

CUSTOMS AND EXCISE PREVENTIVE STAFF ASSOCIATION

THE CONSTITUTION - 1965

Rule 1 - NAME

The name of the Association shall be the Customs and Excise Preventive Staff Association, hereinafter referred to as the Association.

Rule 2 - OBJECTS

- (a) To protect and promote the interests of all members and to maintain and improve their conditions of employment.
- (b) To maintain funds for these purposes.
- (c) In pursuance of these objects the Association may co-operate with other Civil Service Societies or Federations, the primary object of which is to promote the interests of Civil Servants and take any other lawful action or adopt other lawful methods which may be decided upon.

Rule 3 - MEMBERSHIP

- (a) Membership of the Association shall be open to serving members of the APO, PO and CPO grades of the Preventive Service and shall give entitlement to all the benefits provided by the Association.
- (b) Participation in the benefits of membership by any other person or persons must be sanctioned by Council.
- (c) Application for membership shall be made in writing and forwarded through the District Organiser to the Organising Secretary for consideration by the Executive Committee whose decision shall be final.
- (d)
 - (i) Any member who is more than one quarter in arrears with his subscription will not be eligible to any official position in the Association.
 - (ii) The case of any member twelve months in arrears with his subscriptions must be examined by a District meeting and reported immediately to the Executive Committee for their examination.
 - (iii) The Executive Committee may declare any member reported under Rule 3 (d) (ii) to be a non-member.

- (iv) Readmission to membership will be allowed only to a person who is prepared to pay his arrears in accordance with conditions prescribed by the Executive Committee.
- (v) Non-members are not eligible for the benefits of membership.
- (vi) Any action taken by the Executive Committee under the provisions of Rule 3 (d) (i) to (iv) may be the subject of an appeal to the Council by the individual concerned, current subscriptions being paid pending any such appeal.

Rule 4 - ORGANISATION AND MANAGEMENT

- (a) Management of the Association shall be vested in a Council, an Executive Committee and the Officers.
- (b)
 - (i) The Council shall comprise thirty-two members together with the following officers: President, General Secretary, Deputy General Secretary and Treasurer, Organising Secretary and an Assistant Secretary, who shall be members ex officio. The Editor of THE CUSTOMS JOURNAL shall attend Council meetings.
 - (ii) Thirty-two Councillors, i.e., seven from the CPO members and twenty-five from the PO and APO members, shall be elected.
 - (iii) One CPO Councillor shall be elected from and by the CPO members in each of the following areas:
 - A. London (comprising London and Harwich Districts).
Southern (comprising Dover, Gravesend and Southampton Districts)
Liverpool (comprising Holyhead, Liverpool and Manchester Districts).
 - B. London Airports.
Western (comprising Plymouth and South Wales Districts).
Northern (comprising Northern Ireland and Scottish Districts),
Eastern (comprising Grimsby, Hull and Tyne Districts).
 - (iv) A Councillor who may be either a PO or APO shall be elected by the combined PO and APO membership from each of the Districts below, with the exception of Liverpool. Southampton and London Airports, who shall elect additionally a Councillor by and from the APO membership.
 - A. Belfast, Cardiff, Dover, Glasgow, Gravesend, Grimsby, Leith, London Airport, Manchester, Plymouth, Tyne, Liverpool APO. Southampton APO.

B. Aberdeen, Bristol, Harwich, Holyhead, Hull, Land Boundary, Liverpool London, Middlesbrough, Southampton, Swansea, London Airport APO

- (v) Councillors from Lists A and B in 4 (b) (iii) and 4 (b) (iv) shall retire in alternate years,
 - (vi) Nominations for Councillor must be submitted to the Organising Secretary by January 15th. Elections must be concluded by February 15th.
 - (vii) The Council shall meet in May of each year at a place decided by the Executive Committee. Special meetings of Council may be called at the discretion of the Executive Committee.
 - (viii) Resolutions for consideration by Council must come from the Executive Committee or a District meeting. Resolutions from Branch meetings shall be forwarded through a District meeting. District resolutions shall have been considered by all Branches within the District. Resolutions must be in the hands of the General Secretary by the 15th March and circulated by him to the Districts, Branches and members of the Council by April 1st. Voting at Council shall ordinarily be by a show of hands and shall be confined to Councillors duly elected under Rule 4 (b) (iii) and (iv) and to Officers with the exception of the President.
 - (x) Special meetings of the Council may be summoned at any time at the request of a majority of the Councillors.
 - (xi) In the event of a Special meeting of Council only business detailed in the notice paper convening the Special meeting shall be dealt with.
- (c) Election procedure will be under the control of the Organising Secretary. Nominations for Councillor must be proposed and seconded by members from whom the Councillor is to be elected. Nominations will be forwarded to the Organising Secretary via the District Organiser. The District Organiser will notify the District of an impending election by December 15th.

