



**RULES**

OF THE

**NATIONAL  
ASSOCIATION**

OF

**CO-OPERATIVE  
OFFICIALS**

**Adopted at the NACO Annual General Meeting  
18<sup>th</sup> May 2011**

*Rule No.*

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## **Title**

1. The Organisation is an independent professional Trade Union. It shall be called "The National Association of Co-operative Officials"; the short title of which shall be "NACO".

## **Office**

2. The Registered Office of the National Association of Co-operative Officials shall be 6A Clarendon Place, Hyde, Cheshire SK14 2QZ, or such other address as the NACO Executive shall decide from time to time.

## **Objects**

3. The objects of NACO shall be:-

- (a) To regulate relations between members and employers.
- (b) To obtain such rates of remuneration and conditions of employment as are commensurate with the responsibilities of the respective positions of its members.
- (c) To provide for its members such legal advice, guidance and support as the NACO Executive may determine.
- (d) To maintain and improve the status and efficiency of members by various methods including the provision of relevant conference and seminar activity.
- (e) To seek the representation of the NACO on any bodies or committees which are in any way concerned, directly or indirectly, with the professional status or functions of members.
- (f) To promote equality for all through collective bargaining, representation, union organisation and structures, education and training, organising and recruitment, the provision of services and benefits, NACO's own employment practices and in all other activities.
- (g) To oppose actively all forms of harassment, prejudice and unfair discrimination whether on the grounds of sex, race, ethnic or national origin, religion or belief, caring responsibilities, marital status, civil partnerships, sexuality, disability or age.
- (h) To generally protect and promote the professional interests of members and NACO.

## **Membership**

4. (a) Membership shall be open to persons who occupy a recognised official, managerial, administrative, professional or technical position with any registered Co-operative Society within the United Kingdom or with any subsidiary of a Co-operative Society or any organisation or company in which a registered Co-operative Society has a financial interest or such organisations that are recognised by Co-operatives UK, subject to determination in case of doubt by the General Secretary.

Subject to the following provisions, membership of NACO shall be open to persons who fall within these categories detailed in the following table:

<b>Membership Category</b>	<b>Definition</b>	<b>Criteria</b>	<b>Subscription Rate</b>
<b>Full</b>	Membership will be split into two subscription categories, where 25 hours or 3 days per week defines the category. For those who apply for membership in the second category, supporting evidence must accompany the application form, for instance a letter from their employer confirming the appropriate details.	Full members will be allowed to participate in all activities of NACO.	100% for those working more than 25 hours or 3 days per week  A maximum of 80% for those working 25 hours per week or less
<b>Unity</b>	Persons whose gross salary per annum is less than an amount periodically specified by the NACO Executive, they may apply for membership in this category to be known as Unity membership. For those who apply for Unity membership, supporting evidence must accompany the application form, for instance a letter from their employer confirming the appropriate details.	Unity members will be allowed to participate in all activities of the NACO.	Maximum of 80% of Full Membership
<b>Individual Representation Only</b>	Persons deemed qualified who work within the Co-operative Movement in the United Kingdom, and with whose employer NACO does not have collective bargaining rights may apply for Individual Representation Only membership. Should NACO gain collective bargaining rights membership will be converted to Full membership.	Individual Representation Only members will be allowed to participate in all activities of the NACO.	Maximum of 80% of Full Membership
<b>Affiliate</b>	Persons who work within the Co-operative Movement world-wide, as well as those who have an interest in furthering the Co-operative ideals and principles through education, research or mutual interest groups may apply for membership in this category.	Affiliate Members will be allowed to participate in the activities of NACO, but shall not be entitled to vote.	£10 per annum
<b>Retired</b>	Members who have retired from employment or, for any reason other than misconduct, become unemployed. Retired membership shall cease in the event of such a member ceasing to be unemployed.	Retired members will be allowed to participate in the activities of NACO, but shall not be entitled to vote.	£10 per annum
<b>Contract</b>	Persons who are employed within the Co-operative Movement under long-term contracts (with a minimum 6 months to run at the date of application) may apply for membership in this category. Confirmation by way of a copy of the contract should accompany the membership application form.	Contract Members will be allowed to participate in the activities of the NACO, but shall not be entitled to vote.	Maximum of 80% of Full Membership

Membership in any category shall be subject to determination in case of doubt by the General Secretary.

A member ceasing to hold a qualifying position shall cease to be a member except where the member is transferred into the employment of a non-co-operative employer in the course of a recognised "Transfer of Undertakings" covered by the Transfer of Undertakings (Protection of Employment) Regulations 2006, when they may remain a member of NACO for as long as the member shall remain in the employment of that business or any subsequent business the member is employed in if that employment is by virtue of a further "Transfer of Undertakings".

The General Secretary will have the power to reallocate members to the appropriate membership category following a change in employment status, or should there be a change in any collective bargaining rights.

(b) Applications for admission to membership shall be made on NACO's membership application form, which shall be properly completed and signed by the applicant. The General Secretary shall have the power to accept or reject applications for membership and shall consult appropriately regarding admission to membership of particular Constituent Associations.

(c) The NACO Executive shall have power to confer Honorary Membership on any retired member in recognition of outstanding services to NACO. Such Honorary Membership shall, however, be subject to the same limitations as apply in Clause (a) to Retired Members. Honorary Members shall not pay any annual subscription.

(d) A member shall be entitled to apply for secondary membership to a Constituent Association other than that in which the member is registered as a full member and through which the member holds voting rights. The purpose of such membership shall be to provide that any member who wishes to do so may widen their contacts through participation in the activities of another Constituent Association.

(e) A member may resign from NACO by giving notice in writing to the Constituent Association to which the member belongs, or to the General Secretary, and his membership shall cease one month after the date on which the notice is received by the Constituent Association or the General Secretary as the case may be.

(f) Where an applicant contends that he has wrongfully been denied admission to membership, he shall be entitled to appeal to the Appeals Tribunal in accordance with Rule 33.

(g) A waiting period of three calendar months shall apply from the date of the receipt of the application before a new member is entitled to receive any benefit from NACO by way of representation.

