

**CONSTITUTION OF THE NGEE ANN POLYTECHNIC ACADEMIC
STAFF UNION**

UPDATED 5 NOVEMBER 2021

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CONSTITUTION OF THE Ngee ANN POLYTECHNIC ACADEMIC STAFF UNION

PART I

Art 1 Name & Registered Office

- (a) The name of this organization shall be 'Ngee Ann Polytechnic Academic Staff Union' (hereinafter referred to as the Union).
- (b) The registered Office of the Union shall be Ngee Ann Polytechnic, 535 Clementi Road, Singapore 599489.
- (c) All communication shall be made to the General Secretary of the Union at the registered office.

Art 2 Objects

- (a) The principal objects of the Union shall be to regulate relations between the members and their employer for the following purposes:-
 - (i) to improve the working conditions of the members and enhance their economic and social status;
 - (ii) to achieve the raising of productivity for the benefit of the members, their employer and the economy of Singapore; and
 - (iii) to promote good industrial relations between the members and their employer.
- (b) The other objects of the Union shall be:-
 - (i) To co-ordinate with other academic or professional bodies for community development and progress.
 - (ii) To promote intellectual or academic pursuit.
 - (iii) To promote or protect the welfare or interest of the academic staff of Ngee Ann Polytechnic which shall include, inter alia, matters relating to rates of remuneration, promotion, hours of work and other conditions of service.
 - (iv) To maintain and promote co-operation between the relevant authorities of Ngee Ann Polytechnic and its academic staff for the development and progress of the Polytechnic.
 - (v) To regulate relations and to settle disputes between member or members and Ngee Ann Polytechnic, between one member and

another, and between the Union and other unions or societies by amicable agreements wherever possible.

- (vi) To promote professional and social interests of the members.
- (vii) To further by financial means or otherwise the work or purpose of any association, national or international, having for its objects the promotion of the interest and welfare of workers or the trade union movement, which shall include the Singapore Labour Foundation, subject to the statutory restrictions on union funds; and
- (viii) To deal in any matter which is incidental or ancillary to the implementation of the objects mentioned above. (The above objects must always be promoted in accordance with law prevailing in the Republic of Singapore).

Art 3 Property and Business

The Union shall have power:

- (a) To purchase, hold, maintain, improve, lease, exchange or mortgage any real or personal property.
- (b) To involve in the establishment, purchase or operation of, or participation in any manner, in any business or under-taking, including that of printing or publishing any reading material, on a co-operative basis or otherwise in the interests of and with the main purpose of furthering the interests of the Union or of trade unionism generally.

Art 4 Organisation

- (a) The supreme authority of the Union shall be vested in the Union in general meeting.
- (b) The management of the Union shall be vested in the Executive Council.

Art 5 Affiliation and Representation of the Union

- (a) This union shall be affiliated and shall continue to be affiliated to the National Trades Union Congress and/or the Singapore Labour Foundation until and unless at least three-quarters of all the members of the Union vote by secret ballot to disaffiliate from the National Trades Union Congress and/or the Singapore Labour Foundation.
- (b) This Union may, with the prior or continued approval of the Secretary-General of NTUC, as the case may be:-

- (i) seek or maintain affiliation or contact in any manner with any international or regional organisation of trade unions or any local trade union not affiliated to the NTUC or any other international organisation; and
 - (ii) participate in any manner in the activities of any of the aforesaid organisations or bodies, wherever and whenever they may be held.
- (c) The Executive Council shall not so act or omit to act as to cause this Union to threaten disaffiliation or to be threatened with disaffiliation or disaffiliate or be disaffiliated from the National Trades Union Congress and/or the Singapore Labour Foundation without the prior sanction of the general membership under Article 5(a).
- (d) The Executive Council shall not, without the prior approval of the Secretary-General of NTUC in each and every instance, seek or renew affiliation or contact in any manner, with nor with notice of the express disapproval by the Secretary-General of NTUC maintain affiliation or contact in any manner with nor participate in any manner in the activities of any international or local organisation other than the National Trades Union Congress or any of its affiliated organisation.
- (e) This Union shall participate in such schemes as may be established from time to time among the unions affiliated to NTUC which provide for the transferability of members among them.

Art 6 Dissolution

- (a) The Union shall not be dissolved except with the consent obtained by secret ballot of not less than 75 per cent of the total membership of the Union.
- (b) In the event of the Union being dissolved, all debts and liabilities legally incurred shall be fully discharged and the remaining assets shall be divided amongst the members at the time of dissolution in proportion to the total amount subscribed by each member immediately prior to the dissolution.

Art 7 Disputes

Should any dispute arise respecting the construction of these Rules or any additions or alternations to them or any point upon which the Rules are silent, the dispute shall be referred to the Executive Council, whose decision shall be final.

