



Irish National Teachers' Organisation
Cumann Múinteoirí Éireann

Rules and Constitution 2024



INTO RULES AND CONSTITUTION 2024

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SECTION ONE: CONSTITUTION

NAME AND OFFICE

Rule 1

This organisation shall be called ‘Cumann Múinteoirí Éireann’ or in English the ‘Irish National Teachers’ Organisation’. Its registered office and place of business shall be at Vere Foster House, 35 Parnell Square, Dublin 1. The Registrar of Friendly Societies and the Certification Officer in Northern Ireland shall be notified of any change of address of the registered office of the organisation.

Rule 2

- A. The organisation shall be a non-party, non-sectarian, non-sexist and non-racist organisation.
- B. The organisation shall ensure that there is suitable access for persons with disabilities to all INTO buildings, meetings and conferences to facilitate their full participation.

Rule 3

The objects of the organisation shall be:

- A. To unite and organise the teachers of Ireland and to provide a means for the expression of their collective opinion on matters affecting the interests of education and of the teaching profession.
- B. To safeguard and improve the salaries, conditions of employment and pension rights of its members, the pension rights of members who have retired, and to promote their interests.
- C. To regulate the relations between members and their fellow members and between members and their employers.
- D. To afford advice and assistance to individual members on professional matters.
- E. To promote the interests of education and to support the concept of equal access to full education for all children and to strive for the raising of educational standards.
- F. To afford to the authorities responsible for the administration of education the collective advice and experience of the members.
- G. To cultivate a spirit of fraternal cooperation with kindred organisations in this and other countries, to develop and maintain close links with retired members in Northern Ireland and the Retired Teachers’ Association of Ireland (RTAI) and to build on and develop existing links with trade union bodies.

- H. To establish and administer a fund or funds for the purpose of providing assistance to members and their dependants in accordance with the Rules.
- I. To encourage the promotion and development of Comhar Linn INTO Credit Union Ltd and other services and facilities of benefit to members.
- J. To provide, either directly or indirectly, benefits and facilities for members.
- K. To promote the principle of equality in all aspects of education and the teaching profession.

CONSTITUTION

Rule 4

The organisation shall be constituted as follows:

- A. Congress
- B. Central Executive Committee (CEC)
- C. Benefit Funds Committee (BFC)
- D. Northern Committee (NC)
- E. Education Committee (Ed.C)
- F. Equality Committee (Eq.C)
- G. Principals' and Deputy Principals' Committee (PDC)
- H. District committees
- I. Branches
- J. Members

SECTION TWO: CONGRESS

CONGRESS

Rule 5

Congress shall be the supreme governing body of the organisation.

Rule 6

Congress shall consist of:

- A. Members and incoming members of the CEC, BFC, Ed.C, Eq.C and PDC
- B. Standing Orders Committee (SOC)
- C. Two delegates from the Northern Committee (NC)
- D. Two delegates from the Accounts Committee (AC)
- E. Three delegates from each district committee
- F. Delegates from branches elected in accordance with the provisions of Rule 10.

Rule 7

Travelling and personal expenses for Congress shall be paid from the *General Fund* to members and incoming members of the CEC, the BFC, the Ed.C, the Eq.C and the PDC; to members of the SOC and to the delegates from the NC and AC.

Rule 8

The president shall preside over the deliberations of Congress; in the absence of the president the chair shall be taken by the vice president, or, in the case of the absence of the president and vice president, by the ex-president.

Rule 9

Congress shall be held annually and at the discretion of the CEC, either in the week preceding or the week following Easter Sunday. A special committee of the district, operating in the area at which Congress is to meet, shall be responsible for the local arrangements for the Congress, including comprehensive crèche and childcare facilities and a grant shall be made from the *General Fund* towards the expenses incurred in such arrangements. This committee shall furnish a detailed statement of receipts and expenditure to the CEC within one month after the meeting of Congress.

Rule 10

The number of delegates which a branch may send to Congress shall be in accordance with the following scale based on branch membership as at the previous 31 December:

| Branch membership | No of delegates |
|-------------------|-----------------|
| 129 and under | 2 |

with an additional delegate for each additional 65 members or part thereof. Delegates must be members of the branch which they are appointed to represent and qualified in accordance with Rules 75 and 76 or 77.

Rule 11

- A. The SOC shall be responsible for the preparation of the Congress Agenda.
- B. Proposed branch motions for Congress shall be submitted by members to branch secretaries and shall be circulated to all branch members with the agenda for the branch AGM.
- C. Proposed motions from the Principals' and Deputy Principals' Fora for Annual Congress shall be submitted by members to forum secretaries and shall be circulated to all forum members with the agenda for the forum AGM. Where adopted by the forum, such motions shall be submitted by the forum secretary to the secretary of the district committee in time to be circulated to district committee members with the agenda and notice of the district committee meeting.
- D. Proposed district committee motions for Congress shall be adopted at branch general meetings or at forum AGMs and shall be submitted by branches or fora in time to be circulated to district committee members with the agenda and notice for the district committee meeting.
- E. The Congress Agenda shall be divided into two parts:
 - i. Part 1 shall consist of motions from branches, CEC, NC and district committees concerning questions of public interest in relation to educational policy or administration and to conditions of service.
 - ii. Motions for Part 1 shall be either individual motions submitted by branches, CEC, NC or district committees, or composite motions drafted by the SOC. The name or names of the branches or committees which submitted these motions, or motions on which composite motions are based, shall be indicated.
 - iii. Part 2 shall consist of motions from branches, CEC, BFC, NC and district committees and shall deal with the internal affairs of the organisation including the settlement of its policy in regard to specific questions, the alteration of Rules and cognate matters in accordance with the terms of sub-section (v) of this section of this Rule. Subject to their being in order, motions for Part 2 shall, as a rule, be inserted as received over the name of the committee or branch submitting same.