## Subscriptions

5. (a) Each member shall pay an annual subscription for each calendar year due and payable on January 1st. The amount of the full annual subscription shall be determined by the Annual General Meeting from time to time. Any amendment to the rate of subscription must be supported by two-thirds of the votes cast at a General Meeting of members. Should the subscription rates rise during any calendar year then the additional amount of subscription shall be requested in accordance with the agreement reached at the Annual General Meeting.

In the year of admission into membership, members will pay a subscription proportionate to the period of membership during that year. Any person ceasing to be a member during a year may apply to the NACO Executive for a refund of subscriptions proportionate to the period remaining in that subscription year. Payment of any such refund will be at the sole discretion of the NACO Executive.

The NACO Executive shall determine the subscription to be paid by the various categories of membership which shall not exceed the following proportion of the full membership subscription: -

Full Membership – working more than 25 hours or 3 days per week	100%
Full Membership – working 25 hours a week or less	80%
Individual Representation Only Membership	80%
Unity Membership	80%
Contract Membership	80%

Honorary Members will not pay any subscriptions.

(b) At the discretion of the NACO Executive, arrangements may be made with the employer for subscriptions to be deducted direct from members' salaries and remitted to Registered Office. Where such a system exists, arrangements may be made at the discretion of the NACO Executive for the amount of the subscription to be collected over the year, by regular deductions from salary, so that the whole of the subscription is paid within a subscription year. At their sole discretion, the NACO Executive shall be empowered to introduce other methods of subscription collection.

(c) Any changes to the rates of subscription, as determined by the Annual General Meeting from time to time, will be reported by the NACO Executive in NACO's membership newsletter and on the NACO website.

### **Levies**

6. The NACO Executive may, at its sole discretion, authorise in any one year, a levy not exceeding 20% of the annual contribution upon all members. Such levies shall be remitted on receipt of the notice.

### **Arrears**

7. (a) Any member whose contributions or levies are unpaid on the date on which same fall due, or on any date on which a claim for benefit arises and is made, shall not be entitled to receive any membership benefit until all arrears are paid. Any member whose contributions are in arrears to a greater extent than 13 weeks, and who subsequently pays his arrears, shall not be entitled to any membership benefits until the expiration of 26 weeks from the date on which the arrears were paid.

(b) Notwithstanding anything herein to the contrary, the NACO Executive may, at its discretion, suspend the operation of this rule.

(c) Where a member is in arrears with his subscription to a greater extent than 13 weeks, Registered Office shall forward to the defaulting member a reminder that the subscription was due on the 1st January and has not been received; if the subscription remains unpaid after a further 13 weeks, a written communication shall be forwarded to the member from Registered Office intimating that unless the arrears are paid within one calendar month of the date of the communication, or evidence is submitted showing that the subscription has in fact been paid, membership will be terminated.

(d) Termination of membership will be notified in writing to the last known address of the member.

### **NACO Executive**

8. The NACO Executive shall consist of a maximum of 16 members drawn from two classes of membership as shown below:-

Co-operative Group:	10 seats
All Others:	6 seats

The Co-operative Group Class shall be defined as comprising all members employed by the Co-operative Group but excluding members employed by Co-operative Financial Services (including the Co-operative Bank plc and the Co-operative Insurance Society Limited and any other business acquired by Co-operative Financial Services). The All Others Class shall be defined as comprising all members employed by the Co-operative Financial Services and all other members not employed by the Co-operative Group. Provided they are otherwise qualified, members shall be eligible for re-election

### **Nomination and Voting for NACO Executive**

9. (a) Candidates for election to the NACO Executive must be Full, Individual Representation Only or Unity members who shall be nominated on forms obtainable on application to the Registered Office of NACO by any member whose contributions are not in arrears ten weeks before the date of the Annual General Meeting.

(b) Nomination forms must be returned to the Registered Office of NACO at least ten weeks before

the date of the Annual General Meeting and must have stated thereon the name and private address of the person nominated the name of the employer and any further particulars the NACO Executive may require.

(c) Members may only be nominated and may only stand for election to a seat on the NACO Executive which is appropriate to their employment which is defined in Rule (8).

(d) Whenever the number of nominations exceeds the number of vacant seats, an election shall be conducted to determine the successful candidate(s). Such elections shall be conducted as follows:-

(i) The election shall be by means of a secret postal ballot of all eligible members. Those members eligible to vote shall be the Full, Individual Representation Only and Unity members on the Register of members following the monthly up-date of the Register that immediately precedes the closing date for nominations.

(ii) Ballot papers shall be issued at least six weeks before the Annual General Meeting and shall contain the names of all persons validly nominated. All candidates for election have the right to submit a written election address of not more than 200 words, which will be enclosed with the ballot papers. Such address shall be restricted to a candidate's suitability for the position through qualification, experience and policies and will be written in the first person singular.

(iii) All the members of NACO who are entitled to vote in accordance with Rule 4 and are Full, Individual Representation Only and Unity members whose names are on the Register at the date of the ballot shall be issued with a ballot voting paper and shall be entitled to vote for that class of the NACO Executive in which they are employed as defined under Rule (8).

(iv) Ballot papers must be returned to the appointed Scrutineer, sealed in the envelopes provided which shall clearly indicate thereon that they are ballot papers. Ballot papers shall be returned at least four weeks before the Annual General Meeting.

(v) The NACO Executive shall appoint scrutineers in accordance with the prevailing legislation who shall issue a certificate declaring the result of the ballot. Thereafter a copy of the Scrutineers' Certificate shall be forwarded to all Constituent Association Secretaries by the General Secretary.

(vi) Persons elected shall be those who receive the highest number of votes in their class, full vacancies being filled first followed by casual vacancies.

(vii) Should the votes in any case be equal, the Annual General Meeting of Members shall have the determining vote.

(e) The members elected to the NACO Executive shall take office immediately after the Annual General Meeting at which they are declared elected.

(f) Provided they are otherwise qualified, members shall be eligible for re-election.

(g) A mid-term or casual vacancy shall be filled by the candidates who, at the last election, received the next highest number of votes in the class in which the vacancy occurs. In the event of there being no such candidate, such vacancies will be subject to election at the next election following the vacancy arising. Successful candidates in such cases will be elected in line with the provisions as detailed in Rule 9 (h). Candidates may only stand for casual vacancies in their own class of membership.