Art 8 General

Nothing in the Rules shall be deemed to authorise the Union or any member or officer

of the Union to do anything which may be contrary to the provisions of the Trade Unions Act or of any law in force in the Republic of Singapore.

PART II MEMBERSHIP

Art 9 Category

The membership of Union shall consist of Ordinary members, Ordinary (general) members and Honorary members.

Art 10 Eligibility

(a) (i) Ordinary Members

The Ordinary membership of this Union is open to all employees who are academic or teaching staff employed in any capacity by the Ngee Ann Polytechnic and who are not ordinary members of any other registered trade union of employees in Singapore. The Principal, Deputy Principals and School/Division Directors shall not be eligible for membership. Deputy Directors can join as Ordinary members, subject to approval by the Executive Council; such persons shall not be eligible for election as delegates nor hold any post in the Executive Council.

(ii) Ordinary (general) Members

The Ordinary (general) membership of this Union is open to all employees of Ngee Ann Polytechnic and who are not Ordinary members of any registered trade union of employees in Singapore.

(b) (i) Ordinary (general) members shall not be eligible to hold any office in the Union or have the right to attend, speak or vote at any general meeting of members or participate in any postal ballot among members.

(ii) Ordinary (general) members shall not be entitled to be represented by the Union in any matter vis-à-vis the Polytechnic or take part in any industrial action.

(iii) When a member's employment status changes due to a change of jobs or other reasons, instead of terminating his membership the Executive Council may transfer the member from the Ordinary Membership List to the Ordinary (General) Membership List and vice versa, and to transfer the member from this Union to another NTUC affiliated union so as to enable him to continue to remain as an union member and to enjoy the benefits thereof. The power of the Executive Council to effect the said transfer may be delegated to the NTUC which is the central co-

ordinating body for effecting the transfer of union members among NTUC affiliated unions. Nothing herein contained shall affect the right of a member to object to a transfer if he does not agree with it whereupon his membership with this Union shall cease when his employment status changes

- (iv) In these Articles, every reference to Ordinary members shall include a reference to Ordinary (general) members unless it is expressly stated otherwise or it is clearly not permitted by the context.
- (v) A member who is transferred from the Ordinary Membership List to the Ordinary (General) Membership List and vice versa shall, only for the purpose of enjoying the core welfare benefits administered by the NTUC for the benefit of all affiliated unions be deemed to continue as a member without any break in membership and shall immediately upon the said transfer taking place, be subjected to all the rules stipulated under this constitution which are applicable to the respective category of membership he was transferred to.

A member who is transferred from another NTUC affiliated union to this Union under this Rule shall only for the purpose of enjoying the core welfare benefits administered by the NTUC for the benefit of all NTUC affiliated unions, have his length of membership with the previous union recognized by this Union and shall immediately upon the transfer taking place be bound by this constitution. Nothing herein contained shall affect the power of the Executive Council to reject any transfer without having to give any reasons whatsoever.

- (c) The Honorary Membership of this Union may be conferred by the Executive Council on persons who have rendered significant service to this Union or the trade union movement. Such Honorary members may attend a General Meeting or an Executive Council meeting as observers.

Art 11 Admission & Resignation

- (a) The Executive Council may constitute such sub-committee as it deems fit in its absolute discretion from among its members for the purpose and with the power of scrutinizing, approving or rejecting applications for Membership of this Union. The Executive Council may also delegate the power of scrutinizing, approving or rejecting applications for Membership to any authorised officer of the Union. Every decision of such sub-committee or authorized officer regarding applications for Membership shall be deemed to be a decision duly taken by the Executive Council.

- (b) An Ordinary (general) member shall be required to furnish a copy of his current pay slip or such other documentary proof of his employment status as the Executive Council shall decide upon in its absolute discretion when applying for membership and whenever required by the Union.
- (c) An Ordinary (general) member who fails to comply with Article 11 (b) above or who has furnished any false information pertaining to his employment at the time of his application for membership or at any other time hereafter shall be deemed to have committed a misconduct rendering him liable for expulsion from the Union in accordance with these Articles.
- (d) Any member wishing to resign must submit his/her resignation to the Executive Council. The resignation will not go into effect till 3 months after its receipt by the Executive Council.

Art 12 Re- admission

- (a) Any person, who has previously ceased to be a member of the Union from any cause whatsoever, may apply for re-admission. The General Secretary to whom such application is to be made shall, after receiving the application, forward the same and all relevant particulars to the Executive Council for its decision. Subject to Art 12(b), the applicant may be re-admitted by the Executive Council to membership.
- (b) Any applicant for re-admission whose previous membership has lapsed through arrears of subscription or any other dues shall be accepted on condition of paying up such arrears and re-admission fee as the Executive Council may determine.