- iv. If a motion included in Part 2 of the agenda is rejected by Congress on two consecutive years it shall not be included in the agenda of the next two following Congresses, unless the SOC is satisfied that, in the meantime, the circumstances in relation to the particular issue in question have so altered as to justify its earlier inclusion.
- v. Amendments and addenda to Rules other than those dealing with financial matters shall not be listed in Part 2 of the Agenda until 2029 and every fifth year thereafter, subject to the proviso that the SOC may, in exceptional circumstances, permit the placing on the agenda of a motion introducing a new Rule or amending an existing Rule.
- F. Motions for Congress adopted by branches, CEC, BFC, NC or district committees shall be sent to the secretary of the SOC and shall be received not later than 17.00 on the first Wednesday in February. Each motion must be duly signed by the cathaoirleach and by the secretary of the branch or committee submitting it in accordance with the terms of Rule 133 of these Rules. A meeting of the SOC shall then be held to prepare the *Preliminary Agenda* for Congress.
- G. The Congress Agenda, Part 1 and Part 2, shall be forwarded by the secretary of the SOC to reach Head Office not later than 17.00 on the second Wednesday in February.

Rule 12

The CEC shall issue to each branch and district secretary, at least five weeks before the opening day of Congress, a *Preliminary Agenda* (per Congress delegate) which shall contain:

- A. Motions and policy papers to be submitted to Congress.
- B. Extracts from the Rules governing Congress procedure and standing orders.
- C. Auditor's report, balance sheet and statement of accounts.

Rule 13

- A. Amendments or addenda to motions appearing in the *Preliminary Agenda* may be submitted by the CEC, BFC, NC, district committees or branches and must reach Head Office not later than four weeks prior to the opening day of Congress. Each branch shall also prioritise a maximum of eight motions from the *Preliminary Agenda*. Each amendment or addendum must be duly signed by the cathaoirleach and by the secretary of the branch or committee submitting it in accordance with the terms of Rule 133 of these Rules.
- B. A *Final Agenda* which shall contain (in addition to the matter in the *Preliminary Agenda*) the annual reports of the CEC and BFC, Ed.C, Eq.C and PDC, the report of the AC, a report on progress on the implementation of resolutions passed at the previous Congress, the amendments and addenda received in due time and deemed to be in order, the first report from the SOC, the auditor's report, balance sheet and statement of accounts, and the names of delegates to Congress, shall be

circulated to branch and district secretaries and to Congress delegates at least 14 days prior to the opening of Congress. In the interests of good order, the SOC shall have the right to draft composite amendments and addenda.

- C. Questions proposed to be raised (by branches or district committees) on the report of the CEC and BFC, Ed.C, Eq.C and PDC shall be notified to Head Office not later than four working days prior to the opening of Congress.
- D. i. Congress shall open on Day 1 and be continued on the following two days. On Day 1 the opening time shall be 14.00 and Congress shall not sit later than 20.00. On Day 2, the opening time shall be 09.00 and the Congress shall not sit later than 16.30. On Day 3 the opening time shall be 09.00 and Congress closing session shall begin at 14.00. However, it shall be competent for Congress to decide on a motion duly proposed and seconded not later than 19.30 on Day 1, 16.00 on Day 2, and 13.00 on Day 3 to extend the sitting beyond the scheduled closing times on each day in order to dispose of the business under consideration. On Day 2 there shall be a recess from 13.00 to 14.00.
- ii. The opening session of Congress shall be public and consist of:
 - a. the ratification of tellers;
 - b. the declaration of election results;
 - c. the president's address; and
 - d. the addresses by representatives of the fraternal delegates.

The SOC report shall be taken in private following the end of the opening session of Congress. Congress will continue in private session until 18.00. This session:

- a. shall discuss the financial reports and motions (including appointment of auditors, auditor's report, balance sheet and statement of accounts);
- b. shall discuss the Reports of the AC and BFC; and
- c. Motions from Part 2 of the agenda

Congress will revert to public session at 18.00 and deal with items from Part 1 of the agenda.

- iii. The first part of the public session on Day 2 shall be devoted to the addresses by the Ministers for Education or their representatives and the response of the general secretary.

The remainder of the morning session on Day 2 shall be devoted to motions from Part 1 and Part 2 of the agenda at the discretion of the Standing Orders Committee and addresses by any special visitors.

The afternoon session will be private and will discuss and dispose of:

- a. The report of the CEC. The report of the Northern Committee shall be noted.
 - b. The reports of the Ed.C, Eq.C and PDC; and
 - c. motions from Part 2 of the agenda
- iv. The morning session on Day 3 shall be devoted to motions from Part 1 and Part 2 of the Agenda at the discretion of the SOC.