Election of Councillors shall be by ballot under the control of the Organising Secretary.

Casual vacancies shall be filled by a ballot of the membership in the Area or District concerned.

In the event of an emergency, whereby the District has insufficient time to conduct a ballot amongst its members, the District Officers are empowered to appoint a representative having the full rights of a Councillor. The absence of a nomination by January 15th, will not be classed as an emergency.

(d) *Referendum*

A referendum shall be taken on any question at any time at the discretion of Council. On any issue except those listed in Rules 7 (a) and 7 (b), the method of decision will be laid down by Council when the decision to hold a referendum is taken.

(e) *Executive Committee*

- (i) The Executive Committee shall be composed of the Officers and five other members elected by and from the Council at the Annual Conference. The Executive Committee shall meet when necessary but not less frequently than once per quarter. The Editor of THE CUSTOMS JOURNAL shall attend Executive Committee meetings.

A report of each meeting shall be circulated to all Districts.

- (ii) The Executive Committee shall have power to co-opt additional members in an advisory capacity, to appoint such standing or other subcommittees as may be deemed necessary and to fill any casual vacancies on the Executive Committee (other than those caused by resignation of Officers), from the Councillors.

- (iii) The Executive Committee shall conduct the business of the Association in conformity with the policy from time to time determined by the Council. The Committee shall tender to each Council meeting a report of progress. An audited Annual Statement of Accounts shall be rendered to the Annual Meeting of Council.

(f) *Officers*

The Officers of the Association (i.e., President, General Secretary, Deputy General Secretary and Treasurer, Organising Secretary and Assistant Secretary) and the Editor of THE CUSTOMS JOURNAL shall be elected at the Annual General Meeting of the Council.

Rule 5 - FINANCE

- (a) The financial year of the Association shall be from January 1st to December 31st.

- (b) The annual subscription shall be fixed by Council and shall be payable quarterly in advance. When a member has been on sick leave for a period exceeding one quarter he may at the discretion of the Executive Committee, be excused the payment of his subscriptions to the Association for the whole period of his sickness.

- (c) The Council shall have the power to make levies in addition to the subscription if and when deemed necessary, and to prescribe penalties for the non-payment of such levies.
- (d) All monies of the Association shall be banked in the name of the Association and held in the names of the President; General Secretary, and the Treasurer, any two of them being authorised to sign cheques acting under the instructions of the Executive Committee.
- (e) The Association's account books shall be audited by a professional qualified accountant appointed by the Executive Committee.
- (f) No portion of the funds shall be spent on objects not falling within the terms of the Constitution without a referendum of the members first having been taken under Rule 4 (d).
- (g) Expenses incurred by the Officers and the Editor of The CUSTOMS JOURNAL in respect of their Association work shall be reimbursed to them within the discretion of the Council.

Rule 6 - DISTRICT AND BRANCH ORGANISATION

- (a) *District Organisation*
 - (i) An Annual General Meeting shall be held in January each year. At this meeting there shall be elected a Chairman, a Vice Chairman, a District Secretary, a District Organiser, a JOURNAL Correspondent, two Auditors.
 - (ii) The District Secretary shall be responsible for dealing with matters of policy for convened meetings; for taking Minutes of the same and for transmitting copies of these to the General Secretary and the Editor of The CUSTOMS JOURNAL and shall generally assist the Executive Committee in carrying out the policy of the Association.
 - (iii) The District Organiser shall be responsible for the recruitment and maintenance of membership, the collection and accounting for subscriptions and for the preparation and despatch of such returns and accounts as may be required by the Council or Executive Committee, including returns required under Rule 3 (d) (ii). He shall present an audited annual statement of accounts and all arrears of subscriptions to the Annual General Meeting.
 - (iv) Acceptance of office as District Secretary or District Organiser implies agreement by such officeholder that when proceeding on leave or Detached Duty of more than seven days' duration he shall advise the District and Headquarters of the deputy acting in his absence.

(v) The District shall have power to create such subcommittees and additional officer ships as may be deemed necessary.

(b) *Branch Organisation*

- (i) Branches may be set up in those Districts where for convenience of organisation it is deemed necessary by the Executive Committee.
- (ii) A Chairman, a Branch Secretary, a Branch Organiser and Auditors, where necessary, shall be appointed at the annual meeting of the Branch.
- (iii) Branch Secretaries shall be responsible for dealing with Branch matters for convened meetings, for taking minutes of the same, and for transmitting copies of these to the General Secretary and the Editor of THE CUSTOMS JOURNAL through the DISTRICT SECRETARY and shall generally assist the District Secretary in carrying out the policy of the Association.
- (iv) Branch Organisers shall be responsible for the performance of the duties laid down in Rule 6 (a) (iii) as far as these relate to the Branch.
- (v) The provisions contained in Rule 6 (a) (iv) and (v) shall also apply to Branch organisations.