Art 13 Membership Cards

- (a) Each member shall be given a registration number and a membership card is issued by the Union. The card shall show:
 - (i) Registration number
 - (ii) Name and address
 - (iii) Employment
 - (iv) Identity Card number
- (b) Membership Cards must be submitted if required for purpose of checking against the Register.
- (c) Membership Cards shall be the property of the Union and must be given up within a week by any one ceasing to be a member from any cause whatsoever.
- (d) Any loss of membership card must be reported immediately to the General

Secretary who shall then issue a replacement.

Art 14 Subscription, Other Fees and Arrears

- (a) The financial year of the Union shall be from 1 April to 31 March.
- (b)
 - (i) The monthly and yearly subscription fees for Ordinary and Ordinary (general) members shall be of such rate as a General Meeting or, in the special circumstances of paragraph (b) (iii) hereof the Executive Council shall decide. The prevailing rates of entrance fee, subscription and, if any, levy shall upon their due adoption by this Union, be listed in the Schedule(s) hereto, provided that no fee or levy shall take effect before due registration with the Registrar of Trade Unions.
 - (ii) For the purpose of paying the union's affiliation fee to the Singapore Labour Foundation (SLF) every Ordinary Member and Ordinary (general) Member shall pay a yearly subscription fee of such amount as shall be determined by the Executive Committee from time to time in accordance with the advice of the NTUC Central Committee.

Every Ordinary Member and Ordinary (General) Member shall pay a levy equivalent to one month's membership subscription fee which shall be deducted from their annual wage supplement and/or annual bonus to be paid to the NTUC which shall be utilised to provide such benefits to union members which the NTUC Central Committee deems fit.

- (iii) Notwithstanding the other provisions in these Rules, the Executive Council shall be empowered only if this Union is required to give effect to a resolution of the NTUC Delegates' Conference or the NTUC Central Committee, in accordance with the terms of affiliation of this Union to the National Trades Union Congress, to alter or revise in any manner the prevailing rates of entrance fee, subscription fee or impose or vary a special levy without convening a General Meeting for the purpose and such alteration, revision or imposition or variation shall be deemed to have been duly approved by a General Meeting in accordance with these Rules and duly recorded as such.
- (c) A member who is more than two months in arrears with his/her subscription shall be given a written notification by the Treasurer to submit payment. This provision shall not apply to Ordinary (general) members.
- (d) Any member whose monthly or yearly fee or levy is in arrears for three months shall be deemed to have resigned from the membership of the Union with effect from the last day of such period of three months and shall be struck off from

the appropriate list of membership and forfeit all interest in the union. A member so struck off may be reinstated in the membership of the Union without any break in the continuity of his membership if he applies for reinstatement within one month of being struck off and complies with such conditions as the Executive Council may impose in its absolute discretion.

- (e) All subscription, contributions and levies shall be payable or deductible in advance on or before the first calendar day of the period they respectively fall due.
- (f) Any member who desires a leave of absence from the Union for any period of time in excess of three continuous months may apply in writing, stating the reason for his/her leave of absence to the Executive Council for the remission or deferment in full or in part of subscriptions, contributions or levies payable by him/her during such period of absence.
- (g) It shall be the duty of each member to pay promptly and regularly or, if so and whatever required by the Executive Council, authorize in writing or otherwise permit the check-off, deduction by GIRO or effect any other arrangement for the payment of all fees and levy payable by members and to obtain an official receipt for any sum of money paid to the Union other than by way of check-off, GIRO or cheque.

Art 15 Disciplinary Action

- (a)
 - (i) The Executive Council shall have power to fine or expel or suspend from membership or debar from holding office or suspend or dismiss from office any member for any act against the interests of the Union or for any offence against the Rules provided that, such member shall be given five clear days' notice of the specific charge(s) made against him and a reasonable opportunity to refute the charge(s) either directly or through his legal representative.
 - (ii) The period of suspension shall not exceed one year and the amount of any fine shall not exceed \$100.00.
- (b) No member shall commence any proceedings in any court of law in respect of any decision of the Executive Council or any other duly constituted committee of the Union in respect of Article 15(a)(i) and (ii) unless and until an appeal thereon has been heard and determined by the Union in a general meeting.

Part III THE EXECUTIVE COUNCIL

Art 16 Composition of Executive Council

- (a) The officers of the Executive Council shall be elected at the General Meeting from among those nominated in accordance with Article 18 provided that not more than two ordinary members shall be elected to the Executive Council from the same department of the Ngee Ann Polytechnic. The Executive Council shall decide on the interpretation of the aforesaid word 'department' depending on the organizational structure of Ngee Ann Polytechnic from time to time.