- v. Any person not directly concerned with the business of Congress, shall not be allowed to address Congress save with the recommendation of the SOC and the consent of two-thirds of the delegates present and voting.
- vi. For the effective despatch of the business, or in order to meet special or unforeseen circumstances, Congress may vary these arrangements on the proposal of the SOC.

ACCOUNTS COMMITTEE

Rule 14

The Accounts Committee (AC) shall consist of one member from each electoral district elected in accordance with Rule 72. The committee shall meet at Head Office at appropriate times before Congress. Travelling and personal expenses shall be paid to members from the *General Fund*. The duty of the committee shall be to examine the various accounts and balance sheet of the organisation and to make a report thereon to Congress. This report shall be forwarded to the general secretary four weeks before the opening day of Congress and shall be issued in writing to delegates with the *Final Agenda* for Congress. After the report and the recommendations contained therein are accepted by Congress, they shall then be referred to the CEC for consideration.

STANDING ORDERS COMMITTEE

Rule 15

- A. The Standing Orders Committee (SOC) shall consist of one member from each electoral district elected in accordance with Rule 72. Travelling and personal expenses shall be paid from the *General Fund* to members of the SOC.
- B. The SOC shall meet prior to the second Wednesday in February to prepare the *Preliminary Agenda* for Congress. Following the issue of the *Preliminary Agenda* and the receipt by the general secretary of amendments and addenda to motions contained therein, the general secretary shall issue to each member of the SOC a copy of the *Preliminary Agenda* and a copy of those amendments or addenda together with a copy of the *CEC Report*. A meeting of the committee shall be held within one week.
- C. The duty of the SOC shall be as follows:
 - i. To draft composite motions, amendments and addenda for submission to Congress;
 - ii. To arrange an order in which motions may be taken having regard to the motions prioritised by branches and to make such arrangements as they deem necessary;
 - iii. To decide what urgent motions (if any) shall be brought before Congress; and
 - iv. To make such recommendations as it deems fit to expedite the business of Congress.
- D. All SOC reports shall be put to Congress for decision. Congress alone shall have power to accept or reject SOC reports.

The first report of the SOC to Congress shall be divided into at least three sections; motions from Part 1, motions from Part 2 and other business, each of which shall be voted on separately at the opening session of Congress. Where possible, Congress motions shall be discussed in conjunction with relevant parts of any report to Congress.

URGENT MATTERS

Rule 16

Urgent matters not on the agenda may be introduced or discussed at any session of Congress only when permission to do so has been obtained in the first instance from the SOC. Should this committee, by a two-thirds majority, grant permission for the introduction of any such motion, the secretary shall immediately inform the presiding cathaoirleach, who shall immediately put this report to Congress and if carried, fix a suitable time for the introduction and discussion of such motion. An 'urgent matter' shall be deemed to be a matter of vital importance arising in the interval between the first Wednesday in February and the time during Congress at which permission to introduce it is sought. Urgent matters must be presented in writing (digitally or otherwise) before the report is put to Congress. Urgent matters must be visible on the Congress Hall monitors when proposed by Standing Orders.

TELLERS

Rule 17

Each district committee shall, at its AGM, nominate one member of the committee as a teller for the subsequent Congress. The CEC shall be empowered to appoint from the list of persons so nominated one person to be designated head teller and another as deputy head teller for the subsequent Congress. Congress shall on the opening day ratify the tellers as per the district committee nominations, but it shall be open to Congress to augment this list in the event that six or more of the nominated persons are not delegates to Congress, or so as to ensure that there is at least one teller from each province.

QUORUM

Rule 18

One hundred delegates shall constitute a quorum.

ORDER OF DEBATE

Rule 19

The following shall be the order of debate:

- A. It shall be open to any delegate to address the Congress in Irish and/or English.
- B. Subject to the discretion of the cathaoirleach, the proposer of a motion shall be allowed not more than five minutes, the seconder three minutes and each succeeding speaker three minutes. The expiry of these periods shall be clearly indicated to the speaker and the delegates by a visible signal operated independently of the cathaoirleach. Discussion on any one motion shall be limited to 30 minutes at the discretion of the cathaoirleach. If there is no speaker against the motion, discussion shall be limited to a maximum of 15 minutes at the discretion of the cathaoirleach.
- C. Whenever an amendment is moved to any motion, no other amendment shall be taken into consideration until the first amendment is disposed of.
- D. The decision of the cathaoirleach on any question of procedure shall be final.
- E. No delegate shall be permitted to speak more than once on the same proposition, except the proposer of a motion, who shall have the right to reply.
- F. No person shall address the Congress until called on by the cathaoirleach. A delegate, when called on to speak, shall proceed to the rostrum and shall speak therefrom. Before addressing Congress, delegates shall first announce their names and the branch or committee they represent. When a delegate has been called upon by the cathaoirleach to speak, all other delegates shall at once be seated.
- G. When the cathaoirleach rises to speak, all delegates shall immediately be seated.
- H. Every motion shall be decided by a show of hands, unless a division thereon is demanded. No division shall be taken unless the decision, as announced by the cathaoirleach, is challenged by at least 20 delegates. The decision shall then be made by the delegates on a card vote. In the case of a tie the cathaoirleach shall have the casting vote.
- I. At any time during the discussion of a motion or amendment it shall be open to any delegate who has not spoken to it, to move without debate, 'that the question be now put'; and if it should appear on a show of hands that a majority of the delegates are in favour of terminating the discussion, the question shall be put to a vote and the decision of Congress taken without further discussion – provided that no speech be interrupted for the purpose and that the proposer of the motion be not denied the right to reply. The acceptance of the motion 'that the question be now put' shall be at the discretion of the cathaoirleach.
- J. In the event of a proposition 'that Congress proceed to the next business' being proposed and seconded, all further discussion on the matter before the cathaoirleach shall cease until such proposition is put to a vote. If the proposition is carried, the motion and amendments (if any) shall be deemed to have been disposed of and the next business shall be taken up.
If defeated, the discussion on the motion and amendments (if any) shall be resumed.
- K. Where a motion is divided into sections, all sections shall be voted on separately.