(h) In 2010, the five Co-operative Group Class seats which received the least number of votes at the 2009 election and the three All Others Class seats which received the least number of votes at the 2009 election will be open for re-election – this will be known as NACO Executive Group A. In 2011, the remaining five Co-operative Group Class seats from the 2009 election and the remaining three All Others Class seats from the 2009 election will be open for re-election – this will be known as NACO Executive Group B. Thereafter elections will alternate each year between NACO Executive Group A and NACO Executive Group B.

### **Powers of NACO Executive**

**10.** (a) The NACO Executive shall have full control of the business of NACO and shall have power to apply the funds of NACO in pursuance of the objects, and to do anything not inconsistent with these rules, or the Acts of Parliament under which NACO is registered. In the event of any question arising on which the rules are silent or obscure, the NACO Executive shall have power to decide thereon. In the exercise of these powers the NACO Executive may require any or all Committees of NACO to prepare financial budgets and to work within the budgets approved by the NACO Executive.

(b) Every decision and order of the NACO Executive shall be binding on members and Constituent Associations, subject to appeal to the next succeeding Annual General Meeting, or to a Special

General Meeting. Every member of NACO both present and future agrees that this clause shall be of full force and effect, and shall form the essential basis of the contract between NACO and its members.

(c) The NACO Executive shall have power at any time to take a ballot of the members or any group of members.

(d) In the event of a ballot being necessary, voting papers shall be issued to all Full, Individual Representation Only and Unity members, or in the case of a group of members all Full, Individual Representation Only and Unity members within that group, whose names are on the register at the date of the ballot.

Ballot papers shall be returned sealed in the envelopes provided, which shall clearly indicate thereon that it is a ballot paper.

(e) The NACO Executive shall appoint Scrutineers in accordance with the requirements of the law. In all ballots the Scrutineers shall issue a Certificate declaring the results of the ballot. Thereafter, the General Secretary shall send a copy of the Scrutineer's Certificate to the Secretaries of all Constituent Associations affected.

(f) The NACO Executive shall be empowered to appoint ad hoc committees as they deem necessary to facilitate the consideration of business of a professional and/or specialist nature. Such committees shall be subordinate to the NACO Executive and will consist of at least one NACO Executive member and members drawn from Constituent Associations where the matters may affect members in those Constituent Associations. Each Committee shall appoint a Chairman from its own number. Committees shall meet as directed by the NACO Executive and shall render such reports to that body as requested by them.

(g) The NACO Executive may appoint or remove other Committees from its own number which shall, in the functions entrusted to them, conform in all respects to the instructions given to them by the NACO Executive.

(h) The NACO Executive may appoint or remove a Finance & General Purposes Committee with members from its own number to act in accordance with the instructions and authority bestowed upon them by the NACO Executive subject to confirmation at the first meeting of the NACO Executive following the Annual General Meeting.

(i) The NACO Executive may co-opt additional members to their number to facilitate the consideration of business of a professional and/or specialist nature. Such co-options will not have the authority to vote at the NACO Executive.

## **Officers**

11. Following the Annual General Meeting the NACO Executive shall appoint from its own number a President-Designate, who shall assume the office of President after the next Annual General Meeting. The new President shall be installed in office as the last business at the Annual General Meeting. On concluding their office, the President shall become Vice-President.

The President shall preside at all meetings of the NACO Executive and at the Annual General Meeting. The Vice-President shall deputise for the President as necessary. In the event of both being absent, the NACO Executive shall appoint one of its number to preside. A person who ceases to be a member of the NACO Executive shall be disqualified from continuing in office as President, Vice-President or President-Designate.

In the event of a vacancy arising in the office of President, Vice-President or President-Designate, the NACO Executive shall fill the vacancy from its own number.

## **Meetings and Proceedings of the NACO Executive**

12. The NACO Executive shall prepare standing orders to regulate its own proceeding and those of any other committees. (See Appendix "A")

All questions shall be decided by a majority of votes. In the case of an equality of votes, the chairman shall also have a casting vote.

The quorum of NACO Executive meetings shall be no less than half of the elected membership and include at least two All Others Class members.

## Removal of NACO Executive Members

13. A member of the NACO Executive may be removed from office at any time by a two-thirds majority of members present and voting at a Special General Meeting called for that purpose.

### Co-operative Group Council

14. (a) The Co-operative Group Council shall be subject to the overall authority of the NACO Executive of NACO. Its purpose and function shall be to deal with matters specific to the interests of members employed by the Co-operative Group Limited excluding Co-operative Financial Services.

(b) The Co-operative Group Council shall consist of the persons elected to the NACO Executive in the Co-operative Group Class and such other members as may be elected by postal ballot from the Co-operative Group Constituent Associations on the basis of one seat for every two hundred members or part thereof in respect of each such Association.

(c) Only Full and Unity members of the appropriate Co-operative Group Constituent Association can nominate, stand and vote for Co-operative Group Council vacancies. The election process shall be as follows: -

- (i) No member shall be eligible for nomination for the Co-operative Group Council other than for a vacancy relating to their Constituent Association.
- (ii) Nomination forms must contain the name and private address of the person nominated and any further particulars the NACO Executive may require.
- (iii) Nominations shall be received by Registered Office not later than five weeks before the NACO Annual General Meeting.
- (iv) Where an election is required, voting papers shall be issued not later than three weeks before the Annual General Meeting.
- (v) Members will be entitled to vote only for vacancies relating to their Constituent Association.
- (vi) Voting papers must be returned in a sealed envelope to the appointed Scrutineer at least one week before the Annual General Meeting.
- (vii) Persons elected shall be those who received the highest number of votes in their Constituency. Casual vacancies shall be filled by the candidate who polled the next highest number of votes at the most recent election in the same Constituency as the vacancy occurs, provided that if there is no such candidate, the Co-operative Group Council shall be empowered to fill the vacancy.
- (viii) Should the votes in any case be equal, the NACO Executive shall have the determining vote.
- (ix) The members elected to the Co-operative Group Council shall take office immediately after the Annual General Meeting.