- (b) The Executive Council shall be constituted as follows :
 - 1. One President
 - 2. One Vice-President
 - 3. One General Secretary
 - 4. One Assistant General Secretary
 - 5. One Treasurer
 - 6. One Assistant Treasurer
 - 7. Eleven Committee Members

- (c) The seventeen members of the Executive Council shall ordinarily hold office for four years and shall be eligible for re-election, but the Treasurer shall not hold office for more than two terms consecutively.

(As a consequence of this amendment coming into effect, the Executive Council which is elected in 2021 shall hold office for a term of four years up to 2025.)

- (d) Any member of the Executive Council who absents himself for three consecutive meetings shall be disqualified from sitting as a member thereof unless a satisfactory explanation in writing is forwarded to the Executive Council.

- (e) Subject to Article 16(a) the newly-elected members of the Executive Council shall have the power to co-opt any eligible members from any department of the Ngee Ann Polytechnic to fill any seat that remains unfilled after the election of the Executive Council.

- (f) Subject to Article 16(a), in the event of death, incapacity, resignation, expulsion or absence on study leave of a member of the Executive Council, the Executive Council shall have power to co-opt a member to fill the vacancy until the next election.

- (g) The Executive Council shall have the power to appoint such person or persons as the Secretary-General of the NTUC may recommend to be an Advisor or Advisors to the Union. Such Advisors shall be appointed for a period of up to three years and may attend a General Meeting or an Executive Council meeting

as an observer. The number of Advisors at any one time shall not exceed three.

- (h) Notwithstanding any provision to the contrary in this Constitution, no member shall be eligible to stand for election or be co-opted as an executive committee member of the union if he or she has reached the prevailing statutory retirement age at the time of the election. In addition, any executive committee member who reaches the prevailing statutory retirement age at any time after the election but before the completion of his or her full term of office shall automatically cease to hold office.

Art 17 Executive Council Meetings

- (a)
 - (i) The Executive Council shall hold not less than 4 meetings per year with more than half the total number of members of the Executive Council constituting a quorum.
 - (ii) Notice of any meeting of the Executive Council together with the agenda therefore shall be sent to all members not less than one week before the date of the meeting.
 - (iii) A special meeting may be called at the request of any four members of the Executive Council, In case of extreme urgency the General Secretary may submit business to the Executive Council by circular letter addressed to all members of the Council and a postal vote taken thereon. The decision on such business shall be confirmed and recorded in the Minutes of the next meeting.
- (b) Every question at meetings of the Executive Council shall be decided upon by a majority vote, and if the votes are equal, the Chairman of the meeting shall have a casting vote.

Art 18 Nominations of Candidates for Election to the Executive Council

- (a) Nominations for election to the Executive Council, duly signed by a proposer and a seconder, shall be submitted in writing to the General Secretary fourteen days before the date of the election.
- (b) Where, due to the withdrawal of a candidate before election or to any other causes, there is an insufficiency of candidates to fill the number of seats, such nominations may be taken from the floor at the meeting.
- (c) With the exception of Paragraph (b) of this article all nominations of candidates for election to the Executive Council shall be made in the prescribed forms. Such forms shall be filled with the name of the office, the name of the candidate, his signature to signify consent to stand as candidate and the names and

signatures of the proposer and seconder.

- (d) All nominations shall be notified to each member as soon as possible but not later than seven days before the election.

Art 19 Functions and Powers of the Executive Council

- (a) The Executive Council shall have general control of the business of the Union, and shall carry out the union policy as determined by the Union in general meeting. It shall in all things act for and in the name of the Union, and all acts and orders made under the powers delegated to Executive Council shall have the like forces and effect as the acts and orders of the Union.
- (b) The Executive Council shall have power to make regulation under this constitution. Such regulations shall have effect unless rescinded by the General Meeting of the members. The making of such regulations must always be reported to the general meeting.
- (c) The Executive Council must ensure that the constitution and regulations made thereunder are properly observed. It shall have power to decide upon any point on which the constitution or regulations is silent or ambiguous. Such decisions shall be binding on every member until rescinded by the general meeting.
- (d) The Executive Council shall be empowered to institute legal proceeding against any member or members of the Union who withhold any books, property or monies or wrongfully or fraudulently use any such property or monies belonging to the Union.
- (e) The Executive Council shall be empowered to remove from office any officer or to expel any member who, in its opinion, has committed or attempted to commit any injurious act to the Union or whose action is regarded by the Council as contrary to the Union's interest; provided that Article 15(a) is properly observed.
- (f) The Executive Council shall appoint special auditors for the examination of the books and accounts of the Union whenever it may deem necessary and if dissatisfied with same may take whatever action which it may deem necessary in the interest of the Union.
- (g) The Executive Council shall have power to appoint a delegation to represent the Union.
- (h) The Executive Council shall have power to employ, dismiss and remunerate staff of the Union.
- (i) The Executive Council shall have power to appoint sub-committees.
- (j) The Executive Council shall have power to publish a journal or journals.

