investments of a like nature, mortgages and bank deposits and net rents from freehold or leasehold property of TSSA.

9.5.5 LEVIES

The Executive Committee may make a levy upon the members for any special purpose which, in the opinion of the Executive Committee, is vital to the welfare of TSSA, or where they consider TSSA funds insufficient to meet liabilities.

This means that members may be asked to make a special payment to TSSA.

Any member not making a payment when asked under this Rule shall cease to have any financial claim on TSSA until the payment is made.

If the payment is not paid within twenty-six weeks from the date of asking, membership in TSSA shall cease.

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

9.5.6 DONATIONS TO OTHER UNIONS AND ORGANISATIONS

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

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

See also 6.2(a), 7(f) and 8.5 as appropriate.

9.5.7 INSPECTION OF BOOKS

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

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

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

10 ANNUAL AND SPECIAL DELEGATE CONFERENCES

10.1 ANNUAL DELEGATE CONFERENCE

(a) The Executive Committee shall annually arrange a Conference of Delegates to be held in the month of May or June, in a location chosen by the Executive Committee.

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

Representation at Conference

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

Delegates from the National Retired Branch (NRB) shall be entitled to attend Annual Delegate Conference on the same basis as other recognised branches, subject to the allocation formula and entitlements set out in these Rules

Gender Balance in Representation

(d) Where a Branch may be represented at the Annual Delegate Conference by two delegates and sends two delegates, at least one of those delegates must be a woman, if a woman indicates a willingness to attend Conference at the Branch meeting at which the delegation is determined.

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

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

Issue of Credentials

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

Qualifications for Delegates

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

Representation by Divisional Councils

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

Voting

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

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

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

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

Delegates' Expenses

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

Chair

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

Delegates' Details

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

Resolutions – Timing and Repeat Resolutions

(l) Motions for the Annual Conference (not exceeding two from any one Branch or SOG, except in Rule alteration years, when two additional motions for changing the Rules may be submitted), must reach Head Office not later than 4 calendar months before the date of commencement of Conference.

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

Standing Orders Committee

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

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

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

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

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

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

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

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

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

Executive Committee's Report and Accounts

(n) The Report and Accounts shall be sent to Branches and SOGs no later than 4 weeks before the date of commencement of Conference.

Questions relating to the Report shall be submitted to Head Office in writing not later than 2 weeks before the date of commencement of Conference each year and the Executive Committee's replies (together with the questions themselves) shall be circulated in writing to delegates on the first day of each Annual Conference.

In the event of postponement or cancellation of Conference then the original date of commencement of Conference shall apply. The Report and Accounts shall be sent to Branches and SOGs, and the Executive Committee's replies to questions (together with the questions themselves) shall be circulated to all Branches and SOGs within 7 days of the original date for commencement of Conference.

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

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

10.2 SPECIAL DELEGATE CONFERENCES

A Special Delegate Conference may be called by the Executive Committee, or at the request of fifteen Branches received in Head Office within 15 days.

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

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

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

11 ELECTIONS, DELEGATIONS, ETC

11.1 TSSA SCRUTINEERS

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

Election of Scrutineers

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

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

Duties of Scrutineers

(c) It shall be the duty of TSSA's Scrutineers:

(1) to examine all nominations in respect of elections for President, Treasurer, Executive Committee, General Secretary, Trustees, Standing Orders Committee, and Delegates to the Trades Union Congress and similar bodies

(2) sample and check the counting of the votes in connection with the election for President, Treasurer, Executive Committee and General Secretary

(3) to open (where in physical form) and count the votes in connection with Branch ballots for the elections for Trustees, Standing Orders Committee and Delegates to the Trades Union Congress, the Labour Party Conference, and similar bodies. The Scrutineers may be assisted by such staff as the General Secretary may allocate for the purpose.

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

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

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

The Scrutineers may include recommendations with any such reports.