(d) Elections shall be conducted in accordance with the procedure contained in this Rule.

(e) The elected members shall be elected for two years. Provided they are otherwise qualified, members shall be eligible for re-election.

(f) At the first meeting of the Co-operative Group Council following the NACO Annual General Meeting, the Co-operative Group Council shall appoint from its own number a Chairman and negotiating committee.

## **Constituent Associations**

15. (a) Each Constituent Association shall ordinarily consist of not less than ten members and shall be established by the General Secretary at his discretion following application by the members concerned and subject to the subsequent approval of the NACO Executive.

(b) Each Constituent Association shall elect a Committee including a Chairman, Vice-Chairman and Secretary. The Chairman, or in his absence the Vice-Chairman, shall preside at all meetings and have an additional casting vote.

(c) Each Constituent Association shall formulate and adopt rules for the conduct of its own affairs but these must be in conformity with rules of NACO and be subject to approval by the NACO Executive.

(d) Each Constituent Association shall hold an Annual Meeting at least four weeks before the date of the Annual General Meeting of NACO at which the Officials and Committee shall be elected, each upon a majority vote of those present. Such Officials and Committee shall hold office until the close of the next Constituent Association Annual Meeting, or may be removed from office by a majority vote at a General Meeting.

(e) The Constituent Association Committee as elected in Clause (d) shall have the power to fill mid-term vacancies.

(f) The income of the Constituent Association from Registered Office shall consist of such an amount as the NACO Executive shall determine in any year, based on the number of members in the Constituent Association at 31st December in the immediately preceding year. The amount so determined shall be remitted to the Constituent Association by Registered Office not later than 31st March in the year in question. Where the amount so determined proves inadequate to meet legitimate administration costs of the Constituent Association, an application may be submitted to the NACO Executive for an additional financial grant.

(g) The Secretary of the Constituent Association shall keep the Minute Book of the Constituent Association and shall conduct all necessary correspondence between the Constituent Association, NACO Executive and individual members and shall, on request, produce such books and records for inspection by his Committee, the NACO Executive or the General Secretary.

(h) The Constituent Association Committee shall meet as determined by its own rules.

(i) Any Constituent Association may be dissolved by the authority of the NACO Executive, and upon such dissolution the members of the Constituent Association shall be transferred to such other Constituent Association as the NACO Executive may determine, and the funds of the Constituent Association shall be distributed as decided by the NACO Executive.

(j) In matters of a purely domestic character, each Constituent Association shall have full discretionary powers, provided such power shall conform to these Rules. Any matters that have a national bearing shall be subject to confirmation by the NACO Executive.

(k) Members shall be organised into Constituent Associations consisting of ordinarily not less than ten persons in accordance with the geographical location of their employment or their employment function.

## **Expenses**

16. For attendance at meetings of the NACO Executive, sub-committee or any meeting convened by the General Secretary, or when serving as representatives or on official delegations, members shall be paid expenses at such rates as may be determined from time to time by the Annual General Meeting.

## **General Secretary**

17. (a) The members of NACO shall elect a General Secretary, who shall be the Chief Executive of NACO and shall have full authority over all employees of NACO who shall carry out such duties as are

assigned to them by the General Secretary, acting under the control of the NACO Executive. The NACO Executive shall retain the right to dismiss a General Secretary.

The position of General Secretary shall be subject to re-election five years from the date of the last election in accordance with legislation.

The procedure for such election shall be determined by the NACO Executive. Those members eligible to vote shall be Full, Individual Representation Only and Unity members on the Register of Members following the monthly up-date of the Register that immediately precedes the closing date for nominations.

Nominations for the post of General Secretary shall be open to Full, Individual Representation Only and Unity members of NACO as defined in Rule 4 (a) who have three years' continuous membership of NACO and are fully paid up at the time such nomination is lodged. The NACO Executive at their absolute discretion may also advertise for or invite nominations for the position of General Secretary from persons other than Full, Individual Representation Only and Unity members of three years' standing who, in the opinion of the NACO Executive, have such qualifications, experience and abilities as would enable them to be considered for such appointment.

(b) The General Secretary, who shall also be Treasurer, shall be responsible for the keeping of proper accounting records, preparation of accounts, and maintain the register of members, and shall also send each year the return required by Certification Officer not later than is required by current legislation.

(c) The General Secretary shall give such security as the NACO Executive may determine and shall convene in writing all meetings of the NACO Executive, and keep the Minutes of their proceedings.

(d) The General Secretary shall:

- be responsible for receiving contributions and other income of NACO;
- make all payments from the funds on the authority of the NACO Executive;
- be responsible for paying all monies received into the bank, except in so far as the NACO Executive may authorise the retention of a balance as petty cash;
- perform such other duties as may be determined by the NACO Executive.

The General Secretary, their delegated deputy and the Finance & Administration Officer shall have the power to sign cheques up to such amounts as shall be determined by the NACO Executive from time to time. Cheques in excess of the stipulated amount shall be counter-signed by the President or the Vice President or the President Designate.

(e) The General Secretary shall, on demand, from the NACO Executive, render up all books of records, accounts and cash.

(f) All staff shall be appointed and dismissed by the General Secretary, acting under authority conferred by the NACO Executive.

(g) The General Secretary shall prepare accounts up to 31<sup>st</sup> December each year and submit them for audit to an Auditor appointed in accordance with Rule 24, in accordance with an accounting timetable agreed by the Finance & General Purposes Committee (or in their absence, the NACO Executive), together with all vouchers relating thereto, all Deeds, Documents of Title, and Securities relating to property, and money of NACO, and such other information as the Auditor may reasonably require.

(h) The General Secretary shall act as Secretary of the Appeals Tribunal (vide Rule 33).

### **Affiliation – TUC**

18. NACO shall be affiliated to the Trade Union Congress (and its affiliates) and any other organisation that the NACO Executive may determine.

### **Annual General Meeting**

19. Each year NACO will hold an Annual General Meeting.

(a) The Annual General Meeting shall be held at such place and time as the NACO Executive may

determine, and shall consist of delegates from the Constituent Associations.