SPECIAL CONGRESS

Rule 20

- A. A Special Congress constituted under Rule 6 may be called by Congress or at any time by the CEC, due notice of same to be given. A Special Congress constituted under Rule 6 shall be called by the CEC on the requisition of six district committees, which have held special meetings to discuss the proposal, the majority of those present and voting at those meetings being in favour of such Congress.
- B. A Special Congress shall, in regard to the special matter for which it is summoned, be vested with the same power and authority as an Annual Congress.
- C. The SOC shall meet before the opening session of a Special Congress and shall be competent to decide whether, and under what conditions, amendments or addenda may be tabled.

REGIONAL CONFERENCE

Rule 21

- A. For the purpose of considering and deciding a question or questions of concern only to its own particular area, a special conference to be called a regional conference, may be held in the Republic or Northern Ireland. Such conference shall consist of delegates chosen by the branches and district committees in the area either on the same basis as for Congress or on such other basis as may be determined by the CEC, or by the NC as the case may be. All members of the CEC and BFC shall be members of any such conference. The members of the NC shall be members of any regional conference held in Northern Ireland. Decisions taken at a regional conference shall be binding on all members of the INTO in the area concerned. An annual regional conference to be known as the Northern Conference, shall be held in Northern Ireland.
- B. The CEC shall decide the arrangements for the conducting of a regional conference in the Republic of Ireland. With the exception of the motions to be discussed at the Northern Conference, the NC shall decide on the arrangements for the conducting of a regional conference in Northern Ireland.
- C. Each motion for Northern Conference and each amendment and addendum must be duly signed by the cathaoirleach and by the secretary of the branch or committee submitting it in accordance with Rule 133 of these Rules.
- D. The SOC shall meet before the opening session of a regional conference and shall be competent to decide whether and under what conditions amendments or addenda may be tabled. The Congress SOC shall act for a regional conference in the Republic.

- E. Northern Conference shall consist of:
 - i. the members of the NC;
 - ii. the members of the CEC and BFC;
 - iii. the Northern Conference SOC which shall consist of three members each from districts I and II elected in accordance with the terms of Rule 72;
 - iv. two delegates each from Districts 1 and 2. These delegates shall be members of their district committees; and
 - v. delegates from branches elected in accordance with the provisions of Rule 10.
- F. The duties of the Northern Conference SOC shall be:
 - i. to prepare the list of motions to be discussed at the Northern Conference;
 - ii. to draft composite motions, amendments and addenda for submission to Northern Conference;
 - iii. to arrange an order in which motions may be taken and to make such arrangements as they deem necessary; and
 - iv. to decide what urgent motions (if any), shall be brought before conference.

SECTION THREE: NATIONAL COMMITTEES AND TRUSTEES

THE CENTRAL EXECUTIVE COMMITTEE

Rule 22

- A. A Central Executive Committee (CEC) shall be elected which shall consist of the president, vice president, ex-president and representatives of districts as set out in Rule 35. The general secretary, deputy general secretary/general treasurer and northern secretary shall be ex-officio members of the CEC.
- B. Seven members of the committee, excluding the general secretary, deputy general secretary/general treasurer and northern secretary, shall form a quorum.
- C. The general secretary, deputy general secretary/general treasurer and northern secretary shall not have power to vote at meetings of the CEC or BFC.
- D. The general secretary shall be ex-officio of all committees and sub-committees established by the CEC.
- E. The president of the previous year shall have the sole right to the title of 'ex-president'.

Rule 23

- A. The duties of the CEC shall be, to carry out the orders of Congress, to report on the progress made on the implementation of each resolution passed at the previous Congress, to manage, superintend and direct the affairs of the organisation between Congresses, to carry out and enforce observance of its Rules, to direct the action of its paid officials, to be responsible for the proper administration of the funds under its control, to make representations and to carry out or to make arrangements for the carrying out of negotiations with any employer or any authority controlling or having an interest in education in Ireland.
- B. The CEC shall have power to institute legal proceedings and may direct the trustees to institute legal proceedings against any member or employee of the organisation (including any of its committees or branches) who misappropriates any of its funds or property.
- C. The CEC shall have power to reprimand, fine, or expel a member in accordance with the provisions of these Rules. A member refusing to pay a fine properly imposed shall be liable to expulsion from the organisation.
- D. The district CEC representative shall be entitled to be invited to all meetings in their district.

Rule 24

The CEC may establish or approve machinery for the representation of special interest groups of members of the organisation.

Rule 25

The CEC may, at any time, consult the members of the organisation by referendum or otherwise before deciding on its course of action with reference to a particular matter of importance.