Conflicts of Scrutineers

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

11.2 DELEGATIONS

TUC Delegations

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

Labour Party Delegations

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

Attendance of Paid Officials

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

Restriction on Consecutive Attendances

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

Special Conditions for Election of Delegates

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

(1) the number of women in a delegation shall be at least in proportion to the number of women in TSSA as a whole, excluding members in the Republic of Ireland and Northern Ireland;
(2) for Labour Party delegations, the number of women in the delegation shall be at least in proportion to the number of women in TSSA as a whole who pay towards the Political Fund, excluding members in the Republic of Ireland and Northern Ireland;
(3) The membership for the purposes of this Rule shall be calculated as at 1 January in the year in which the election takes place;
(4) Where the relevant proportion is not a whole number, the figures shall be rounded up to the next whole number;
(5) For the purposes of this Rule, the composition of the delegation as a whole shall be considered, including the persons automatically included in the delegation by this Rule but not so as to disqualify such a person from the delegation;
(6) Where the number of women nominated is lower than the whole number referred to in Sub-Clause (4), then for the purposes of this rule the number of women in a delegation shall be equal to the number of women nominated.

(f) If at 31 December a TSSA member is serving as a member of, or has by resolution of the Executive Committee been selected as a nominee to, the General Council of the Trades Union Congress, or any of the TUC Equality Committees, or of the National Executive Committee of the Labour Party, that member shall be eligible for election to TSSA's Delegation to that organisation's Annual Conference.

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

Indication to Voters of Previous Attendance Records

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

11.3 ELECTIONS – GENERAL RULES

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

Procedure and Important Dates

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

The Executive Committee will “call for nominations” by sending out a written request for nominations.

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

There will be a closing date for submission of nominations. That date is defined as “the close of nominations”.

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

A date is specified as the last date for receipt of completed ballot papers. That date is defined as “the close of voting”.

Candidate’s Consent

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

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

Candidate’s Statement

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

The biographical particulars which can be presented as a list of bullet points shall contain

(i) A list of union positions held currently or in the past;

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

(iii) Length of membership of TSSA or other unions.

Ballot Papers and the Ballot

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

the personal statements and biographical details of all candidates, where supplied, a ballot paper, and where a postal vote, a business reply envelope endorsed ‘Ballot Paper’ addressed to the Independent Scrutineer at the Independent Scrutineer's office.

The period over which the ballot shall be held shall be specified in the communication enclosing the ballot paper.

The close of voting shall also be specified in the communication enclosing the ballot paper.

Return of Ballot Papers and the Count

(e) Members must return the ballot paper to the Independent Scrutineer by the close of voting.

The Independent Scrutineer shall conduct a count in accordance with Rule 11.1(c).

Where a postal ballot, a ballot paper shall be invalid unless enclosed in the envelope provided.

Death and Illness of Candidates

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

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

Use of TSSA Communications

(g) The Executive Committee shall ensure full and equal access to any use of TSSA Communication tools for all candidates once a call for nominations has been made and up to the close of poll.

11.4 CONFERENCE ELECTIONS

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

Close of nominations for the offices of Trustees, members of the Standing Orders Committee, TSSA's Scrutineers, and Delegates to the Trades Union Congress, Labour Party Annual Conference and similar bodies is not later than 4 calendar months before the date of commencement of Conference.

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

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

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

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

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

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

(e) Voting papers shall be issued to Branches and SOGs not later than 3 calendar months before the date of commencement of Conference and shall be completed at a Branch Meeting and returned to Head Office (where a postal ballot in specially provided envelopes) by not later than 2 weeks before the date of commencement of Conference. Where a postal ballot, the envelopes shall remain sealed until opened under the supervision of TSSA's Scrutineers.

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

12 GENERAL SECRETARY and STAFF

12.1 GENERAL SECRETARY

(a) There shall be a General Secretary, who shall be responsible and accountable to the Executive Committee and for assisting the Executive Committee with the carrying out of its duties as set out in Rule 9

(b) The General Secretary shall at all times adhere to the General Secretary Code of Conduct (at Guidance Note G).