(b) Each Constituent Association shall be entitled to appoint from its own number two delegates to attend the Annual General Meeting or any Special General Meeting. Those Constituent Associations with more than fifty members shall be entitled to appoint one additional delegate for each additional fifty members or part thereof up to a maximum of five delegates in total for any one Constituent Association. Constituent Associations may appoint Associate and Individual Representation Only or Honorary members as delegates provided that at least one delegate is a Full member. The delegates appointed shall not be Affiliate, Retired or Contract Members or members of the NACO Executive.

(c) NACO shall pay the expenses of appointed delegates at the agreed rate.

(d) The method of voting shall be by show of hands or on a card vote at the discretion of the President. Where, however, a vote is challenged by not less than 10 delegates a card vote shall be taken. On a card vote, the value of the votes shall be the number of members in the Constituent Associations on December 31st previous to the meeting. Except in special cases where the rules require a two-thirds majority, the business shall be determined by a majority of the votes recorded.

(e) Should the voting be equal, the President shall also have the casting vote.

(f) Members other than duly appointed delegates may attend the meeting and speak, but shall not have the power to vote.

(g) The business of the meeting shall consist of receiving and approving the Annual Report and Statement of Accounts, the declaration of election of NACO Executive members, consideration of resolutions which can only be submitted by Constituent Associations or the NACO Executive, and any other matters deemed of general interest to the members by the NACO Executive.

(h) The Annual Report, Statement of Accounts and Agenda shall be posted to members not less than four weeks prior to the meeting.

(i) All resolutions, other than those to be brought forward by the NACO Executive, shall be forwarded to the General Secretary at least eight weeks before the date fixed for the General Meeting. Any amendments to such resolutions must be forwarded in writing to the General Secretary at least two weeks before the date of the General Meeting.

(j) No Annual General Meeting shall proceed to business unless 20 delegates are present within half-an-hour after the time the meeting is called for, but business shall not be stopped for want of a quorum after the meeting has commenced.

(k) Any emergency motion for consideration of the Annual General Meeting shall be submitted to the General Secretary at least three days prior to the date of the Annual General Meeting, and the NACO Executive shall recommend to the Annual General Meeting whether the motion shall be discussed but no motion shall be considered an emergency motion if it could have been forwarded in time for inclusion on the Agenda for the Annual General Meeting. (See Appendix "B")

### **Special General Meetings**

**20.** (a) A Special General Meeting may be convened by the NACO Executive at any time by giving 14 days' clear notice to members. Such notice shall be posted to the registered address of members, and shall state the time and place of the Special General Meeting and the business to be transacted. The procedure and voting at Special Meetings shall be as at the Annual General Meeting.

(b) In cases of special emergency, the NACO Executive may decide upon a shorter notice than 14 days.

(c) The NACO Executive shall call a Special General Meeting provided that not less than 25 members send notice to the NACO Executive demanding the calling of a Special General Meeting. Such notice shall state the business to be brought forward and shall be sent to the General Secretary 28 clear days before the date suggested for the meeting.

(d) No business shall be conducted at any Special General Meeting other than that contained in the published Agenda.

### **Conduct of Meetings**

**21.** The conduct of all meetings for transacting any business of the organisation (other than the Annual General Meeting or Special General Meeting) shall be regulated by the Standing Orders and Rules of Debate shown in Appendix "A".

## **Alteration of Rules**

**22.** (a) No rule shall be made, nor shall any of the rules herein contained or hereafter made, be amended, altered or rescinded, unless with the consent of a majority of not less than two-thirds of the members voting at the Annual General Meeting of NACO.

(b) All proposed alterations of Rules must either be submitted by the NACO Executive or a Constituent Association. The NACO Executive shall cause all proposed alterations of rules to be circulated to all Constituent Associations not later than eight weeks before the meeting, who shall have the right to submit amendments to same, provided such amendments are sent to the General Secretary not later than two weeks before the Annual General Meeting.

(c) The NACO Executive shall thereafter cause to be circulated to all members all proposals, alterations of rules and subsequent amendments thereto.

(d) Any emergency motion to alter the Rules of NACO for consideration of the Annual General Meeting shall be submitted to the General Secretary at least three days prior to the date of the Annual General Meeting, and the NACO Executive shall recommend to the Annual General Meeting whether the motion shall be discussed but no motion shall be considered an emergency motion if it could have been forwarded in time for inclusion on the Agenda for the Annual General Meeting. (See Appendix "B")

## **Trustees and Investments**

**23.** (a) Three Trustees shall be appointed by a vote of the majority of the members at the Annual General Meeting for a period of one year. They shall hold office until the next Annual General Meeting and the NACO Executive shall fill any vacancies caused by death, removal or resignation prior to the Annual General Meeting.

(b) The Trustees shall consist of:

- (i) Two members nominated by and from the NACO Executive – one drawn from the Co-operative Group Class and one drawn from the All Others Class
- (ii) A member of NACO nominated by the NACO Executive

(c) If a Trustee wishes to retire as Trustee or dies, the NACO Executive shall appoint a new Trustee to serve in his place until the next Annual General Meeting.

(d) If a Trustee becomes disqualified from being a Trustee, the NACO Executive shall nominate him for removal from office and shall at the same time elect a new Trustee to serve until the next Annual General Meeting. A member shall be disqualified from being or becoming a Trustee if he shall:

- (i) become bankrupt or enter into any composition with his creditors; or
- (ii) become legally incapable of carrying out his duties as Trustee; or
- (iii) cease to be an ordinary member of the Union.

(e) The Trustees shall, in accordance with the instructions of the NACO Executive, invest any funds of NACO for the time being available for investment in such shares, stocks, funds, securities (not being securities payable to bearer), land (whether freehold or leasehold), buildings, chattels or other investments or property of whatever nature and wherever situated and whether producing income or not.

(f) The Trustees shall not in any way sell, transfer or otherwise deal with the property of NACO or part with any document relating thereto except under the direction of the NACO Executive, evidenced by a minute to that effect.

