

POA
Annual Conference
2017

CONFERENCE
PAPER FOUR



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CHANGES TO THE POLITICAL FUND RULES ENGLAND, WALES & SCOTLAND

Introduction

The POA like all trade unions must comply with the Certification Officer's amended Rules and Regulations should it wish to continue to have a Political Fund.

The National Executive Committee believe it is vital for the POA to have a political voice and a means to campaign and lobby MP's, to further the aims and objectives of the union.

All members of the union have the right to contribute to the Political Fund from their current subscription or opt out of the Fund. This remains the case, however, more stringent changes are being introduced in England, Wales and Scotland, which require the POA to amend the current procedures for new and existing members.

This paper sets out the procedures and changes which the POA are required to make and provides Conference with the opportunity to endorse these changes and maintain our political fund.

History

MOTION 176/2007

That Conference accepts Conference Paper (6) Political Fund Ballot Rules England, Wales and Scotland, under which a ballot could be held on a resolution approving the furtherance of the political objectives of the POA within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

Further that, if those Rules are given formal approval by the Certification Officer, a ballot will be held in accordance with them.

This is an extremely important motion because it is with regard to the Political Fund Ballot which, by law, we must carry out every 10 years. The National Executive Committee believe that it is vital for the union to maintain this campaigning Fund. Decisions, consultations, reviews and laws made and acted upon by politicians have a daily influence on POA members and their families across the UK. The union's concern about these actions does not end at the prison or hospital gates. Decisions made in Parliament and across Whitehall on matters ranging from pensions, employment rights, health and safety, working hours, the list could go on, all affect our members. It is important to stress once again that the Political Fund and the Political Fund Ballot is not about affiliation to a political party. We are just voting on the basic right to keep our Fund. The law says that unions must have a separate Political Fund to spend on political campaigning. This could include our support and participation in the campaign such as the public services, non-private profit, lobbying Members of Parliament for the return of our trade union rights, protecting our pensions, or holding or participating at political rallies or events. Conference, very quickly, we heard from John McDonnell, Labour MP, who told you that the POA were at the forefront of a lot of these political aspirations. In order for us to continue, we ask you to support this wholeheartedly. It does not mean that you are paying any more money, it just means that out of £12.60 subscription, 15p of that is put into the Political Fund. Conference, we would ask you to support this unanimously and give it the widest publication you can within your Branches.

Changes

These are the key changes to the political fund rules:

- Letter to the Certification Officer seeking approval
- Draft Ballot Rules
- Revised Political Fund Rule
- Notice to members
- Political Fund exemption notice

Conclusion

The NEC seek Conference approval to introduce the necessary changes to ensure the POA's Political Fund is compliant with the Rules and Regulations as set out in the Model Rules, which are attached for ease of reference.

At the time of finalising this paper confirmation from the Certification Officer was still outstanding that these changes were acceptable to him. The mover of the motion will confirm his decision and any amendments to Conference.

If Conference accept these changes the NEC will conduct a postal ballot of all affected members using the services of Electoral Reform Services (ERS).

Please support.



**The Professional Trades Union for Prison,
Correctional & Secure Psychiatric Workers**

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Our Ref: GS/010/17

Your Ref

24th April 2017

Dear Mr Taylor

We write to seek your preliminary approval of two matters. Firstly, our draft Ballot Rules for Maintenance of the Political Fund and Secondly, a proposed new Political Fund Rule, in order to comply with the Trade Union Act 2016.

1. BALLOT TO MAINTAIN POLITICAL FUND BALLOT

Under the Trades Union and Labour Relations Act (as amended) the POA will be required to conduct a ballot of its members by the 1st October 2017. It is our intention to have completed this process though by mid-September 2017.

As part of our preparatory work, I have enclosed two sets of draft Ballot Rules to be used in the above ballot of POA members in England, Wales and Scotland for preliminary approval. **These draft Ballot Rules will be placed before our Annual Conference between 9th and 11th May 2017.**

These draft Rules are taken from the Model Rules set out Annex A of your document "A Guide to Political Fund Review Ballots". It is the intention of the Union to use the offices of Electoral Reform Services (ERS) to act as both the Scrutineer and Independent Person for the purpose of this ballot.

We have not deviated from your Model Rules save to insert the name of the Union in the heading.

I hope that the draft Rules meet with your approval, if you require any further clarification or there are any difficulties with the proposed Rule please contact me at the above address.

2. PROPOSED AMENDMENT OF POLITICAL FUND RULE

We also include two copies of the Political Fund Rule we propose to adopt at Conference to replace our current Political Fund Rule which will not be compliant with the 2016 Act. As above we have adopted your Model Rules without amendment save we have filled in the blanks where indicated.

We apologise for the short notice but hope you will be able to deal with this matter prior to our Conference starting on the 9th May 2017.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Steve Gillan', with a small dash at the end.

STEVE GILLAN
General Secretary

Mr David Taylor
Certification Officer
Lower Ground Floor
Fleetbank House
2-6 Salisbury Square
London
EC4Y 8 JX

RULES FOR A BALLOT TO MAINTAIN THE POA POLITICAL FUND

General

1. The union shall be responsible for securing that the ballot which is held to establish a political fund is conducted in accordance with these rules, even where the responsibility for carrying out a particular duty falls upon a person not subject to the rules of the union.

Interpretation

2. In these ballot rules, unless the context otherwise requires:

"the Act" means the Trade Union and Labour Relations (Consolidation) Act 1992 (as amended);

"the Certification Officer" means the Certification Officer for Trade Unions and Employers' Associations whose address is Lower Ground Floor, Fleetbank House, 2-6 Salisbury Square, London, EC4Y 8JX.