(c) The General Secretary shall immediately join TSSA should that individual not be a member when declared elected. The General Secretary shall be a TSSA member and remain a member throughout their term of office.

(d) The General Secretary shall have the right to speak on any business at delegate conferences and Executive Committee meetings but may not vote.

Duties of the General Secretary

(e) The duties of the General Secretary shall be:

(1) to advise on policy decisions to be taken by delegate conferences;

(2) to advise the Executive Committee on its decision making;

(3) to ensure that the decisions of delegate conferences and the Executive Committee are properly recorded;

(4) to ensure implementation of policy decisions of delegate conferences and the decisions of the Executive Committee;

(5) to pay particular attention to ensuring that TSSA polices relating to good governance, culture, values and ethics are implemented and complied with;

(6) to work under the direction of the Executive Committee to ensure the efficient and effective day-to-day management and administration of the TSSA and the direction of its paid staff, including overseeing the stewardship of TSSA's property, finances and other assets;

(7) to be the principal representative of TSSA to employers, relevant industry organisations, Governments, political parties, other trade union bodies, and as directed by the Executive Committee;

(8) to be the principal spokesperson for TSSA to the media;

(9) where practicable, to attend all TSSA delegate conferences, and all meetings of the Executive Committee;

(10) to carry out other duties as determined by the Executive Committee.

(f) At frequencies that the Executive Committee shall from time to time determine, the General Secretary shall provide reports to the Executive Committee regarding the following:

(1) TSSA's culture, values, ethics and governance;

(2) TSSA finances and relevant financial matters, TSSA properties, and TSSA assets;

(3) Staffing matters, including policies and procedures, turnover, recruitment, resignations, retirements and dismissals, any settlement agreements, training, development and succession planning, grievances, disciplinary matters, pay and conditions, health, safety, welfare and wellbeing, staff structures and reorganisations, pensions, and employee relations;

(4) Equality, diversity and inclusion matters;

(5) The state of TSSA's member organisation including the effectiveness and functioning of Branches, Divisional Councils and SOGs, and the effectiveness and functioning of TSSA staff representatives;

(6) The progress in implementing the decisions and policies of TSSA delegate conferences and the Executive Committee;

(7) The overall industrial relations position in the employers and industries within which TSSA organises, including pay settlements and pension developments.

(g) The General Secretary shall present an annual budget to the Executive Committee for approval.'.

End of General Secretary's Office

(h) The General Secretary shall hold office unless dismissed from office by the Executive Committee under the provisions of Rule 9.1(f) and shall receive such remuneration as the Executive Committee shall decide. The General Secretary shall give 3 months' notice of resignation. The General Secretary shall receive 3 months' notice or pay in lieu of notice if dismissed.

12.2 ELECTION OF GENERAL SECRETARY

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

Nominations

(b) The Executive Committee and each Branch shall have the right to nominate only one candidate for election.

(c) To be eligible to be nominated to stand for election, an individual must be either a member of TSSA or a member of a trade union affiliated to either the Trades Union Congress or the Irish Congress of Trade Unions.

Eligibility to Stand for Election

(d) An individual shall only be eligible to stand for the position of General Secretary if:

(1) that individual is nominated by the Executive Committee, or that individual is nominated by at least five Branches from at least two different Divisional Council areas;

(2) on the date that nominations close that individual has at least five years aggregated membership of TSSA and/or one or more unions affiliated to the Trades Union Congress or the Irish Congress of Trade Unions;

(3) by the date that nominations close Head Office has received a written communication indicating the individual's willingness to accept nomination to stand for the position of General Secretary.