- (k) The Executive Council shall have power to deal with personal or real property in any way on behalf of the Union.
- (l) The Executive Council may at its discretion delegate such of its functions and powers it deems necessary to any department of NTUC or any agency that the NTUC may from time to time establish or appoint for administering the Ordinary and Ordinary (General) Membership, including transferring members from one Membership List to another or from one union to another, processing of membership applications, collecting of subscription fees or other levies and administering their core welfare benefits claims under the NTUC Seamless Membership Scheme and may at any time revoke the delegation in full or part thereof.

Art 20 Duties of Office Bearers

- (a) The President shall act as Chairman at the meetings of the Union including the Executive Council meeting and shall conduct the Union business in accordance with its constitution, regulations and procedures. He shall also represent the Union in its dealings with other organisations or bodies.
- (b) The Vice-President shall deputise for the President in the latter's absence, and shall assist the President at all times.
- (c) The General Secretary shall carry out instructions of the Executive Council. He shall report to the Executive Council any infringement of the Constitution and regulations which may come to his notice. He shall attend to the general correspondence of the Union and shall record the Minutes of Annual General and Special Meetings and Executive Council Meetings.
- (d) The Assistant General Secretary shall act for and with the authority of the General Secretary, and to assist the General Secretary in the carrying out of the duties of his office.
- (e) The Treasurer shall be in charge of all the finances of the Union and shall receive subscriptions and other monies due to the Union. He shall keep full and correct accounts and shall submit a statement of receipts and payments of the previous month and a statement of arrears of subscriptions to the quarterly meetings of the Executive Council and the General Meeting. He shall be responsible for the preparation of a statement of receipts and payments and statement of Assets and Liabilities for submission to the auditors. He shall have power to retain in his hands for current expenses of the Union a sum of money not exceeding \$100.00. Any sum exceeding \$100.00 must be deposited in the name of the Union in a bank approved by the Executive Council.
- (f) The Assistant Treasurer shall act for the Treasurer in the latter's absence and shall assist the Treasurer at all times.
- (g) The Members of the Executive Council shall generally assist the Executive

Council in the consideration and deliberation of questions brought up for discussion. They shall also assist in the following matters:

- (i) provision of feedback from the various academic departments;
- (ii) dissemination of information to members in their departments;
- (iii) representation of members' grievances at the departmental levels;
- (iv) recruitment of new members;
- (v) obtaining contributions for the "Grapevine";
- (vi) serving as management committee members as and when appointed by the Executive Council and reporting to the said Council on matters arising therefrom;
- (vii) provision of counselling to academic staff members; and
- (viii) such other functions as the Executive Council may from time to time decide.

PART IV MEETINGS

Art 21 General Meeting

- (a)
 - (i) The General Meeting shall be held annually but not later than nine months after the close of every financial year.
 - (ii) The exact date, time and place of meeting shall be decided by the Executive Council which shall continue to exercise all powers and perform all the functions conferred on it by those Rules up to the time of the election of the new Executive Council.
- (b) The following shall be the business of the General Meeting:
 - (i) To receive and adopt the Report of the Executive Council.
 - (ii) To receive and adopt the Statement of Accounts.
 - (iii) To elect the Executive Council, if necessary.
 - (iv) To elect Internal Auditors.
 - (v) To deal with motions submitted by the Executive Council and by any member, provided that in the case of a motion submitted by a member notice is given to the General Secretary at least one week before the

meeting.

- (vi) To discuss general business.
- (c) Three weeks' notice shall be given to every member of the General Meeting by circular letter informing the member of the date, time and place of meeting and requesting for nominations and motions for discussion and amendments to the Constitution or regulations.
- (d) The quorum for a General Meeting shall be one-third of the total ordinary membership for the current year or forty ordinary members, whichever is the lesser.
- (e) In the event of there being no quorum after one (1) hour from the time appointed for the General Meeting, the Meeting shall be adjourned by two (2) weeks and should the number then present at the adjourned Meeting be insufficient to form a quorum those present shall constitute a quorum but shall have no power to make any decision affecting the members generally or to alter, amend or make addition to the Constitution or any of the existing regulations.
- (f) Any decision or resolution duly made at the General Meeting shall be effective and binding on all members and can only be revoked, amended or added to by a subsequent General or Special Meeting.