"dispatch envelope" means the envelope (in the form required by these rules) in which the voting paper and return envelope are dispatched to the member;

"executive" means the principal committee of the union exercising executive functions, by whatever name it is called;

"independent person" means the person or persons appointed to act as the independent person or persons in respect of the ballot under the provisions of section 77A of the Act and these rules;

"person" in relation to the position of an independent person or a scrutineer, includes an unincorporated or incorporated body of persons;

"proper address" in relation to any member means his/her home address or other address which he/she has requested the union in writing to treat as his/her postal address under section 24(5) of the Act;

"return envelope" means an envelope in the form required by these rules;

"scrutineer" means the independent person appointed by the union to that position in relation to the ballot under section 75 of the Act and these rules;

"the period specified before disposal" means the end of the period of one year beginning with the day of the announcement by the union of the result of the ballot or, if within that period an application is made under section 80 or 81 (complaint of failure to comply with the ballot rules) of the Act, until the Certification Officer or the court authorises him/her to dispose of the papers or, as the case may be, records;

"voting paper" or "ballot paper" means a voting paper in the form required by these rules;

Purpose of these rules

3. These rules are adopted for the purposes of a ballot under section 73 of the Act and apply only to such a ballot.

Copies of these rules to be available to members

4. The union shall ensure that a copy of these rules is supplied either free of charge or on payment of a reasonable charge to any member of the union who requests a copy.

Appointment of a scrutineer where the scrutineer acts as the independent person

5. Before the ballot is held, a qualified independent person (“the scrutineer”) shall be appointed to carry out the functions of both the scrutineer and the independent person in relation to the ballot as are required under the Act and any such additional functions as are specified in the appointment.
6. A person is eligible for appointment as scrutineer if:
 - (a) the person satisfies the conditions which are for the time being specified by the Secretary of State pursuant to section 75(2) of the Act or is a person specified in an order made under that section (the conditions and the persons specified by the Secretary of State were, at the time of the adoption of these rules, contained in The Trade Union Ballots and Elections (Independent Scrutineer Qualifications) Order 2010 (SI 2010/436) – available at www.legislation.gov.uk); and
 - (b) there are no grounds for believing that the person in question will carry out any function conferred on him/her in relation to the ballot otherwise than competently; or that his/her independence in relation to the union or in relation to the ballot might reasonably be called into question.

Terms of the appointment

7. The terms of the appointment shall require the scrutineer:
 - (a) to supervise the production of the voting papers and to undertake the storage and distribution of the voting papers and the counting of votes cast;
 - (b) to be the person to whom the voting papers are returned by those voting;
 - (c) to inspect the register of names and addresses of members of the union or to examine the copy of the register as at the relevant date which is supplied to him/her in accordance with section 75(5A)(a) of the Act whenever it appears to him/her appropriate to do so and in particular where the conditions specified in section 75(3A) of the Act are satisfied;
 - (d) take such steps as appear to be appropriate to the scrutineer for the purpose of enabling him/her to make a report as specified in section 78 of the Act;
 - (e) to make that report to the union as soon as is reasonably practicable after the last date for the return of voting papers;
 - (f) to retain custody of and keep secure in a safe place all voting papers returned for the purposes of the ballot together with the relevant copy of the register of names and addresses of members entitled to vote and supplied to him/her by the union for the period specified before disposal, as defined in rule 2;
 - (g) to carry out such other functions in relation to the ballot as are required of him/her under these rules or otherwise, as the union considers appropriate;

(h) to store in a secure place any unused voting papers or voting papers which are returned undelivered until disposal; and

(i) to respect the duty of confidentiality in respect of the register.

Notice of appointment

8. Before the scrutineer begins to carry out any of these functions either:

(a) a notice stating the name of the scrutineer shall be sent by the union to every member of the union to whom it is reasonably practicable to send such a notice; or

(b) all such other steps shall be taken for notifying members of the union of the name of the scrutineer as it is the practice of the union to take when matters of general interest to all its members need to be brought to their attention.

Such notice or notification may invite members to inform the union of any change of address and advise members of the dates between which the ballot will be held.

Union's duty towards the scrutineer

9. Nothing in the terms of the scrutineer's appointment (including any additional functions specified in the appointment) shall be such as to make it reasonable for any person to call into question the scrutineer's independence in relation to the union.

10. The union shall ensure that there is no interference with the scrutineer in carrying out the functions imposed on him/her by the terms of the appointment which would make it reasonable for any person to call into question the scrutineer's independence in relation to the union.

11. All reasonable requests made to the union by the scrutineer for the purpose of, or in connection with, the carrying out of the functions of the scrutineer shall be complied with.

Dispatch envelopes

12. The dispatch envelope:

(a) shall be addressed to the member entitled to vote;

(b) shall state that if the envelope is undelivered to the member it should be returned to the scrutineer and give his/her name and address;

(c) shall bear a postage stamp or other stamp or mark allowing it to be delivered at no cost to the member; and

(d) in the event of the envelope containing material other than the material relating to the ballot, the envelope shall have printed on it prominently the words "ballot paper" or "voting paper".

Voting papers

13. Every voting paper shall be in or substantially in accordance with the form set out in Appendix 1 to the political fund ballot rules and:

(a) shall clearly specify the name of the scrutineer, the address to which, and the date by which, it is to be returned;

(b) shall be marked with one of a series of consecutive whole numbers, everyone of which is used in giving a different number (in that series) to each voting paper printed or otherwise produced for the purposes of the ballot;

(c) may have printed on it the logo or emblem of the union;

(d) may have printed on it or attached to it an explanatory statement.

Return envelopes

14. Every return envelope:

(a) shall be capable of being sealed;

(b) shall be addressed to the scrutineer;

(c) shall bear a postage stamp or other stamp or mark showing that the envelope may be returned to the scrutineer by post without direct cost to the voter; and

(d) may have printed on it:

(i) the name of the union;

(ii) the logo or emblem of the union; and

(iii) the words "voting paper" or "ballot paper".

Date of ballot

15. The union shall determine the date:

(a) by which the voting papers shall be sent to members, which shall be a date not less than three weeks before the last date on which voting papers may be returned to the scrutineer;

(b) of the last date for receipt of completed voting papers by the scrutineer; and

(c) on which the counting of votes is to commence.

Conduct of the ballot

16. Entitlement to vote in the ballot shall be accorded equally to all members.

17. The ballot shall be conducted so as to secure that, so far as is reasonably practicable, those voting do so in secret.

18. So far as is reasonably practicable, every member who is entitled to vote in the ballot shall, in accordance with these rules:

(a) be sent a voting paper by post to his/her home address or another address that the member has requested that the union treat as his or her postal address in such time as to be received on or before the opening day of the ballot; and

(b) be given a convenient opportunity to vote by post.