(e) Individuals shall not be eligible to stand for the position of General Secretary if on the date that nominations close:

(1) that individual's subscriptions to their trade union is more than twelve weeks in arrears;

(2) that individual is a Retired or Honorary member of the TSSA as defined in Guidance Note A, or if that individual has an equivalent status in another trade union.

Election Procedures

(f) If on the date that nominations close there is more than one valid nomination, there shall be an individual vote of members. Each member shall have one vote. The candidate obtaining the highest number of votes shall be declared elected.

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

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

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

(3) the period over which the ballot is held shall not exceed four weeks.

(h) A member shall not be eligible to receive a ballot pack or to vote in the election for General Secretary if, on the date the ballot packs are sent out, a member is either:

(1) an Honorary member, as defined in Guidance Note A;

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

(i) The General Secretary shall hold office for a period of five years and shall be eligible for re-election subject to the provisions set out in these Rules. The General Secretary shall take office from the date the vacancy exists, or immediately if the vacancy already exists.

12.3 TSSA STAFF

The Executive Committee following advertisement may appoint such permanent or temporary staff as it considers necessary for TSSA's efficient running, administration and organisation. They shall have the power to delegate the appointment of staff to the General

Secretary. All staff appointed shall be employed under the appropriate terms and conditions of employment as determined by the Executive Committee and shall be under the control of the General Secretary.

13 INDUSTRIAL ACTION

13.1 STRIKE ACTION

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

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

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

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

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

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

13.2 OTHER INDUSTRIAL ACTION

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

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

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

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

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

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

14 POLITICAL FUND (EXCEPT NORTHERN IRELAND MEMBERS)

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

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

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

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

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

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

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

    In determining, for the purposes of paragraphs 14(a) to (f) above, whether the Association has incurred expenditure of a kind mentioned in those paragraphs no account shall be taken of the ordinary administrative expenses of the Association.

    In these objects

"candidate" means a candidate for election to a political office and includes a prospective candidate;

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

"electors" means electors at any election to a political office;

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

"local authority" means a local authority within the meaning of section 270 of the Local Government Act 1972 or section 235 of the Local Government (Scotland) Act 1973; and

"political office" means the office of Member of Parliament, member of the European Parliament or member of a local authority or any position within a political party.

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

3. The union shall make clear how much of any regular contribution is for the political fund. If the political fund is included in regular contributions, the union shall specify that 3.5% of each (monthly or four-weekly) contribution is for the political fund. The union shall ensure that members who have opted out do not pay this amount, by reducing or removing it from their contribution.

4. Any member who chooses not to contribute to the political fund of the union shall not be excluded from any benefits of the union or placed in any respect either directly or indirectly under any disability or disadvantage as compared with other members of the union (except in relation to the control or management of the political fund). Any form (including an electronic form) that a person has to complete to become a member of the union must include a statement to that effect, as well as a statement to the effect that the person may opt out of contributing to the political fund.

5. Any member who claims to be aggrieved by a breach of these political fund rules may complain to the Certification Officer. After making such enquiries as they think fit, the Certification Officer shall give both the complainant and a representative of the union an opportunity to make written representations. They may also give both the complainant and a representative of the union an opportunity to make oral representations. After this, if the Certification Officer considers that such a breach has

been committed, they make such order for remedying the breach as they think appropriate in the circumstances. Any such order of the Certification Officer may, subject to the right of appeal provided by section 95 of the 1992 Act, be enforced in the manner provided for in sections 82(4A) and 82(4B) of the 1992 Act.

6. Contribution to the political fund of the union shall not be made a condition for admission to the union, and members of the union who choose not to contribute to the political fund must not be placed under any obligation to do so.

7. The union shall ensure that a copy of the political fund rules is available, free of charge, to any member of the union who requests a copy.

Opt-out information notices

8. As soon as possible, and no later than eight weeks after the union votes to adopt political objects, the union shall publish the notice at Appendix 1 to every member.

9. The union will publish the notice using the same methods it normally uses for important information. At present, this includes:

publishing it in TSSA's weekly e-newsletter; posting it on the union's website.