Art 22 Special Meeting

- (a) Special Meetings of the Members of the Union shall be called:
 - (i) at the discretion of the Executive Council
 - (ii) on the written request of at least one-quarter of the total membership for the current year or 30, whichever is the lesser,
- (b) Seven days' notice shall be given to all members in the event of such a Special Meeting being called, provided that if it is called under paragraph (a)(ii) of this article, it shall be held not earlier than seven days or later than one month after the date of receipt of such request.
- (c) The quorum of the Special Meeting shall be one-third of the total ordinary membership for the current year or forty, whichever is the lesser.
- (d) Except otherwise provided in this Article, all representation and procedure of a Special Meeting shall be the same as those of the General Meeting.
- (e) Any decision or resolution duly made at the Special Meeting shall be effective and binding on all members and can only be revoked, amended or added to by a subsequent General or Special Meeting.

Art 23 Voting at General Special Meeting

- (a) Voting at the annual General or Special Meeting shall be by show of hands except for items listed in Article 24.
- (b) Except in the case of any alteration, amendment or addition of the Constitution, all resolutions of the General or Special Meeting shall be made by simple majority. In the event of any equal division of votes the Chairman of the Meeting shall have the casting vote.
- (c) Any alteration, amendment or addition of the Constitution shall be made by a two-third majority of the ordinary members present at the Meeting.
- (d) Scrutineers or Tellers may be appointed by the Executive Council. The majority decision of the Scrutineers or Tellers shall be final.
- (e) In the case of dispute over the result of any voting by show of hands, the Chairman shall order a further vote by ballot if he so desires, or if so demanded by half of the members present.

Art 24 Secret Ballot

Voting shall be by secret ballot in accordance with the procedure laid down in Appendix A, in the following cases :

- (a) In the case of industrial action.
- (b) When expenses exceeding \$20,000 are involved for any one item.
- (c) For the election of the members of the Executive Council, and General Auditors.
- (d) Amendments to the Constitution.
- (e) Dissolution.
- (f) Disaffiliation from the National Trades Union Congress or the Singapore Labour Foundation (if three-quarters of all the members so consent).
- (g) The alteration or revision in any manner of the provisions governing or pertaining to affiliation - to the National Trades Union Congress and the Singapore Labour Foundation and related matters, including this provision (if more than one-half of all the members of the union so agree).
- (h) The change of the use of a special fund to which members have been obliged to make contributions (if more than one-half of all the members of the union so agree).

- (i) The imposition of levy.
- (j) Any other matters affecting the members generally.

PART V FINANCE

Art 25 Expenditure

- (a) The funds of the Union may only be expended in furtherance of the objects of the Union and for the maintenance and running of the Union in accordance with the Trade Unions Act. No expenditure exceeding \$20,000 in respect of one and the same item or transaction shall be incurred by the Executive Council without the previous approval of the General Meeting or a Special Meeting.
- (b) Any monies received for a specific purpose by the Union from the members, who are liable to pay such monies in accordance with these Rules, shall not be used or applied for any other purpose without the consent, by secret ballot of the majority of its members, and every such consent shall be notified to the Registrar of Trade Unions by the General Secretary within seven (7) days thereof.

Art 26 Investments

Should the funds in the Union's Current Account exceed the amount the Executive Council considers necessary to meet all current demands and emergencies, the Executive Council may direct the surplus sum to be invested by Trustees in the name of the Union.

Art 27 Levies

- (a) The Executive Council may, after a secret ballot by the General Meeting or Special Meeting, impose a levy upon members of the Union, who shall then be required to pay such levy. The levy shall be paid to the Union through check-off, GIRO or any other arrangement prescribed by the Executive Council.
- (b) If any member fails to pay a levy within two months of its imposition, the amount shall be treated as arrears of subscriptions.

Art 28 Inspection of membership Register and Account Books

The membership Register and Account Books shall be open to the inspection of any member and to accredited person(s), provided that seven clear days' notice in writing

of such inspection is given to the General Secretary.

Art 29 Signing of Cheques of the Union

All cheques of the Union shall be signed by the President (or in his absence the Vice-President), the General Secretary and the Treasurer. In the absence of the Treasurer or the General Secretary the Executive Council shall appoint one of its members to sign in place of the absent officer.