19. Every member who is entitled to vote in the ballot shall:

- (a) be allowed to vote without interference from, or constraint imposed by, the union or any of its members, officials or employees; and
 - (b) so far as is reasonably practicable be able to do so without incurring any direct cost to the member.
- 20. Every member who is entitled to vote in the ballot shall have sent to him/her in a sealed dispatch envelope, at his/her proper address, by post:
 - (a) a voting paper; and
 - (b) a return envelope addressed to the scrutineer.
- 21. When it is not practicable for a particular member to be sent a voting paper and return envelope by the date determined in accordance with these rules, a voting paper and return envelope may be sent to that member as soon as is reasonably practicable after that date, so as to give that member a convenient opportunity to vote by post.
- 22. The name of each member to whom a voting paper is sent shall be recorded in some form or record of members but not so as to make it reasonable for any person to call into question the secrecy of the ballot. This record shall be kept by the scrutineer for the period specified before disposal, as defined in rule 2.

Manner of voting

- 23. Every member who wishes to vote must return his/her voting paper to arrive at the address of the scrutineer on or before the date determined in accordance with these rules.
- 24. The scrutineer shall store in a secure place any voting papers returned to him/her undelivered and shall keep a record of any voting paper so returned.
- 25. The scrutineer shall be responsible for the safe custody and security of all returned envelopes and voting papers during the period of the ballot and for the period specified before disposal, as defined in rule 2. The scrutineer shall at all times take all reasonable steps to secure their safe custody of the returned envelopes and voting papers so as to minimise the risk of any contravention of the requirements imposed by or under any enactment or these rules or the occurrence of any unfairness or malpractice.

Counting of the ballot

- 26. The ballot shall be conducted so as to secure that the votes are fairly and accurately counted by the scrutineer. Any inaccuracy in counting is to be disregarded for the purpose of this rule if it is accidental or on a scale which could not affect the results of the ballot.
- 27. The scrutineer shall before counting begins:
 - (a) place the unused voting papers in a secure place; and
 - (b) keep a record of the number of voting papers so stored and a record of any voting papers issued under rule 21.
- 28. No person may be present at the count other than:
 - (a) the scrutineer;
 - (b) those acting under the supervision of the scrutineer; and

(c) those present with the consent of the scrutineer.

29. At the date appointed for the commencement of the counting of the votes, the scrutineer shall undertake the opening of the return envelopes received and the counting of votes.
30. The scrutineer or if more than one of them the majority of them shall decide whether any voting paper shall be rejected as being invalid and shall mark each such voting paper "rejected".
31. Those voting papers which are not rejected shall be counted.
32. After the count the scrutineer shall retain custody of all of the voting papers returned for the purpose of the ballot for the period specified before disposal, as defined in rule 2.

Scrutineer's report

33. As soon as is reasonably practicable after the last date for the return of voting papers the scrutineer shall make a report ("the scrutineer's report") to the union in accordance with these rules. The scrutineer's report shall state:
 - (a) the number of voting papers distributed for the purposes of the ballot;
 - (b) the number of voting papers returned to the scrutineer by the members;
 - (c) the number of valid votes cast in the ballot for and the number of valid votes cast against the resolution;
 - (d) the number of spoiled or otherwise invalid voting papers returned;
 - (e) the fact that the scrutineer was appointed as the independent person or persons;
 - (f) whether the scrutineer:
 - (i) is satisfied that there are no reasonable grounds for believing that there was any contravention of a requirement imposed by or under any enactment or these rules in relation to the ballot;
 - (ii) is satisfied that the arrangements made (whether by him/her or another person) with respect to the production, storage, distribution, return or other handling of the voting papers used in the ballot, and the arrangements for counting the votes, included all such security arrangements as were reasonably practicable for the purpose of minimising the risk that any unfairness or malpractice might occur;
 - (iii) is satisfied that he/she has been able to carry out his/her functions without any interference as would make it reasonable for any person to call his/her independence in relation to the union into question; and
 - (iv) has inspected the register of names and addresses of members of the union or has examined a copy of the register supplied to him/her under these rules.
34. If he/she is not satisfied as to any of the matters set out in rule 33(f), the report shall give particulars of his/her reasons for not being satisfied as to that matter.

35. If the scrutineer has inspected the register in accordance with these rules or has been requested to do so by a member, the report shall state:

(a) whether the register has been inspected; in the case of each inspection whether it was at the request of a member of the union or at his/her own instance, and say, if appropriate, whether he/she declined to act on such a request; and

(b) whether any inspection of the register or any examination or copy of the register reveals any matters which he/she considers should be drawn to the attention of the union in order to assist in securing that the register is accurate and up-to-date, but shall not state the name of any member who has requested this inspection or examination.

Copy of the scrutineer's report to be sent to the Certification Officer 36. A copy of the scrutineer's report shall be sent by the union to the Certification Officer as soon as is reasonably practicable.

Publicising the result of the ballot

37. The result of the ballot shall not be published until the union has received the scrutineer's report.

38. Within three months from the date on which the union receives the scrutineer's report the union shall:

(a) send a copy of the report to every member to whom it is reasonably practicable to send such a copy; or

(b) take all such other steps for notifying the contents of the report to the members whether by publishing the report or otherwise as it is the practice of the union to take when matters of general interest to all its members need to be brought to their attention.

39. The union shall ensure that any notification given under rule 38(b) is accompanied by a statement that the union will on request supply the member with a copy of the report either:

(a) free of charge; or

(b) on payment of such reasonable fee as may be specified in the notification,

and ensure that a member who makes such a request to the union is supplied with a copy on payment of such a fee (if any) as has been notified to him/her.

RULES FOR A BALLOT TO MAINTAIN THE POA POLITICAL FUND

General

1. The union shall be responsible for securing that the ballot which is held to establish a political fund is conducted in accordance with these rules, even where the responsibility for carrying out a particular duty falls upon a person not subject to the rules of the union.