10. The same notice shall be published again, within eight weeks of each ten-year anniversary of a vote to adopt political objects (including any vote that took place before the commencement of the new section 84A of the 1992 Act, as substituted by the Employment Rights Act 2025), unless the resolution has been rescinded or otherwise ceases to have effect.

Submitting an opt-out notice

11. Any member can give notice to opt out of contributing to the political fund at any time. To do so, members can:

    a) Use the official opt-out notice form, or

    b) Send a written request that clearly states that they do not want to contribute to the political fund. Such a written request can be delivered in person, sent by post, email, or through any electronic form the union provides.

12. Members can get a copy of the official opt-out notice form:

    a) From the union, by emailing membership@tssa.org.uk or

    b) From the Certification Officer by emailing **info@certoffice.org**

13. The official opt-out notice form in use can be found at Appendix 2.

14. When the union receives an opt-out notice from a member, it will send the member an acknowledgement to the address provided.

When the opt-out notice takes effect

15. The opt-out takes effect on the earlier of:

    a) 21 days from the union's receipt of the opt-out notice or

    b) 1 January in the year following the year in which the notice is given.

16. The union shall make sure that members who have opted out do not pay into the political fund.

Withdrawing an opt-out notice

17. Any member who has opted out of contributing to the political fund may withdraw their opt-out at any time. Doing so means the member will start contributing to the political fund again. To withdraw an opt-out notice, the member should give the union an opt-out withdrawal notice, which is a written statement saying they wish to withdraw their opt-out notice and start contributing to the union's political fund again.

18. The opt-out withdrawal notice can be delivered in person, sent by post, email, or through any electronic form the union provides.

19. When the union receives the opt-out withdrawal notice, it will send the member an acknowledgement to the address provided and process the withdrawal of the opt-out notice as soon as reasonably practicable.

Transitional arrangements for members who joined TSSA between 1 March 2018 and 17 February 2026

Between 1 March 2018 and 17 February 2026, members were not automatically opted in to the political fund. Instead, they had to actively opt-in. The Employment Rights Act 2025 has amended the Trade Union and Labour Relations (Consolidation) Act 1992, so that new members are treated as opted-in unless they choose to opt-out. The following rules explain how unions must handle members who joined between 1 March 2018 and 17 February 2026.

Default opt-outs for certain members

20. Any member who joined the union between 1 March 2018 and 17 February 2026 and was not contributing to the political fund immediately before 18 February 2026, is treated by law as having given an opt-out notice under the new section 84 of the 1992

Act, substituted by the 2025 Act. This opt-out remains in effect until the member gives a withdrawal notice in accordance with these rules. The union does not need to take any action to process these opt-outs, as they apply automatically under the law. This automatically applied opt-out notice is treated as effective from 18 February 2026 and will remain in effect until the member gives an opt-out withdrawal notice to cancel it (as addressed above in paragraphs 17-19).

Transitional period for opt-in withdrawals

The following rules (21-24 apply to members who joined the union between 1 March 2018 and 18 February 2026 and submitted an opt-in notice that remains in force on 18 February 2026. These rules cover the four-week period until (and including) 17 March 2026 . After that period, these members will be captured by the processes described earlier in these rules.

21. Any member who joined the union between 1 March 2018 and 18 February 2026 and, during that time, submitted an opt-in notice, may for a short period give a withdrawal notice under section 84 of the 1992 Act, as it stood before the 2025 Act.

22. During the transitional period until (and including) 18 March 2026, if a member who submitted an opt-in notice wishes to stop contributing to the political fund, they may give the union an opt-in withdrawal notice, which is a written statement saying they no longer wish to contribute.

23. The opt-in withdrawal notice can be delivered in person, sent by post, email, or through any electronic form the union provides.