Art 30 Trustees

- (a) The Executive Council may appoint a minimum of three (3) and a maximum of four (4) Trustees for a term of four (4) years, provided that a person who is not a Singapore citizen or who is concurrently the President, the General Secretary, or the Treasurer of the Union or the holder of any other office who is required to act for or serve as any of the foregoing officers at any time for whatever reason shall not be appointed as a Trustee without the prior approval in writing of the Minister of Manpower. The appointed Trustees shall not hold office for more than three (3) consecutive terms.
- (b) Trustees shall be appointed 24 months (but no later than 30 months) after the Executive Council elections. The years of service of appointed Trustees shall only accrue from an appointment after amended Article 30 takes effect.
- (c) The Trustees shall have vested in them all the movable and immovable property whatsoever belonging to the Union for the use and benefit of the Union and the members thereof. They shall discharge their duties in accordance with the lawful directives of the Executive Council.
- (d) Unless otherwise instructed by the Executive Council, the Trustees shall invest and manage the Union property as they see fit subject to periodic reports to and confirmation from the Executive Council. The instruction from the Executive Council to the Trustees must be based upon the authority of a resolution of the council.
- (e) In investing and managing the Union property the Trustees shall exercise such care and diligence as a reasonable man with ordinary capacity would exercise in managing his own property.
- (f) The Trustees shall attend the General Meeting. They shall also attend the Executive Council meetings when summoned by the General Secretary.
- (g) They shall hold deeds, documents of title, securities or monies of the Union, and they may take such measures for the safe custody and preservation of same as they think fit. They shall be responsible for the safe custody of all such deeds, documents and securities which are placed in their hands or under their control and shall produce them for inspection when required by the Executive Council or General Meeting, the Internal Auditor or the External Auditor.

- (h) The Executive Council shall appoint a suitable person to fill any vacancy in the ranks of the Trustees so that there shall always be at least three (3) Trustees in office. In such an event, the appointed Trustee's term of office shall end on the same day as the term of the Trustee he had been appointed to replace.
- (i) A Trustee may be removed from office by the Executive Council on the grounds of ill health, unsoundness of mind, bankruptcy, absence from the country or if in the opinion of the Executive Council he is unable to perform or is unsuitable for the performance of the duties of a Trustee. Any appointment or removal of Trustees must be endorsed by at least two-thirds of the Executive Council members.

Art 31 Auditors

(1) Internal Auditors

- (a) One Internal Auditor shall be elected at each General Meeting. No member of the Executive Council shall be eligible to act as Internal Auditor.
- (b) In the event of a vacancy arising before the next election the unsuccessful candidate with the highest number of votes at the previous election shall take office.
- (c) The Internal Auditor shall at the beginning of each term of office thoroughly examine all the accounts kept by the Treasurer, check all receipts and payments and shall certify accordingly. He shall have access to all books, accounts, vouchers and other documents of the Union which he may consider necessary.
- (d) The Internal Auditors shall be allowed such remuneration as the Executive Council shall recommend.

(2) External Auditors

- (a) The annual accounts of the union must be audited and certified by a duly certified Public Accountant to be appointed by the Executive Council provided that the one and same certified Public Accountant shall not be appointed for more than five years continuously as provided under law.
- (b) The External Auditor shall at the end of the Union's financial year thoroughly examine all the accounts of the Union, check all receipts and payments and shall certify accordingly. He shall have access to all books, accounts, vouchers and other documents of the Union which he may consider necessary.
- (c) The External Auditor shall prepare a report on the financial position of

the Union and the manner in which the accounts have been kept, having regard to the provisions of Trade Unions Act or other laws concerning the accounts of the Union. The Report shall be submitted to the Executive Council which shall publish it and send a copy to all members together with the Annual Report. In addition, a copy of the Annual Report and the Statement of Accounts duly certified by the External Auditor shall be conspicuously placed at the Head Office of the Union.

- (d) The External Auditor may be called by the Executive Council to conduct a thorough examination of the accounts at any time during the course of the year in addition to the annual check of accounts.
- (e) The Executive Council shall be empowered to pay such expenses as may be incurred by employing the services of the External Auditor.

PART VI INDUSTRIAL ACTION

Art 32 Procedure on Industrial Action

- (a) In the event of any trade dispute arising in any section or body of members of the Union, a report shall be made to the Executive Council.
- (b) The Executive Council, upon receiving a report under Article 32(a) shall determine what action should be taken. The following provisions shall regulate industrial action :
 - (i) No strike or industrial action shall take place without the consent by secret ballot of the majority of members.
 - (ii) After the necessary consent has been obtained all further procedure shall be decided by the Executive Council unless otherwise directed by the majority of members at an Extraordinary General Meeting or Annual General Meeting.
 - (iii) Instructions issued by the Executive Council in pursuant to paragraph (i) of this article shall be obeyed by every member.
 - (iv) It shall be the duty of the organisation committee, so appointed for the purpose by the Executive Council, to make the necessary arrangements for carrying out a strike.
 - (v) Members failing or refusing to obey the instructions of the Executive Council may be expelled from the Union.
- (c) In the event of a strike being called by the Executive Council, no member of the Union shall take the place of a member on strike.