Rule 26

The CEC may appoint sub-committees, standing committees or special committees for particular purposes and may adopt the minutes or reports of such committees. The CEC shall be at liberty to appoint to such committees, members other than members of the CEC; it shall have power to remove any member from, or to dissolve any such committee at any time.

Rule 27

The CEC shall meet at least every two months and at such other times as the president and general secretary may deem fit. The general secretary shall be required to summon a special meeting at any time on receiving a requisition signed by seven members of the CEC who shall state in writing the object of such meeting.

Rule 28

All paid officials take instructions from the CEC and shall be entirely subject to its control and said committee may suspend any of them should they fail to discharge their duties in a satisfactory manner and may appoint a substitute until next Congress.

Rule 29

At its first ordinary meeting in each calendar year the CEC shall appoint two members of the organisation, other than members of the CEC, to be known as Examiners of Accounts who shall have the right to examine all accounts.

Rule 30

The scale of expenses to be allowed to the CEC shall be fixed by Congress. The travelling and personal expenses of CEC members who, by direction of the CEC, are engaged in organisation work, shall be paid out of the appropriate fund.

THE BENEFIT FUNDS COMMITTEE

Rule 31

The Benefit Funds Committee (BFC) shall consist of five representatives, one for each of the electoral divisions set out in Rule 36, with the general secretary, deputy general secretary/general treasurer. At its first meeting after Congress each year it shall elect from among its members a cathaoirleach and leas-chathaoirleach for the coming year. Three members, excluding the general secretary and deputy general secretary/general treasurer, shall form a quorum. It shall have the power to appoint a sub-committee consisting of one or more of the elected members with the general secretary and deputy general secretary/general treasurer to deal with any matter referred to it by the committee. Travelling and personal expenses shall be paid from the appropriate fund to members of the BFC.

Rule 32

The duty of the BFC shall be to administer a fund or funds for the purpose of providing assistance to members and their dependants in accordance with the Rules.

The BFC may also advise members on matters concerning social welfare, health services, medical insurance and other such matters referred to the committee from time to time by the CEC.

APPOINTMENT, REMOVAL AND TENURE OF THE CEC AND BFC

Rule 33

All teachers who have been members of the INTO continuously for two years immediately preceding date of nomination and who are qualified in accordance with Rules 75 and 76 or 77 shall be eligible for election to the CEC or BFC. All members of the CEC (with the exception of the paid officials) shall hold office from the conclusion of the Congress at which they are declared elected until the conclusion of the next Annual Congress. In the case of a vacancy, filled by a bye-election, the member so elected shall hold office until the conclusion of the next Annual Congress following the election. All members of the CEC shall be eligible for re-election, except the president, whose re-election shall be in accordance with the terms of Rule 34.

PRESIDENT

Rule 34

The president of the organisation shall hold office for one year and shall not again be eligible for election to the presidency for at least five years following the Congress at which that person relinquishes office as president. If a vacancy occurs in the presidency, the vice president shall become acting president for the remainder of the term. If a vacancy occurs in the vice-presidency the vacancy shall not be filled.

ELECTIONS/ELECTORAL DISTRICTS

Rule 35

For the purpose of returning representatives to the CEC, Ireland shall be divided into 16 electoral districts as follows:

- District 1:** The region of the Education Authority which was previously defined as the areas of the Belfast, South-Eastern and North-Eastern Education and Library Boards.
- District 2:** The region of the Education Authority which was previously defined as the areas of the Southern and Western Education and Library Boards.
- District 3:** Generally, Donegal, Leitrim and parts of adjoining counties as defined by the CEC.
- District 4:** Generally, Mayo, Sligo and parts of adjoining counties as defined by the CEC
- District 5:** Generally Cavan, Monaghan, Louth and parts of adjoining counties as defined by the CEC.
- District 6:** Generally Galway, Roscommon and parts of adjoining counties as defined by the CEC.
- District 7:** Generally Meath, Westmeath, Longford, Offaly, Kildare and parts of adjoining counties as defined by the CEC.
- District 8:** Dublin A, Wicklow and parts of adjoining counties as defined by the CEC.
- District 9:** Dublin B and parts of adjoining counties as defined by the CEC.
- District 10:** Generally Wexford, Carlow, Kilkenny, Laois and parts of adjoining counties as defined by the CEC.
- District 11:** Generally Tipperary, Waterford, Clare and parts of adjoining counties as defined by the CEC.
- District 12:** Cork A and parts of adjoining counties as defined by the CEC
- District 13:** Generally Kerry, Limerick and parts of adjoining counties as defined by the CEC.
- District 14:** Dublin C and parts of adjoining counties as defined by the CEC.
- District 15:** Dublin D and parts of adjoining counties as defined by the CEC.
- District 16:** Cork B and parts of adjoining counties as defined by the CEC.

Each electoral district shall return to the CEC one representative who shall be a member of a branch within the district.

Rule 36

For the purpose of returning representatives to the BFC, Ireland shall be divided into five electoral divisions as follows:

- Division 1:** Districts 1, 2 and 5.
- Division 2:** Districts 7, 9, 14 and 15.
- Division 3:** Districts 8, 16 and 11.
- Division 4:** Districts 12, 13 and 16.
- Division 5:** Districts 3, 4 and 6.