Interpretation

2. In these ballot rules, unless the context otherwise requires:

"the Act" means the Trade Union and Labour Relations (Consolidation) Act 1992 (as amended);

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"dispatch envelope" means the envelope (in the form required by these rules) in which the voting paper and return envelope are dispatched to the member;

"executive" means the principal committee of the union exercising executive functions, by whatever name it is called;

"independent person" means the person or persons appointed to act as the independent person or persons in respect of the ballot under the provisions of section 77A of the Act and these rules;

"person" in relation to the position of an independent person or a scrutineer, includes an unincorporated or incorporated body of persons;

"proper address" in relation to any member means his/her home address or other address which he/she has requested the union in writing to treat as his/her postal address under section 24(5) of the Act;

"return envelope" means an envelope in the form required by these rules;

"scrutineer" means the independent person appointed by the union to that position in relation to the ballot under section 75 of the Act and these rules;

"the period specified before disposal" means the end of the period of one year beginning with the day of the announcement by the union of the result of the ballot or, if within that period an application is made under section 80 or 81 (complaint of failure to comply with the ballot rules) of the Act, until the Certification Officer or the court authorises him/her to dispose of the papers or, as the case may be, records;

"voting paper" or "ballot paper" means a voting paper in the form required by these rules;

Purpose of these rules

3. These rules are adopted for the purposes of a ballot under section 73 of the Act and apply only to such a ballot.

Copies of these rules to be available to members

4. The union shall ensure that a copy of these rules is supplied either free of charge or on payment of a reasonable charge to any member of the union who requests a copy.

Appointment of a scrutineer where the scrutineer acts as the independent person

5. Before the ballot is held, a qualified independent person (“the scrutineer”) shall be appointed to carry out the functions of both the scrutineer and the independent person in relation to the ballot as are required under the Act and any such additional functions as are specified in the appointment.
6. A person is eligible for appointment as scrutineer if:
 - (a) the person satisfies the conditions which are for the time being specified by the Secretary of State pursuant to section 75(2) of the Act or is a person specified in an order made under that section (the conditions and the persons specified by the Secretary of State were, at the time of the adoption of these rules, contained in The Trade Union Ballots and Elections (Independent Scrutineer Qualifications) Order 2010 (SI 2010/436) – available at www.legislation.gov.uk); and
 - (b) there are no grounds for believing that the person in question will carry out any function conferred on him/her in relation to the ballot otherwise than competently; or that his/her independence in relation to the union or in relation to the ballot might reasonably be called into question.

Terms of the appointment

7. The terms of the appointment shall require the scrutineer:
 - (a) to supervise the production of the voting papers and to undertake the storage and distribution of the voting papers and the counting of votes cast;
 - (b) to be the person to whom the voting papers are returned by those voting;
 - (c) to inspect the register of names and addresses of members of the union or to examine the copy of the register as at the relevant date which is supplied to him/her in accordance with section 75(5A)(a) of the Act whenever it appears to him/her appropriate to do so and in particular where the conditions specified in section 75(3A) of the Act are satisfied;
 - (d) take such steps as appear to be appropriate to the scrutineer for the purpose of enabling him/her to make a report as specified in section 78 of the Act;
 - (e) to make that report to the union as soon as is reasonably practicable after the last date for the return of voting papers;
 - (f) to retain custody of and keep secure in a safe place all voting papers returned for the purposes of the ballot together with the relevant copy of the register of names and addresses of members entitled to vote and supplied to him/her by the union for the period specified before disposal, as defined in rule 2;
 - (g) to carry out such other functions in relation to the ballot as are required of him/her under these rules or otherwise, as the union considers appropriate;

(h) to store in a secure place any unused voting papers or voting papers which are returned undelivered until disposal; and

(i) to respect the duty of confidentiality in respect of the register.

Notice of appointment

8. Before the scrutineer begins to carry out any of these functions either:

(a) a notice stating the name of the scrutineer shall be sent by the union to every member of the union to whom it is reasonably practicable to send such a notice; or

(b) all such other steps shall be taken for notifying members of the union of the name of the scrutineer as it is the practice of the union to take when matters of general interest to all its members need to be brought to their attention.

Such notice or notification may invite members to inform the union of any change of address and advise members of the dates between which the ballot will be held.

Union's duty towards the scrutineer

9. Nothing in the terms of the scrutineer's appointment (including any additional functions specified in the appointment) shall be such as to make it reasonable for any person to call into question the scrutineer's independence in relation to the union.

10. The union shall ensure that there is no interference with the scrutineer in carrying out the functions imposed on him/her by the terms of the appointment which would make it reasonable for any person to call into question the scrutineer's independence in relation to the union.

11. All reasonable requests made to the union by the scrutineer for the purpose of, or in connection with, the carrying out of the functions of the scrutineer shall be complied with.

Dispatch envelopes

12. The dispatch envelope:

(a) shall be addressed to the member entitled to vote;

(b) shall state that if the envelope is undelivered to the member it should be returned to the scrutineer and give his/her name and address;

(c) shall bear a postage stamp or other stamp or mark allowing it to be delivered at no cost to the member; and

(d) in the event of the envelope containing material other than the material relating to the ballot, the envelope shall have printed on it prominently the words "ballot paper" or "voting paper".

Voting papers

13. Every voting paper shall be in or substantially in accordance with the form set out in Appendix 1 to the political fund ballot rules and:

(a) shall clearly specify the name of the scrutineer, the address to which, and the date by which, it is to be returned;

- (b) shall be marked with one of a series of consecutive whole numbers, everyone of which is used in giving a different number (in that series) to each voting paper printed or otherwise produced for the purposes of the ballot;
- (c) may have printed on it the logo or emblem of the union;
- (d) may have printed on it or attached to it an explanatory statement.

Return envelopes

- 14. Every return envelope:
 - (a) shall be capable of being sealed;
 - (b) shall be addressed to the scrutineer;
 - (c) shall bear a postage stamp or other stamp or mark showing that the envelope may be returned to the scrutineer by post without direct cost to the voter; and
 - (d) may have printed on it:
 - (i) the name of the union;
 - (ii) the logo or emblem of the union; and
 - (iii) the words "voting paper" or "ballot paper".

Date of ballot

- 15. The union shall determine the date:
 - (a) by which the voting papers shall be sent to members, which shall be a date not less than three weeks before the last date on which voting papers may be returned to the scrutineer;
 - (b) of the last date for receipt of completed voting papers by the scrutineer; and
 - (c) on which the counting of votes is to commence.