Art 33

- (a) Any member who is victimised by way of dismissal or any other ways on account of his membership in or work for the Union or due to his carrying out the instruction of the Union may claim the assistance of the Union. If the Executive Council is satisfied as to the facts of the case, it shall take action on the member's behalf. The Union may also pay allowance to the member so victimised. The amount of allowance and the period for which the allowance is to be paid shall be decided by the Executive Council.
- (b) The Union shall come to the assistance of any member or may help who, in the opinion of the majority of the Executive Council members, has received unfair treatment from the Polytechnic.

**PART VII REMOVAL FROM OFFICE OR RESIGNATION OF EXECUTIVE
COUNCIL, COMMITTEE OR OFFICE BEARER(S)**

Art 34

- (a) The Executive Council en bloc or any office-bearer of the Union may be removed from office by the majority decision of the Meeting at a Special Meeting convened for the purpose.
- (b) The Executive Council in the event of having had a vote of no confidence passed against it at a Special Meeting convened for the purpose shall resign from office with immediate effect and a new Executive Council shall be elected to take its place in accordance with Article 34(i).
- (c) In the event of an office-bearer or officer-bearers being removed from office in accordance with Article 34(a) above, such vacancy or vacancies shall be filled in accordance with Article 34(j).
- (d) In the event of the Executive Council resigning en bloc, at a Special Meeting for any reason whatsoever, Article 34(i) shall apply.
- (e) The Executive Council or a special meeting shall have power by majority vote to remove from office any Standing Committee.
- (f) In the event of resignation of any member of the Executive Council or Standing Committee the office so vacated shall be filled by the Executive Council.
- (g) The Executive Council should fill any office immediately after it is vacated for whatever cause.
- (h) In the event of resignation or removal from office of the members of the Executive Council under Article 34(b), the Special Meeting shall immediately elect from the floor an Ad-Hoc Committee consisting of:
 - A Chairman
 - A General Secretary
 - A Treasurer and
 - Two other members

- (a) The Functions of the Ad-Hoc committee shall be:
 - (i) To convene within 30 days a Special Meeting for the specific purpose of electing a new Executive Council in accordance with Article 21 to hold office until the next Annual General Meeting.
 - (ii) To manage the affairs of the Union.
 - (iii) A quorum at the meetings of the Ad-Hoc Committee shall be three.
- (b)
 - (i) In the event of an office-bearer(s) being removed from office under Article 34(c) the vacancy so caused shall be filled immediately by election from among candidates nominated from the floor, notwithstanding any other provision in the Rules and By-laws of this Constitution.
 - (ii) Such office-bearer(s) so elected shall serve until the next Annual General Meeting.

PART VIII MISCELLANEOUS

Art 35

- (a) The president's address to the General Meeting shall have the prior approval of the Executive Council.
- (b) Any proposal for amendment of Constitution shall be submitted to the Executive Council at least one week before the General Meeting.

Art 36

Until the first Executive Council is elected the Union shall be governed by a Protem Committee consisting of a President, Vice-President, General Secretary, Assistant General Secretary, Treasurer.

APPENDIX A

Procedure for conducting a Secret Ballot at a Meeting

1. The Executive Council shall fix the date, the time and the place for voting and the General Secretary shall take steps to secure that every member who is entitled to vote is informed, as far as practicable, of the date, the time and place, of the ballot. It shall be the responsibility of the Executive Council to see that all those who are entitled to vote are given reasonable opportunity to record their votes freely, that the results of voting are correctly ascertained and declared, and that the secrecy of the ballot is properly secured.
2. The Executive Council shall cause the required number of ballot to be prepared. Nothing shall be marked or indicated on any ballot paper by any person which can in any way identify the member voting.
3. The Executive Council shall provide, if practicable, a separate room or, if that is not practicable, a separate portion of a room for the taking of the ballot, together with writing materials and a ballot box which shall be kept locked from the commencement of the ballot until the time when the votes are to be counted.
4. The taking of the ballot shall be in the charge of a minimum of three Scrutineers, two at least of whom shall be present throughout. Such Scrutineers shall be either Executive Council members or members appointed by the Executive Council.
5. No person shall be present in the room or portion of a room, as the case may be, during the voting except the scrutineers and the members who are actually voting.
6. Each voter on presenting himself for the purpose of voting shall forthwith produce to one of the Scrutineers if required, satisfactory evidence of his membership, and his name or number shall be forthwith checked off by such Scrutineer in the membership List compiled for the purpose and he shall be handed a ballot paper. The Scrutineers shall ensure that only those members who are entitled to vote are given the opportunity to do so and that each member votes once only on a particular issue.
7. The voter who has been issued with a ballot paper shall then proceed to record his vote by placing a cross or a number of crosses, as the case may be, and no other mark on the ballot paper. Then folding the ballot paper at least in half, he shall drop it in the ballot box provided for that purpose and immediately quit the place of voting.