Each electoral division shall return to the BFC one representative who shall be a member of a branch within the division. Each member of the BFC shall hold office for two consecutive years, but shall be eligible for re-election. For the purpose of election, Divisions 1 and 2 shall be called Group A and Divisions 3, 4, and 5 Group B. Representatives from Group A and Group B shall be elected to the committee in alternate years.

Rule 37

- A. On the occurrence of a vacancy in the representation of a district or division of the CEC, BFC, Ed.C, Eq.C or PDC respectively, subject to the provision that a district or division shall not ordinarily be left without a representative for a period of longer than three consecutive months, the CEC may decide to have the vacancy filled forthwith or at the next elections of the CEC, BFC, Ed.C, Eq.C or PDC.
- B. Members of the CEC, BFC, Ed.C, Eq.C or PDC who absent themselves from three successive meetings of their committee without furnishing reasons which are considered by the said committee as sufficient, shall cease to be members and the CEC shall be empowered to declare their seats vacant.

Rule 38

Should a member of the CEC, BFC, Ed.C, Eq.C or PDC be declared by a two-thirds majority of the members of the committee to be guilty of conduct which is injurious to the professional or trade union interests of the organisation or to be incapable through infirmity of mind or body of discharging the duties of a member of the committee, the CEC shall be empowered to declare the seat vacant.

Rule 39

Every branch, at its AGM, shall nominate one candidate for each of the following: president, vice president and CEC district representative and, when applicable, a district representative to the Ed.C, Eq.C and PDC and divisional representative to the BFC and the National Appeals Panel (NAP). Branches have the sole right to nominate candidates to the above elected positions and committees.

Rule 40

A member may not be nominated for any position on the CEC, BFC, Ed.C, Eq.C or PDC unless that member has given notice in writing of intention to be a candidate to the general secretary not later than 17.00 on the first working day of December preceding, for publication by the general secretary prior to the AGMs. A working day is a day on which the registered office of the organisation is open for business.

Where an outgoing member of these committees is not intending to put their name forward by this date, they shall inform all the branches in their district by 1 October.

Rule 41

The president, vice president, general secretary and deputy general secretary/general treasurer shall be elected by the members of the entire country who are qualified to vote, and no candidate for any of these offices shall be eligible for election unless nominated by a branch or branches entitled to do so in accordance with Rule 39 representing a total membership of at least 500.

Rule 42

The representatives of each electoral district or division shall be elected by the members in that district or division.

Rule 43

The president, vice president and all district and divisional representatives shall be serving teachers at the time of their election.

Rule 44

No candidate shall be eligible for election as district or divisional representative unless nominated by a branch or branches entitled to do so in accordance with Rule 39, representing a total membership of at least 100.

Rule 45

Should there be no nomination for any vacant office or position on the CEC, BFC, Ed.C, Eq.C or PDC, the CEC shall fill the vacancy.

Rule 46

No candidate shall stand for election for more than one position on the CEC, BFC, Ed.C, Eq.C or PDC at the same time.

Rule 47

All nominations must reach Head Office not later than 17.00 on the first Wednesday in February, nominations received after that date shall not be regarded as valid. The general secretary shall publish online, following the first Wednesday in February, a

list of all candidates who have been validly nominated for positions on the CEC, BFC, Ed.C., Eq.C and PDC, with the names of the branches by which each candidate has been nominated.

Rule 48

- A. A candidate who has been validly nominated for a position on the CEC, BFC, Ed.C, Eq.C or PDC, may withdraw by giving notice to that effect in writing to the general secretary not later than the last Friday in February, and such notice shall be published in the next available issue of an official journal of the organisation.
- B. A candidate who has been validly nominated for a position on the CEC, BFC, Ed.C, Eq.C or PDC, such position to be filled by means of a bye-election, may withdraw by giving notice to that effect in writing to the general secretary not later than 28 clear days prior to the date decided on for the closing of the poll and such notice shall be published in the next issue of the official journal of the organisation.

Rule 49

- A. Only those members who are registered at Head Office as paid-up members shall be eligible to vote at the elections or by-elections for CEC, BFC, Ed.C, Eq.C and PDC.
- B. Twenty one days before the meeting of Congress, all members eligible to vote shall receive the instructions and information necessary for the completion of an electronic ballot.
- C. Voting for all positions on the CEC, BFC, Ed.C, Eq.C and PDC, including that for general secretary and deputy general secretary/general treasurer, shall be held online by the system of a single transferable vote. Voters will mark their vote 1, 2, 3, etc. in the order of their preference. The vote will close not later than the Wednesday of the week prior to Congress.
- D. The official scrutineer, who shall be a chartered accountant or public auditor, shall examine the results of the voting process on the Thursday prior to the official opening of Congress, and shall, on the conclusion of the count, send a report to the general secretary.
- E. On the opening day of Congress, the president shall announce the results of the polls and declare the successful candidates elected for the ensuing year which shall commence at the conclusion of the Congress.

NORTHERN COMMITTEE

Rule 50

- A. A special committee shall be appointed under Rule 26 to deal generally with organisation affairs in Northern Ireland and shall be known as the Northern Committee (NC).