(c) *Subscriptions and Expenses*

- (i) Subscriptions are to be collected promptly and subject to the payment of necessary expenses and retention by the District or Branch Organiser of a reasonable amount in hand, are to be transmitted to the Organising Secretary.
- (ii) The Executive Committee shall have power to limit the expenses of Districts and Branches.

(d) *Meetings*

- (i) Special meetings may be called at any time on request of twenty-five percent. of the members. Only business detailed in the paper convening the Special meeting shall be dealt with.
- (ii) Voting at meetings shall ordinarily be by a show of hands. Questions affecting common interests shall be decided by a majority vote of the meeting. Questions affecting one grade shall, on motion being made, be referred to a committee comprising members of the grade concerned for consideration and report.
- (iii) Any matter concerning general policy of the Association must be submitted to Headquarters through a District meeting.

- (iv) Members who are unable to attend meetings through Service exigencies, leave, distance, or sickness, may submit their votes and reasons for absence in writing prior to the meeting to the Branch or District Secretary. The Chairman of the meeting will consider the reasons for absence and if satisfied that duty, leave, distance or sickness considerations justify may permit an absentee's vote to be recorded.

- (v) District meetings held to consider any Conference matter shall take into account Branch decisions on that matter which have been conveyed to the District Secretary prior to the District meeting by the Minutes of the Branch meeting. The voting at the Branch meeting shall be taken into account with the voting of the District meeting after the District vote has been recorded. Branch members attending the District meeting may not vote on matters already decided upon at a meeting of their Branch.

Rule 7 - DISSOLUTION, AMALGAMATION OR AFFILIATION

- (a) The Association may not be dissolved nor amalgamated with another organisation nor its funds divided except with the consent of not less than three-fourths of the total membership. Voting shall be by ballot.

- (b) The Association may not be affiliated to any other organisation except with the consent of not less than three-fourths of the total votes cast. Voting shall be by ballot.

Rule 8 - AMENDMENT OF RULES

The Rules of the Association and the rules of the PSA section of the Provident Reliance Friendly Society may not be altered except by a majority of the votes cast at a Council meeting. Written proposals which have been adopted at a duly convened District meeting should be forwarded to the General Secretary by February 15th. The General Secretary shall circulate the proposals to the Districts and to the members of the Council by March 1st.

Rule 9 - EXPENSES INCURRED ON ASSOCIATION BUSINESS

When on authorised Association business, officers and members shall be entitled to travelling expenses (first class by sea, second class by rail, and at Civil Service public transport rates when a private car is used) and such subsistence rates as may be determined by the Council. Members necessarily taking ordinary or special leave shall receive compensation at the rate of the minimum of the salary scale of their class plus cost of substitution (if any).

STANDING ORDERS

1. CHAIRMAN

- (a) The President of the Association shall be the Chairman at meetings of the Council and Executive Committee and any temporary substitution must have the consent of the meeting.
- (b) Proposals not circulated in accordance with Rule 4 (b) (viii) shall be discussed at the Chairman's discretion.
- (c) The Chairman's decision on any matter shall be final unless challenged. Any challenge to the Chairman's ruling must be proposed and seconded and have the consent of two-thirds of the members present.
- (d) The Chairman shall have a casting vote.

2. QUORUM

The quorum at any meeting of the Council or at any meeting of the committees shall be the majority of its membership.

3. SUSPENSION OF STANDING ORDERS

Any Standing Order may be suspended in case of emergency or motion made provided that two-thirds of the members present shall so decide.

4. ORDER OF BUSINESS

The order of business at Council meetings shall be as follows:

- (a) Adoption of Minutes of previous Council.
- (b) Correspondence or other business directed to be brought forward by the Chairman.
- (c) Motions of Urgency. The decision as to urgency is vested in the Chairman.
- (d) Adoption of the Report of the Executive Committee.
- (e) Personal Report of the General Secretary.
- (f) Personal Report of the Organising Secretary.

- (g) Consideration of the Executive Committee's Report and Resolutions arising.
- (h) Other resolutions.
- (i) Proposals for the alteration or the amendment of the Constitution or Standing Orders,
- (j) Election of Officers, JOURNAL Editor and Executive Committee,
- (k) Election of representatives on other bodies.
- (l) Other business.

Extracted from the June 1965 edition of the Customs Journal