24. The opt-in withdrawal notice takes effect one month after the date on which it is given.

Appendix 1: Opt-out information notice

Notice to Members in accordance with the Trade Union and Labour Relations (Consolidation) Act 1992

TSSA has a political fund. This fund is used for activities connected with political objects as defined by section 72 of the above Act. All spending on these activities comes from this separate political fund.

Every member has the right not to contribute to the union's political fund. To exercise this right, you must give the union an opt-out notice.

You can give an opt-out notice in any of these ways: • **Deliver it in person, by post, or through a person you have asked to deliver it on your behalf** • **Send it by email to membership@tssa.org.uk** • **Complete an electronic form provided by the union and submit it online following the union's instructions.** **A form of opt-out notice can also be obtained:** • **From the union, by emailing membership@tssa.org.uk or** • **From the Certification Officer by emailing info@certoffice.org** **If you later change your mind, you can give a withdrawal notice to cancel your opt-out. This will put you back into contributing to the political fund.**

Date	

Appendix 2: Opt-out notice

TSSA
Political fund opt-out notice **I do not want to contribute to the union's political fund. By giving this notice, I will be exempt from making any payments to the political fund.**

Signature	
Print name	

Postal or email address	
Date	

15 IRELAND

15.1 IRISH COMMITTEE

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

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

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

(3) do not affect members not so resident.

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

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

Up to 400 members 4 delegates

401 – 700 members 5 delegates

701 – 1,000 members 6 delegates

One additional delegate for each 500 members beyond 1,000.

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

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

The objects of these meetings shall be to:

(a) organise members in Ireland and see that Branches are kept in an efficient condition;

(b) campaign in support of TSSA policy on such issues as transport and employment both among members and the wider public within Ireland;

(c) assist in facilitating the organising work, the Irish Committee may appoint local or area sub-committees;

(d) consider and agree motions/amendments to be submitted to Annual Conference; and

(e) elect delegates to attend Annual Conference.

The quorum for such meetings shall be seven.

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

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

Resolutions must reach Head Office not later than 4 calendar months before the date of commencement of Conference. Amendments must reach Head Office not later than 2 calendar months before the date of commencement of Conference or they cannot be discussed unless the Conference allows.

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

Annual Conference Delegation Candidates for Ireland

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

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

nominated, all the delegation may be men. Furthermore, they will be allowed one additional Delegate under the age of 35.

Funding the Irish Committee

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

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

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

Effect on other Rules

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

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

15.2 IRISH BIENNIAL CONFERENCE

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

Delegates to the Irish Conference

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

Other Attendees to the Irish Conference

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

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

Submission of Resolutions

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

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

By-laws

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

Delegates' Expenses

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

Appeals to the Irish Conference

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

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

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

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

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

15.3 POLITICAL FUND (NORTHERN IRELAND MEMBERS)

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

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

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

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

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

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

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

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

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

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

15.3A: POLITICAL FUND FORM – NORTHERN IRELAND (see Rule 15.3)

FORM OF POLITICAL FUND CONTRIBUTION NOTICE FOR NORTHERN IRELAND MEMBERS

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

TRANSPORT SALARIED STAFFS' ASSOCIATION POLITICAL FUND CONTRIBUTION NOTICE – NORTHERN IRELAND

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

Signature .....

Name .....

Address.....

.....

Membership No. .....

Dated the ..... day of ..... 20 .....

15.4 STRIKE ACTION AND INDUSTRIAL ACTION (REPUBLIC OF IRELAND)

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

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

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

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

(e) The Irish Committee following consultation with the Executive Committee shall have full discretion in relation to organising, participating in, sanctioning or supporting a strike or other industrial action notwithstanding that the majority of those voting in the ballot, including an aggregate ballot referred to in paragraph (f) of this Rule, favours such strike or industrial action.

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

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

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

(1) the number of ballot papers issued

(2) the number of votes cast

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

(4) the number of votes against the proposal and

(5) the number of spoiled votes

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

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

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www.tssa.ie