Conduct of the ballot

- 16. Entitlement to vote in the ballot shall be accorded equally to all members.
- 17. The ballot shall be conducted so as to secure that, so far as is reasonably practicable, those voting do so in secret.
- 18. So far as is reasonably practicable, every member who is entitled to vote in the ballot shall, in accordance with these rules:
 - (a) be sent a voting paper by post to his/her home address or another address that the member has requested that the union treat as his or her postal address in such time as to be received on or before the opening day of the ballot; and
 - (b) be given a convenient opportunity to vote by post.
- 19. Every member who is entitled to vote in the ballot shall:

- (a) be allowed to vote without interference from, or constraint imposed by, the union or any of its members, officials or employees; and
 - (b) so far as is reasonably practicable be able to do so without incurring any direct cost to the member.
- 20. Every member who is entitled to vote in the ballot shall have sent to him/her in a sealed dispatch envelope, at his/her proper address, by post:
 - (a) a voting paper; and
 - (b) a return envelope addressed to the scrutineer.
- 21. When it is not practicable for a particular member to be sent a voting paper and return envelope by the date determined in accordance with these rules, a voting paper and return envelope may be sent to that member as soon as is reasonably practicable after that date, so as to give that member a convenient opportunity to vote by post.
- 22. The name of each member to whom a voting paper is sent shall be recorded in some form or record of members but not so as to make it reasonable for any person to call into question the secrecy of the ballot. This record shall be kept by the scrutineer for the period specified before disposal, as defined in rule 2.

Manner of voting

- 23. Every member who wishes to vote must return his/her voting paper to arrive at the address of the scrutineer on or before the date determined in accordance with these rules.
- 24. The scrutineer shall store in a secure place any voting papers returned to him/her undelivered and shall keep a record of any voting paper so returned.
- 25. The scrutineer shall be responsible for the safe custody and security of all returned envelopes and voting papers during the period of the ballot and for the period specified before disposal, as defined in rule 2. The scrutineer shall at all times take all reasonable steps to secure their safe custody of the returned envelopes and voting papers so as to minimise the risk of any contravention of the requirements imposed by or under any enactment or these rules or the occurrence of any unfairness or malpractice.

Counting of the ballot

- 26. The ballot shall be conducted so as to secure that the votes are fairly and accurately counted by the scrutineer. Any inaccuracy in counting is to be disregarded for the purpose of this rule if it is accidental or on a scale which could not affect the results of the ballot.
- 27. The scrutineer shall before counting begins:
 - (a) place the unused voting papers in a secure place; and
 - (b) keep a record of the number of voting papers so stored and a record of any voting papers issued under rule 21.
- 28. No person may be present at the count other than:
 - (a) the scrutineer;
 - (b) those acting under the supervision of the scrutineer; and

(c) those present with the consent of the scrutineer.

29. At the date appointed for the commencement of the counting of the votes, the scrutineer shall undertake the opening of the return envelopes received and the counting of votes.
30. The scrutineer or if more than one of them the majority of them shall decide whether any voting paper shall be rejected as being invalid and shall mark each such voting paper "rejected".
31. Those voting papers which are not rejected shall be counted.
32. After the count the scrutineer shall retain custody of all of the voting papers returned for the purpose of the ballot for the period specified before disposal, as defined in rule 2.

Scrutineer's report

33. As soon as is reasonably practicable after the last date for the return of voting papers the scrutineer shall make a report ("the scrutineer's report") to the union in accordance with these rules. The scrutineer's report shall state:
 - (a) the number of voting papers distributed for the purposes of the ballot;
 - (b) the number of voting papers returned to the scrutineer by the members;
 - (c) the number of valid votes cast in the ballot for and the number of valid votes cast against the resolution;
 - (d) the number of spoiled or otherwise invalid voting papers returned;
 - (e) the fact that the scrutineer was appointed as the independent person or persons;
 - (f) whether the scrutineer:
 - (i) is satisfied that there are no reasonable grounds for believing that there was any contravention of a requirement imposed by or under any enactment or these rules in relation to the ballot;
 - (ii) is satisfied that the arrangements made (whether by him/her or another person) with respect to the production, storage, distribution, return or other handling of the voting papers used in the ballot, and the arrangements for counting the votes, included all such security arrangements as were reasonably practicable for the purpose of minimising the risk that any unfairness or malpractice might occur;
 - (iii) is satisfied that he/she has been able to carry out his/her functions without any interference as would make it reasonable for any person to call his/her independence in relation to the union into question; and
 - (iv) has inspected the register of names and addresses of members of the union or has examined a copy of the register supplied to him/her under these rules.
34. If he/she is not satisfied as to any of the matters set out in rule 33(f), the report shall give particulars of his/her reasons for not being satisfied as to that matter.

35. If the scrutineer has inspected the register in accordance with these rules or has been requested to do so by a member, the report shall state:
- (a) whether the register has been inspected; in the case of each inspection whether it was at the request of a member of the union or at his/her own instance, and say, if appropriate, whether he/she declined to act on such a request; and
 - (b) whether any inspection of the register or any examination or copy of the register reveals any matters which he/she considers should be drawn to the attention of the union in order to assist in securing that the register is accurate and up-to-date, but shall not state the name of any member who has requested this inspection or examination.

Copy of the scrutineer's report to be sent to the Certification Officer 36. A copy of the scrutineer's report shall be sent by the union to the Certification Officer as soon as is reasonably practicable.

Publicising the result of the ballot

37. The result of the ballot shall not be published until the union has received the scrutineer's report.
38. Within three months from the date on which the union receives the scrutineer's report the union shall:
- (a) send a copy of the report to every member to whom it is reasonably practicable to send such a copy; or
 - (b) take all such other steps for notifying the contents of the report to the members whether by publishing the report or otherwise as it is the practice of the union to take when matters of general interest to all its members need to be brought to their attention.
39. The union shall ensure that any notification given under rule 38(b) is accompanied by a statement that the union will on request supply the member with a copy of the report either:
- (a) free of charge; or
 - (b) on payment of such reasonable fee as may be specified in the notification,
- and ensure that a member who makes such a request to the union is supplied with a copy on payment of such a fee (if any) as has been notified to him/her.