- B. The NC shall consist of:
- i. CEC and BFC representatives: The northern secretary, the representatives of the CEC for District 1 and 2 and the BFC Representative for Division 1 and other members of the CEC and BFC (if any) resident in Northern Ireland;
 - ii. primary area representatives: One primary representative each for the regions of the Education Authority which were previously defined as Belfast A, Belfast B, North-Eastern, South-Eastern, Southern A, Southern B, Western A and Western B areas;
 - iii. post-primary area representatives: One post-primary representative each for the regions of the Education Authority which was previously defined as Belfast, North-Eastern, South-Eastern, Southern and Western areas; and
 - iv. the current president and vice president.
- C. i. For the purpose of this Rule the electoral areas for the Belfast North-Eastern, South-Eastern, Southern and Western areas shall comprise the branches which are wholly or mainly in the areas of the respective regions of the Education Authority which were previously defined as Education and Library Boards.
- ii. For the purpose of this Rule the areas of Belfast A, Belfast B, Southern A, Southern B, Western A and Western B shall be defined by the CEC.
- D. i. Any member of a Northern Ireland branch who (1) has been a member of the INTO continuously for two years immediately preceding date of nomination; (2) is qualified in accordance with Rules 75 and 76 or 77; and (3) is a member of a branch in the electoral area in which election is sought shall be eligible for the position of area representative.
- ii. A candidate for election as primary or post-primary area representative may not be nominated unless the candidate has notified the intention to be a candidate to the general secretary not later than 17.00 on the first working day in December preceding for publication in the bulletin issued prior to the AGMs.
- iii. A candidate for election as primary or post-primary area representative may not be nominated unless, at the date of nomination, the candidate is serving in a relevant school or institution recognised by the Department of Education in Northern Ireland (DENI).
- iv. A candidate for election as area representative for any area, except Belfast A and Belfast B must be nominated by a branch or branches in the area with a total paid-up membership of 50 or over.
- v. A candidate for election as area representative for Belfast A or Belfast B must be nominated by at least 40 paid-up members in the particular area.
- vi. Forms for the nomination of area representatives shall be supplied by the northern secretary to branch secretaries not later than the first Monday in December. A candidate seeking election as area representative for Belfast A or Belfast B shall be supplied with a nomination form on request to the northern secretary.
- vii. A candidate shall not be eligible for election unless the appropriate nomination form or forms have been received by the northern secretary not later than 17.00 on the first Wednesday in February.

- E. Election procedure shall be the same as in elections for the CEC. The northern secretary shall forward to each qualified voter a voting paper to arrive not later than the third Monday in February. A chartered accountant or public auditor shall be appointed by the NC to examine and count the votes. Voting papers shall reach the accountant not later than the fourth Monday in February and the votes shall be counted on the following day.
- F. On the opening day of the Northern Conference the cathaoirleach shall announce the result of the elections and declare the successful candidates elected for the ensuing year. Area representatives shall hold office from the conclusion of the Northern Conference at which they are declared elected until the conclusion of the next Northern Conference.
- G. In any contingency concerning election and tenure of office of area representatives, not covered by the above clauses, procedures shall be determined by the CEC.

EDUCATION COMMITTEE

Rule 51

- A. A special committee, to be responsible to the CEC shall be elected and known as the Education Committee (Ed.C). The committee shall consist of the president and vice president for the time being and one member duly elected to represent each CEC electoral district in the manner set down for returning CEC representatives.
- B. The Ed.C shall advise the CEC:
 - i. on such educational matters as are remitted to it by the CEC; and
 - ii. on such other educational matters as the committee itself wishes to investigate.
- C. The committee shall remain in office for three years, shall meet not less than three times a year and members shall be eligible for re-election.
- D. The committee shall meet within six weeks from the conclusion of Congress each year. At this meeting the committee shall elect one of its members as cathaoirleach. The cathaoirleach shall hold office for one year and shall be eligible for re-election but shall not hold office for more than three years consecutively.
- E. The committee shall submit, in public session, an annual report to Congress after that report having previously been submitted to and approved by the CEC. All approved findings and recommendations of the committee shall be brought to the attention of the members of the organisation generally.
- F. All activities of the committee involving expenditure shall be subject to the approval of the CEC.
- G. Travelling and personal expenses shall be paid from the *General Fund* to members of the Ed.C.

EQUALITY COMMITTEE

Rule 52

- A. A special committee, to be responsible to the CEC, shall be elected and known as the Equality Committee (Eq.C). The committee shall consist of the president and vice president for the time being and one member duly elected to represent each CEC electoral district in the manner set down for returning CEC representatives.
- B. The Eq.C shall advise the CEC:
 - i. On such equality matters as are remitted to it by the CEC; and
 - ii. On such other equality matters as the committee itself wishes to investigate.
- C. The committee shall remain in office for three years, shall meet not less than three times a year and members shall be eligible for re-election.
- D. The committee shall meet within six weeks from the conclusion of Congress each year. At this meeting the committee shall elect one of its members as cathaoirleach. The cathaoirleach shall hold office for one year and shall be eligible for re-election but shall not hold office for more than three years consecutively.
- E. The committee shall submit, in public session, an annual report to Congress, after that report will have been submitted to and approved by the CEC. All approved findings and recommendations of the committee shall be brought to the attention of the members of the organisation generally.
- F. All activities of the committee involving expenditure shall be subject to the approval of the CEC.
- G. Travelling and personal expenses shall be paid from the *General Fund* to members of the Eq.C.