(g) The Trustees shall deliver up all securities, deeds of property, money or other effects belonging to NACO at any time on request of a majority of the members in Annual or Special Meeting assembled.

### **Auditors**

**24.** (a) The accounts of NACO shall be audited at least once every year by one or more of the Qualified Auditors elected by the Annual General Meeting of the members.

(b) In case of a vacancy from death or other causes the NACO Executive are empowered to fill the position until the next Annual General Meeting.

(c) The Auditor(s) may be removed from office by a majority of members voting at a General Meeting of members, or by the NACO Executive. Where Auditors are removed by the NACO Executive, the reason for their removal must be explained and disclosed to the members no later than the following Annual General Meeting.

### **Dealings in Land**

**25.** The NACO Executive may authorise the purchase of land and buildings or any other property, or make any arrangements as to the renting or hiring of suitable premises as may be necessary from time to time.

### **Management Fund**

**26.** This fund shall consist of contributions received from members, and income from any other sources, and from it all expenses of Management incurred pursuant to the objects including payments to NACO Executive, Legal, Deputation and other charges and grants to charitable or other organisations may be made as the NACO Executive or members may determine.

### **Benevolent Fund**

**27.** The NACO Executive shall have the power to allocate sums of money to a Benevolent Fund which shall be applied in accordance with rules. (Details in Appendix "C")

### **Stewards**

**28.** The NACO Executive may, at their discretion, appoint one of their number to visit and report upon any applications for a Benevolent Fund Grant. Such Stewards shall be remunerated in such a manner as the NACO Executive may determine.

### **Inspection of Records**

**29.** Any member or person having an interest in the funds of NACO shall be entitled to inspect the accounting records and the register of members at Registered Office on application to the General Secretary at any reasonable time. A reasonable fee will be levied to cover administration costs. The amount will be determined by the General Secretary.

### **Change of Address**

**30.** Any member moving home or changing his employment is required to notify the General Secretary at once of any such change.

## **Withdrawal**

**31. (a)** In the case of a member who leaves Co-operative employment, membership shall cease at the end of the period for which subscription has been paid unless the member otherwise applies for, and is accepted into, another category of membership.

**(b)** In the case of a member who is reduced in status to a position which is not in conformity with the provision of Rule 4, membership shall cease at the end of the period for which subscription has been paid.

## **Expulsion - Reinstatement - Termination of Membership**

**32. (a)** Any member who is guilty of conduct detrimental to NACO may be expelled by the NACO Executive. Any member so expelled shall have the right of appeal. The NACO Executive may, by giving six weeks' notice in writing, terminate the membership if necessary in order to comply with a decision of a Disputes Committee of the Trades Union Congress.

**(b)** In circumstances of Clause (a) a member shall thereupon cease to hold any office in NACO.

**(c)** No member shall be subject to any disciplinary action (except in respect of non-payment of any contributions) unless:

*(i)* He has received written notice of the charges brought against him and has been given a reasonable time to prepare his defence.

*(ii)* He is afforded a full and fair hearing.

*(iii)* A written statement of the findings resulting from the hearing is given to him.

*(iv)* His appeal has been heard, or the time for appealing has expired without him having exercised that right.

## **Appeals Tribunal**

**33. (a)** An Appeals Tribunal shall be established for the purpose of dealing with any claims arising from one or more of the following headings:-

*(i)* Refusal to admit into membership.

*(ii)* Expulsion in accordance with Rule 32.

*(iii)* Action taken by the organisation or by any of its Officials which it is contended is contrary to the rules.

**(b)** At each Annual General Meeting the NACO Executive shall submit to the members the names of three suitably qualified persons, not being members of the NACO Executive, who they recommend for appointment to constitute an Appeals Tribunal. The persons appointed shall, subject to Rule 19 (d) constitute the Appeals Tribunal until the next Annual General Meeting.

**(c)** Any appeals arising under item *(i)*, *(ii)*, *(iii)* shall be heard by the Appeals Tribunal who will require the applicant or member to submit his appeal or complaint in writing to the General Secretary within 28 days of the particular happening or decision.

**(d)** The member or applicant concerned shall be allowed to attend the Tribunal when the Charge or his Appeal is considered, and to state his case, either personally or through some person nominated by him. The General Secretary, as Secretary of the Tribunal, shall notify by registered post the parties concerned of the Tribunal's decision.

**(e)** The decision of the Appeals Tribunal shall be final and binding under Clause (a) (i and ii) but under Clause *(iii)* they shall be empowered to make a recommendation.

**(f)** Where an appeal or claim is lodged with the Tribunal a written statement shall be submitted by both parties and the appeal or claim shall be considered within four weeks of submission. No action shall be taken against the respondent pending a decision of the Tribunal which shall be conveyed in writing to the parties concerned by registered post.

**(g)** In the event of a member of the Appeals Tribunal being directly or indirectly involved in any particular case under review, such member shall stand down and it shall be competent for the NACO

Executive to co-opt a member to fill the vacancy for that particular case.

(h) The Tribunal shall meet, adjourn or otherwise regulate its proceedings as it shall deem proper, each member being given reasonable notice in writing of its meetings.

(i) In the event of any member alleging he has a justified complaint relating to the activities of NACO with the exception of those mentioned in Clauses (a) (i, ii and iii) he shall submit his complaint in writing to the General Secretary. In the event of his being dissatisfied with the reply he receives it shall be competent for him to request that his communication be referred to the NACO Executive for consideration.

### **Grievances/Disputes/Industrial Action**

**34.** In the interests of maintaining good Industrial Relations Practice, NACO shall, wherever possible, seek to establish Procedural Agreements with employers for the handling of Grievances and Disputes.

#### **(a) Grievances**

The aforementioned agreements shall aim to identify the right of any individual member or group of members to register a grievance in relation to their employment. NACO will, within the terms of the specific agreement concerned, assist in the preparation and presentation of such grievance, as requested.

#### **(b) Disputes**

All disputes are recognised as being National Issues and can only be registered by NACO. Individual members, groups of members or any sub-division of NACO do not have the authority to register disputes.

Such disputes may only be registered with the authority of the NACO Executive. On an operational basis such authority will be delegated to the General Secretary subject to the endorsement of the NACO Executive at their next following meeting.