RULES FOR POLITICAL FUND

1. The objects of.....POA.....shall include the furtherance of the political objects to which section 72 of the amended Trade Union and Labour Relations (Consolidation) Act 1992 (the Act) applies. These objects are:-

1.1. The expenditure of money -

- (a) on any contribution to the funds of, or on the payment of expenses incurred directly or indirectly by, a political party;
- (b) on the provision of any service or property for use by or on behalf of any political party;
- (c) in connection with the registration of electors, the candidature of any person, the selection of any candidate or the holding of any ballot by the union in connection with any election to a political office;
- (d) on the maintenance of any holder of a political office;
- (e) on the holding of any conference or meeting by or on behalf of a political party or of any other meeting the main purpose of which is the transaction of business in connection with a political party;
- (f) on the production, publication or distribution of any literature, document, film, sound recording or advertisement the main purpose of which is to persuade people to vote for a political party or candidate or to persuade them not to vote for a political party or candidate.

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

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

1.4. In these objects -

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

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

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

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

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

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

2. Any payments in the furtherance of such political objects shall be made out of a separate fund of the union (hereinafter called the political fund).
3. The particular rules which apply to those people that joined the Union before 1st March 2018 and to political funds set up before 1st March 2018 are set out in Schedule 1 to these rules.
4. The particular rules which apply to those people that joined the Union after 1st March 2018 and to political funds set up after 1st March 2018 are set out in Schedule 2 to these rules.
5. For the purpose of enabling each member of the union who may pay a political contribution to know in respect of any such contribution, what portion, if any, of the sum payable by him is a contribution to the political fund of the union, it is hereby provided that £0.15 of each (monthly) contribution is a contribution to the political fund, and that any member who is exempt shall be relieved from the payment of the sum of £0.15, and shall pay the remainder of such contribution only.

6. A member who is exempt from the obligation to contribute to the political fund of the union shall not be excluded from any benefits of the union, or placed in any respect either directly or indirectly under any disability or disadvantage as compared with other members of the union (except in relation to the control or management of the political fund) by reason of his being so exempt.
7. If any member alleges that he is aggrieved by a breach of any of these rules for the political fund, being a rule or rules made pursuant to section 82 of the 1992 Act, he may complain to the Certification Officer, and the Certification Officer, after making such enquiries as he thinks fit and after giving the complainant and the union an opportunity of being heard, may, if he considers that such a breach has been committed, make such order for remedying the breach as he thinks just in the circumstances. Any such order of the Certification Officer may, subject to the right of appeal provided by section 95 of the 1992 Act, be enforced in the manner provided for in section 82(4) of the 1992 Act.
8. Contribution to the political fund of the union shall not be made a condition for admission to the union.
9. The union shall include in the annual return that is submitted to the Certification Officer details of political expenditure as required by section 32ZB of the 1992 Act.
10. The union shall ensure that a copy of the political fund rules is available, free of charge, to any member of the union who requests a copy.

Schedule 1

Rules that apply to members that joined the Union before 1st March 2018 and political funds set up before 1st March 2018

Notice to members

1. As soon as is practicable after the passing of a resolution approving the furtherance of such political objects as an object of the union, it shall ensure that a notice in the following form is given to all members of the union.

Notice to Members

Trade Union and Labour Relations (Consolidation) Act 1992 (as amended)

A resolution approving the furtherance of political objects within the meaning of the above Act as an object of the union has been adopted by a ballot under the Act. Any payments in the furtherance of any of those objects will be made out of a separate fund, the political fund of the union.

Every member of the union has a right to be exempt from contributing to that fund. A form of exemption notice can be obtained by or on behalf of any member either by application at, or by post from, the head office or any branch office of the union or from the Certification Office for Trade Unions and Employers' Associations, Lower Ground Floor, Fleetbank House, 2-6 Salisbury Square, London EC4Y 8JX.

This form, when filled in, or a written request to the like effect, should be handed or sent to the General Secretary or the Finance Officer.

2. This notice shall be published to members by such methods as are used by the union to publish notices of importance to members. It is the union's current practice to publish such notices by: inclusion in the Union's magazine Gatelodge, in circulars, on local notice boards and on the Union's website.

Request for exemption

Any member of the union may at any time give notice a) on the form of exemption notice specified in rule 5, or b) written request in a form to the like effect, that he objects to contribute to the political fund. A form of Exemption Notice may be obtained by, or on behalf of, any member, either by application at, or by post from, the head office or any branch office of the union, or from the Certification Office for Trade Unions and Employers' Associations, Lower Ground Floor, Fleetbank House, 2-6 Salisbury Square, London EC4Y 8JX.

3. The form of an exemption notice shall be as follows:-

POA
POLITICAL FUND EXEMPTION NOTICE
I give notice that I object to contributing to the political fund of the union and am in consequence exempt, in the manner provided by Chapter VI of the Trade Union and Labour Relations (Consolidation) Act 1992, from contributing to that fund.
Print Name.....Signature:
Address:
Date:

4. Any member may obtain exemption from contributing to the political fund by sending a Notice of Exemption to the General Secretary or such other person as is identified in the Notice to Members in rule 1. On receiving the Notice of Exemption the union shall send an acknowledgement of its receipt to the member at the address in the notice, and shall process the exemption as soon as reasonably practicable.

Manner of giving effect to exemption

5. On giving an exemption notice, a member shall become exempt from contributing to the union's political fund, where the notice is given:-
- (a) Within one month of the giving of Notice to Members in rule 1 following the passing of a political resolution on a ballot held at a time when no such resolution is in force, as from the date on which the exemption notice is given; or
 - (b) In any other case, as from 1st January next after the exemption notice is given [or any earlier date as decided by the union].
6. The union shall give effect to the exemption of members from contributing to the political fund of the union either:-
- (a) by a separate levy of contributions to that fund from the members who are not exempt; or
 - (b) by relieving members who are exempt from the payment of the whole or part of any periodical contributions required from members towards the expenses of the union.

Schedule 2

Rules that apply to people that joined the Union after 1st March 2018 and to political funds set up after **1st March 2018**.

Opting in by union members to contribute to political funds

1. A member cannot be required to make a contribution to the political fund of the union unless they have given notice of their willingness to contribute to that fund (an “opt-in notice”).
2. A member of a trade union who has given an opt-in notice may withdraw that notice by giving notice to the union (a “withdrawal notice”).
3. A withdrawal notice takes effect at the end of the period of one month beginning with the day on which it is given.
4. A member of a trade union may give an opt-in notice or a withdrawal notice:-
 - (a) by delivering the notice (either personally or by an authorised agent or by post) at the head office or a branch office of the union;
 - (b) by sending it by e-mail to the following email address: finance@poauk.org.uk
 - (c) by completing an electronic form provided by the union which sets out the notice and sending it to the union by electronic means with instructions by the union.
 - (d) by any other electronic means prescribed under the 1992 Act (as inserted by the 2016 Act)

Information to members about opting in to the political fund

5. The union shall take all reasonable steps to secure that, not later than the end of the period of eight weeks beginning with the day on which the annual return of the union is sent to the Certification Officer, all the members of the union are notified of their right to give a withdrawal notice.
6. Such notification may be given:-
 - (a) by sending individual copies of it to members; or
 - (b) by any other means (whether by including the notification in a publication of the union or otherwise) which it is the practice of the union to use when information of general interest to all its members needs to be provided to them.
7. The notification may be included with the statement required to be given by section 32A of the Trade Union and Labour Relations (Consolidation) Act 1992.
8. A trade union shall send to the Certification Officer a copy of the notification which is provided to its members in pursuance of this section as soon as is reasonably practicable after it is so provided.

9. Where the same form of notification is not provided to all the members of the union, the union shall send to the Certification Officer a copy of each form of notification provided to any of them.
10. If any member alleges that he is aggrieved by a breach of any of these rules for giving information to members about opting into the political fund, being a rule or rules made pursuant to section 84A of the 1992 Act, he may complain to the Certification Officer. Where the Certification Officer is satisfied that the union has failed to comply with a requirement of section 84A of the 1992 Act the Officer may make such order for remedying the failure as he thinks just under the circumstances. Before deciding the matter the Certification Officer:-
 - (a) may make such enquiries as the Officer thinks fit;
 - (b) must give the union, and any member of the union who made a complaint to the Officer regarding the matter, an opportunity to make written representations; and
 - (c) may give the union, and any such member as is mentioned in clause (b), an opportunity to make oral representations.

Manner of giving effect to decision not to contribute to political fund

11. The union shall give effect to the members decision not to contribute to the political fund of the union either:-
 - (a) by a separate levy of contributions to that fund from the members who are contributors; or
 - (b) by relieving members who are not contributors from the payment of the appropriate portion of any periodical contribution required from members towards the expenses of the union.
12. Any form (including an electronic form) that a person has to complete in order to become a member of the union shall include:-
 - (a) a statement to the effect that the person may opt to be a contributor to the fund; and
 - (b) a statement setting to the effect that a person who chooses not to contribute to the political fund shall not, by reason of not contributing, be excluded from any benefits of the union or be placed in any respect either directly or indirectly under a disability or at a disadvantage as compared with other members of the union (except in relation to control of the political fund).

RULES FOR POLITICAL FUND

1. The objects of.....POA.....shall include the furtherance of the political objects to which section 72 of the amended Trade Union and Labour Relations (Consolidation) Act 1992 (the Act) applies. These objects are:-
 - 1.1. The expenditure of money -
 - (a) on any contribution to the funds of, or on the payment of expenses incurred directly or indirectly by, a political party;
 - (b) on the provision of any service or property for use by or on behalf of any political party;
 - (c) in connection with the registration of electors, the candidature of any person, the selection of any candidate or the holding of any ballot by the union in connection with any election to a political office;
 - (d) on the maintenance of any holder of a political office;
 - (e) on the holding of any conference or meeting by or on behalf of a political party or of any other meeting the main purpose of which is the transaction of business in connection with a political party;
 - (f) on the production, publication or distribution of any literature, document, film, sound recording or advertisement the main purpose of which is to persuade people to vote for a political party or candidate or to persuade them not to vote for a political party or candidate.
 - 1.2. Where a person attends a conference or meeting as a delegate or otherwise as a participator in the proceedings, any expenditure incurred in connection with his attendance as such shall, for the purposes of paragraph (e) above, be taken to be expenditure incurred on the holding of the conference or meeting.
 - 1.3. In determining, for the purposes of paragraphs (a) to (f) above, whether the trade union has incurred expenditure of a kind mentioned in those paragraphs no account shall be taken of the ordinary administrative expenses of the union.

1.4. In these objects -

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

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

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

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

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

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

2. Any payments in the furtherance of such political objects shall be made out of a separate fund of the union (hereinafter called the political fund).
3. The particular rules which apply to those people that joined the Union before 1st March 2018 and to political funds set up before 1st March 2018 are set out in Schedule 1 to these rules.
4. The particular rules which apply to those people that joined the Union after 1st March 2018 and to political funds set up after 1st March 2018 are set out in Schedule 2 to these rules.
5. For the purpose of enabling each member of the union who may pay a political contribution to know in respect of any such contribution, what portion, if any, of the sum payable by him is a contribution to the political fund of the union, it is hereby provided that £0.15 of each (monthly) contribution is a contribution to the political fund, and that any member who is exempt shall be relieved from the payment of the sum of £0.15, and shall pay the remainder of such contribution only.

6. A member who is exempt from the obligation to contribute to the political fund of the union shall not be excluded from any benefits of the union, or placed in any respect either directly or indirectly under any disability or disadvantage as compared with other members of the union (except in relation to the control or management of the political fund) by reason of his being so exempt.
7. If any member alleges that he is aggrieved by a breach of any of these rules for the political fund, being a rule or rules made pursuant to section 82 of the 1992 Act, he may complain to the Certification Officer, and the Certification Officer, after making such enquiries as he thinks fit and after giving the complainant and the union an opportunity of being heard, may, if he considers that such a breach has been committed, make such order for remedying the breach as he thinks just in the circumstances. Any such order of the Certification Officer may, subject to the right of appeal provided by section 95 of the 1992 Act, be enforced in the manner provided for in section 82(4) of the 1992 Act.
8. Contribution to the political fund of the union shall not be made a condition for admission to the union.
9. The union shall include in the annual return that is submitted to the Certification Officer details of political expenditure as required by section 32ZB of the 1992 Act.
10. The union shall ensure that a copy of the political fund rules is available, free of charge, to any member of the union who requests a copy.