In the event of a disagreement arising from the application of the foregoing procedure the matter may be applied to the NACO Executive, who shall be the final arbiter on such matters, subject to provisions of Rule 10 (b).

#### **(c) Industrial Action**

Industrial Action will not be undertaken until all established procedures to which NACO is a party have been exhausted. Such action must be supported by a majority of those members affected voting in a secret postal ballot.

Such Industrial Action must also be approved by the NACO Executive by a two-thirds majority vote of those NACO Executive members present and entitled to vote at a duly convened meeting where such action is considered.

In the event of Industrial Action being approved, instructions shall be issued to all Constituent Associations and members by the General Secretary acting on behalf of the NACO Executive.

### **Dissolution**

**35.** NACO may be dissolved by a majority of two-thirds of the members present and voting at a Special General Meeting called for that purpose, unless the NACO Executive decide that a ballot of the whole of the membership shall be taken. In the latter case the NACO Executive shall post voting papers to the registered address of all Full, Individual Representation Only and Unity members and a two-thirds majority of votes received shall be necessary for dissolution. Should the dissolution be carried, the funds of NACO shall be used to pay all liabilities of NACO. Should there be a surplus, it shall be divided between all Full, Individual Representation Only and Unity members who are financially clear on the books at the date of the dissolution, in a manner consistent with subscription contribution rates.

### **Copies of Rules**

**36.** A copy of these Rules is available on the NACO website and hard copies, large print and Braille copies are available on request from the Registered Office.

## **Interpretation**

**37.** In all cases where the masculine is mentioned the feminine is to be included and where the singular is used, the plural may also be used if appropriate. The use of the word 'Chairman' is not intended to be gender specific.

## **APPENDIX "A"**

### **Standing Orders and Rules of Debate**

#### **(a) Standing Orders**

1. The quorum for any meeting shall, in the absence of any other provision in the rules, be a simple majority of the members entitled to attend and vote at the meeting. A meeting shall not be dissolved if a quorum is not present within half an hour from the time appointed for the commencement of the meeting, but proceedings shall be carried forward for ratification at the next meeting. A meeting shall not be invalidated for want of a quorum arising after business has commenced.

2. The Chair shall be taken by a member authorised by the rules to do so or, if no such member is present, by a member chosen by the members present and entitled to vote. The Chairman shall conduct the meeting in accordance with Standing Orders and Rules of Debate, and subject thereto his ruling on any matter of procedure shall be final.

3. The Agenda, if not circulated before the meeting, shall be made available to every member present at the meeting. Except as otherwise provided in the rules, each person present and entitled to vote at the meeting shall have one vote on any question, and no vote on behalf of a member who is not present shall be accepted. In the event of an equality of votes the Chair of the meeting shall have an additional casting vote.

4. Voting on any question shall be by show of hands unless a ballot is required by the rules or demanded by two-thirds of members present and entitled to vote. In the event of a ballot being required or demanded, two Scrutineers shall be appointed by the meeting, who shall be responsible for the issue and collection of ballot papers and shall scrutinise and count the votes. The ballot shall be held at such time during the course of the meeting as the Chairman shall direct. The Chairman shall ensure that all who vote on a show of hands are entitled to do so, and shall count, or supervise the counting of, the votes. The results of all voting, whether on a show of hands or a ballot, shall be declared to the meeting by the Chairman.

5. Except as may otherwise be provided for in the rules, in case of an election, the candidate or candidates receiving the greatest number of votes shall be declared elected, and any other matter shall be decided by a simple majority of the votes cast.

6. Unless otherwise provided in the rules, candidates may be nominated for vacancies at the meeting at which the election takes place.

7. A meeting may be adjourned by resolution carried by two-thirds of the members present and entitled to vote. At an adjourned meeting no business shall be transacted that could not have been transacted at the original meeting.

8. All meetings of a Constituent Association, or its Committee, shall be convened in writing by the Secretary of the Constituent Association.

9. The General Secretary, who shall be responsible for the convening of meetings of the NACO Executive and its Executives, shall ensure that seven days' notice in writing is given of such meetings to the recorded address of the member concerned.

#### **(b) Rules of Debate**

1. Any member wishing to speak shall address the Chairman. If more than one member rises to speak, the Chairman shall decide the order of speakers.

2. Any motion, unless the terms are set out in an agenda circulated prior to the meeting, shall, if the Chairman so requires, be put in writing before a vote is taken.

3. A motion shall not be debated until it has been seconded. A seconder may reserve his speech until later in the debate. A proposer of a motion shall be allowed 10 minutes for his original speech and five minutes for a right of reply at the end of the debate; a seconder shall be allowed five minutes. Any

other members may speak only once in the same debate and shall be allowed five minutes. These periods may be extended at the discretion of the Chairman with the consent of the meeting.

4. Any amendment proposed to a motion must be relevant and not be a direct negative. It shall not be debated until seconded. The proposer and seconder of an amendment shall have the same rights as those of an original motion under paragraph 3 except that the proposer of an amendment has no right of reply.

5. When an amendment has been moved and seconded no further amendment may be moved until it has been disposed of; but notice of intention to move a subsequent amendment may be given, without comment, during the course of the debate.

6. If an amendment is carried the motion as amended shall become the substantive motion and a further amendment may be proposed.

7. If an amendment is not carried a further amendment may be proposed provided it is not substantially the same as an amendment previously defeated.

8. The proposer of the motion with consent of his seconder may signify that he is willing to accept an amendment, but, at the Chairman's discretion, the debate may continue.

9. A motion or amendment having been proposed and seconded may only be withdrawn by consent of the meeting.

10. Any member who has not already taken part in the debate on a motion or an amendment may, at the conclusion of the speech of another member, move without comment:

(a) That the question be now put.

(b) That the debate be now adjourned to the next meeting.

(c) That the meeting proceed to the next business.

If the motion is seconded the Chairman shall at once put it to the meeting.

If a motion that the question be now put is carried, the proposer of a motion may nevertheless exercise his right of reply under paragraph 3. If either of the other procedural motions is passed the meeting shall immediately proceed to the next item of business.