Schedule 1

Rules that apply to members that joined the Union before 1st March 2018 and political funds set up before 1st March 2018

Notice to members

1. As soon as is practicable after the passing of a resolution approving the furtherance of such political objects as an object of the union, it shall ensure that a notice in the following form is given to all members of the union.

Notice to Members

Trade Union and Labour Relations (Consolidation) Act 1992 (as amended)

A resolution approving the furtherance of political objects within the meaning of the above Act as an object of the union has been adopted by a ballot under the Act. Any payments in the furtherance of any of those objects will be made out of a separate fund, the political fund of the union.

Every member of the union has a right to be exempt from contributing to that fund. A form of exemption notice can be obtained by or on behalf of any member either by application at, or by post from, the head office or any branch office of the union or from the Certification Office for Trade Unions and Employers' Associations, Lower Ground Floor, Fleetbank House, 2-6 Salisbury Square, London EC4Y 8JX.

This form, when filled in, or a written request to the like effect, should be handed or sent to the General Secretary or the Finance Officer.

2. This notice shall be published to members by such methods as are used by the union to publish notices of importance to members. It is the union's current practice to publish such notices by: inclusion in the Union's magazine Gatelodge, in circulars, on local notice boards and on the Union's website.

Request for exemption

Any member of the union may at any time give notice a) on the form of exemption notice specified in rule 5, or b) written request in a form to the like effect, that he objects to contribute to the political fund. A form of Exemption Notice may be obtained by, or on behalf of, any member, either by application at, or by post from, the head office or any branch office of the union, or from the Certification Office for Trade Unions and Employers' Associations, Lower Ground Floor, Fleetbank House, 2-6 Salisbury Square, London EC4Y 8JX.

3. The form of an exemption notice shall be as follows:-

POA
POLITICAL FUND EXEMPTION NOTICE
I give notice that I object to contributing to the political fund of the union and am in consequence exempt, in the manner provided by Chapter VI of the Trade Union and Labour Relations (Consolidation) Act 1992, from contributing to that fund.
Print Name.....Signature:
Address:
Date:

4. Any member may obtain exemption from contributing to the political fund by sending a Notice of Exemption to the General Secretary or such other person as is identified in the Notice to Members in rule 1. On receiving the Notice of Exemption the union shall send an acknowledgement of its receipt to the member at the address in the notice, and shall process the exemption as soon as reasonably practicable.

Manner of giving effect to exemption

5. On giving an exemption notice, a member shall become exempt from contributing to the union's political fund, where the notice is given:-
- (a) Within one month of the giving of Notice to Members in rule 1 following the passing of a political resolution on a ballot held at a time when no such resolution is in force, as from the date on which the exemption notice is given; or
 - (b) In any other case, as from 1st January next after the exemption notice is given [or any earlier date as decided by the union].
6. The union shall give effect to the exemption of members from contributing to the political fund of the union either:-
- (a) by a separate levy of contributions to that fund from the members who are not exempt; or
 - (b) by relieving members who are exempt from the payment of the whole or part of any periodical contributions required from members towards the expenses of the union.

Schedule 2

Rules that apply to people that joined the Union after 1st March 2018 and to political funds set up after **1st March 2018**.

Opting in by union members to contribute to political funds

1. A member cannot be required to make a contribution to the political fund of the union unless they have given notice of their willingness to contribute to that fund (an "opt-in notice").
2. A member of a trade union who has given an opt-in notice may withdraw that notice by giving notice to the union (a "withdrawal notice").
3. A withdrawal notice takes effect at the end of the period of one month beginning with the day on which it is given.
4. A member of a trade union may give an opt-in notice or a withdrawal notice:-
 - (a) by delivering the notice (either personally or by an authorised agent or by post) at the head office or a branch office of the union;
 - (b) by sending it by e-mail to the following email address: finance@poauk.org.uk
 - (c) by completing an electronic form provided by the union which sets out the notice and sending it to the union by electronic means with instructions by the union.
 - (d) by any other electronic means prescribed under the 1992 Act (as inserted by the 2016 Act)

Information to members about opting in to the political fund

5. The union shall take all reasonable steps to secure that, not later than the end of the period of eight weeks beginning with the day on which the annual return of the union is sent to the Certification Officer, all the members of the union are notified of their right to give a withdrawal notice.
6. Such notification may be given:-
 - (a) by sending individual copies of it to members; or
 - (b) by any other means (whether by including the notification in a publication of the union or otherwise) which it is the practice of the union to use when information of general interest to all its members needs to be provided to them.
7. The notification may be included with the statement required to be given by section 32A of the Trade Union and Labour Relations (Consolidation) Act 1992.
8. A trade union shall send to the Certification Officer a copy of the notification which is provided to its members in pursuance of this section as soon as is reasonably practicable after it is so provided.

9. Where the same form of notification is not provided to all the members of the union, the union shall send to the Certification Officer a copy of each form of notification provided to any of them.
10. If any member alleges that he is aggrieved by a breach of any of these rules for giving information to members about opting into the political fund, being a rule or rules made pursuant to section 84A of the 1992 Act, he may complain to the Certification Officer. Where the Certification Officer is satisfied that the union has failed to comply with a requirement of section 84A of the 1992 Act the Officer may make such order for remedying the failure as he thinks just under the circumstances. Before deciding the matter the Certification Officer:-
 - (a) may make such enquiries as the Officer thinks fit;
 - (b) must give the union, and any member of the union who made a complaint to the Officer regarding the matter, an opportunity to make written representations; and
 - (c) may give the union, and any such member as is mentioned in clause (b), an opportunity to make oral representations.

Manner of giving effect to decision not to contribute to political fund

11. The union shall give effect to the members decision not to contribute to the political fund of the union either:-
 - (a) by a separate levy of contributions to that fund from the members who are contributors; or
 - (b) by relieving members who are not contributors from the payment of the appropriate portion of any periodical contribution required from members towards the expenses of the union.
12. Any form (including an electronic form) that a person has to complete in order to become a member of the union shall include:-
 - (a) a statement to the effect that the person may opt to be a contributor to the fund; and
 - (b) a statement setting to the effect that a person who chooses not to contribute to the political fund shall not, by reason of not contributing, be excluded from any benefits of the union or be placed in any respect either directly or indirectly under a disability or at a disadvantage as compared with other members of the union (except in relation to control of the political fund).