11. If a motion under paragraph 10 (a), (b) or (c) is lost it is within the Chairman's discretion whether or when he will accept a further motion under any of the three paragraphs during the course of the same debate. Subject to paragraph 10 and this paragraph, the Chairman shall decide when the vote is to be taken.

12. Any member of the meeting may seek the Chairman's ruling on a point of order at any time during the meeting and this shall be disposed of before the debate is resumed or any further business introduced.

13. The report of any Committee or Sub-Committee may be discussed informally but the Chairman may, at his discretion, ask for a motion that it be "received", "approved", "rejected" or "referred back". The rules of debate shall apply to any such resolution.

14. These Rules of Debate or any of them may be suspended in whole or in part for the whole or any part of a meeting but only by resolution agreed to by at least two-thirds of the members present and entitled to vote at the meeting.

## **APPENDIX "B"**

### **Standing Orders for Annual General Meeting**

#### **1. Quorum**

No Annual General Meeting shall proceed to business unless 20 Delegates are present within half-an-hour after the time the meeting is called for, but business shall not be stopped for want of a quorum after the meeting has commenced (*vide* Rule 19).

#### **2. Delegates' Credentials**

(a) Each Constituent Association shall be entitled to appoint from its own number two delegates to attend the Annual General Meeting or any Special General Meeting. Those Constituent Associations with more than fifty members shall be entitled to appoint one additional delegate for each additional

fifty members or part thereof up to a maximum of five delegates in total for any one Constituent Association. Constituent Associations may appoint Associate or Honorary members as delegates provided that at least one delegate is a Full member. The delegates appointed shall not members of the NACO Executive.

(b) Members other than duly-appointed Delegates may attend the meeting and speak, but shall not have the power to vote.

### **3. Voting**

(a) The method of voting shall be by show of hands, or on a card vote at the discretion of the President. Where, however, a vote is challenged by not less than 10 delegates a card vote shall be taken. On a card vote, the value of the votes shall be the number of members in the Constituent Associations on December 31st previous to the meeting. Except in special cases where the rules provide for a two-thirds majority, the business shall be determined by a majority of the votes recorded.

(b) In the event of a card vote being properly demanded the President shall repeat the motion which is the subject of a division, and delegates shall vote by showing their official voting cards for or against the proposition. The ruling of the Tellers as to the numbers shall be final, except in the event of a difference between them, when the President shall order a recount.

(c) Should the voting be equal, the President shall have a casting vote (*vide* Rule 19).

### **4. Appointment of Tellers**

Two or more members shall be nominated by the NACO Executive to act as Tellers, subject to the approval of Annual General Meeting. They shall be responsible for counting the votes on any matter which is the subject of a division.

### **5. President's Address**

The President shall deliver an address which shall not occupy more than 30 minutes.

### **6. Motions**

Motions from an Association must be moved by its duly appointed delegates, in whose absence they shall be formally moved from the Chair.

### **7. Discussions and Amendments**

All discussion, resolutions and amendments etc. shall be governed by the Rules of Debate shown in Appendix "A", and be in accordance with the provisions of Rule 19 (i) and Rule 22 (b).

### **8. Emergency Resolutions**

No motion shall be considered an emergency if there has been an opportunity for inclusion in the Agenda. Such motions shall be submitted to the General Secretary at least three days prior to the Annual General Meeting, and the NACO Executive shall recommend whether the motion shall be discussed (*vide* Rule 19).

### **9. Chairman's Ruling**

(a) Each member shall stand when speaking. If the President rises to call a member to order or for any other purpose connected with the proceedings, the member speaking shall thereupon resume his seat and no other member shall rise until the President has authorised the discussion to proceed.

(b) The ruling of the President on any question under the Standing Orders or on points of order of explanation shall be final unless challenged by not less than four members, and unless two-thirds of the duly appointed delegates present vote to the contrary.

### **10. Interruption**

If any member interrupts another whilst addressing the meeting, or causes a disturbance and refuses to obey the President when called to order, he shall be named by the President. He shall thereupon be expelled from the meeting and shall not be allowed to enter again until an apology satisfactory to those present has been given.

### **11. Notice of Standing Orders**

A notice drawing attention to these Standing Orders shall be circulated to every Constituent Association in advance of each Annual General Meeting.

### **12. Amendment of Standing Orders**

These Standing Orders may be amended at any Annual General Meeting by the submission of a motion in accordance with provision of Rule 19 (i).

## **APPENDIX “C”**

### **Benevolent Fund Rules**

**(Adopted by NACO Executive on 10th May, 1988)**

#### **1. Title**

The fund shall be called the Benevolent Fund of the National Association of Co-operative Officials.

#### **2. Objects**

The primary object of the Fund shall be to give financial assistance to members, former members and widows and any other dependents of deceased members of the National Association of Co-operative Officials who, in the view of the NACO Executive, are in need of such assistance.

#### **3. Funds**

The capital fund shall be raised by allocations made from the general funds of NACO, by the NACO Executive under the authority of Rule 27. The NACO Executive shall also have the power to accept for the benefit of the fund such other sums as may be subscribed from other sources.

#### **4. Government**

The fund shall be under the control of the NACO Executive of NACO for the time being. The NACO Executive may appoint from amongst its members a Sub-Committee for the purpose of dealing with applications and making recommendations to the NACO Executive. No grant may be made unless the grant is authorised by a resolution of the NACO Executive.

Should the NACO Executive determine that the fund shall be discontinued any surplus of assets over liabilities shall be paid over to such charity as the NACO Executive decide.

#### **5. Relief**

Applications shall in the first instance be made to the appropriate Constituent Association of NACO on the form provided for the purpose. The Constituent Association shall make proper enquiries on the case and send in their report and recommendations to the NACO Executive.

The NACO Executive may make such enquiries as they think fit ascertaining from time to time that recipients continue to be in necessitous circumstances.

#### **6. Investments**

The fund shall be invested in the name of NACO in Trustee Investments.

#### **7. Accounts**

A yearly Statement of the Accounts of the fund, audited by the Auditor of NACO, shall be presented to the members of NACO, together with the Annual Balance Sheet of NACO.

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