PRINCIPALS' AND DEPUTY PRINCIPALS' COMMITTEE

Rule 53

- A. A special committee, to be responsible to the CEC, shall be elected and known as the Principals' and Deputy Principals' Committee (PDC).
- B. The committee shall consist of the president and vice president and members duly elected to represent each CEC electoral district in the manner set down for returning CEC representatives. Candidates seeking election to the PDC shall be proposed by at least one of the Principals' Fora at the fora AGMs in November. Where there is only one forum in a district, the forum may propose up to a maximum of two candidates. Candidates proposed at the fora AGMs shall give notice in writing of intention to be a candidate to the general secretary not later than 17.00 on the first working day of December. Where more than one candidate has been duly nominated and ratified within a district, the PDC representative shall be elected in the manner set down for the election of CEC representatives.

- C. The PDC shall advise the CEC:
 - i. on such matters as are remitted to it by the CEC; and
 - ii. on such other matters relevant to principal and deputy principal teachers, as the committee itself wishes to investigate.
- D. The committee shall remain in office for three years, shall meet not less than three times a year and members shall be eligible for re-election.
- E. The committee shall meet within six weeks from the conclusion of Congress each year. At this meeting the committee shall elect one of its members as cathaoirleach. The cathaoirleach shall hold office for one year and shall be eligible for re-election but shall not hold office for more than three years consecutively.
- F. The committee shall submit, in public session, an annual report to Congress, after that report will have been submitted to and approved by the CEC. This report shall include an overview of the activities of the Principals' Fora. All approved findings and recommendations of the committee shall be brought to the attention of the members of the organisation generally.
- G. All activities of the committee involving expenditure shall be subject to the approval of the CEC.
- H. Travelling and personal expenses shall be paid from the *General Fund* to members of the PDC.

TRUSTEES

Rule 54

- A. The general secretary, deputy general secretary/general treasurer of the organisation and the cathaoirleach and leas-chathaoirleach of the BFC shall be the trustees of the organisation. Persons holding office as trustees shall, while acting in that capacity, be independent and shall not be constrained by the responsibilities of any other offices which they hold. When a member vacates the office in virtue of which the member becomes a trustee, the member shall automatically cease to be a trustee and the vacancy so created shall be filled by the member's successor in office.
- B. The trustees or any one or more of them may be removed from office at any time by a majority of a joint meeting of the CEC and BFC sitting together.
- C. If any trustee, being removed from office, refuses or neglects to assign or transfer any property of the organisation as an Annual or Special Congress may direct, such trustee shall be expelled, if such trustee is a member, and shall cease to have any claim on the organisation without prejudice to any liability to prosecution.
- D. So much of the funds of the organisation as may not be required for immediate use or to meet the usual accruing liabilities may, with the consent of the CEC or of Congress, be invested in such securities as the trustees shall direct.

- E. The trustees, with the consent of the CEC, may purchase or take on lease any premises or land and may sell, exchange, mortgage, let or build upon that land with power to alter and pull down buildings and rebuild.
- F. The trustees may, on the direction of the CEC or of Congress, either solely or with others procure a building society or promote the development of a building society and may subscribe for or otherwise acquire shares therein.
- G. The trustees, with the consent of the CEC, may make arrangements with a credit institution, licensed by the Central Bank of Ireland, for a loan facility to provide money over an agreed period of time and secured by assets of the organisation.

SECTION FOUR: OFFICERS AND ORGANISATION STAFF

Rule 55

The general secretary shall be whole time chief executive officer of the organisation and shall be selected from candidates who are or who have been teachers and members of the organisation for not less than five years. The general secretary shall carry out, to the satisfaction of the CEC, all lawful duties allotted by the CEC and BFC and shall make all such returns to the Registrar of Friendly Societies as are required by the regulations thereof. The general secretary shall be responsible for the safe custody of reports, papers and resolutions passed or approved by Congress.

Rule 56

The deputy general secretary/general treasurer shall be responsible for all monies received at Head Office, shall see that all such are regularly paid into the bank; shall keep the books and accounts showing the income and expenditure of the various funds; shall have charge of the bank passbooks; shall submit on request bankbooks, vouchers, receipts, etc., to the Examiners of Accounts. The deputy general secretary/general treasurer shall prepare a financial statement and submit same to the CEC and BFC should such be demanded; shall pay accounts as the CEC and BFC may order and sign all cheques jointly with the general secretary; shall produce such books, vouchers, documents, etc., as may be required by the CEC, BFC, AC, Congress, or a person or committee duly authorised by them; shall make all necessary returns to the trustees as are required by the *Trade Union Acts*.

Rule 57

Applications for the position of general secretary or deputy general secretary/general treasurer shall be advertised both internally and externally. A list of all applicants qualified in accordance with the terms of the advertisement shall be sent to all branches and each branch may nominate one person from this list.

The CEC shall have power to make all arrangements as to the date for nominations and election, the counting of votes, declaration of result and date of entrance on duty by the successful candidate.

Rule 58

The general secretary and the deputy general secretary/general treasurer shall be paid such remuneration for their services as may, from time to time, be fixed by Congress. In case a vacancy occurs in the interval between one Congress and the next, the salary to be paid to the incoming general secretary or deputy general secretary/general treasurer shall, unless already fixed by Congress, be provisionally fixed by the CEC.

Rule 59

The general secretary and the deputy general secretary/general treasurer shall hold office during the pleasure of the organisation. They shall be removable therefrom by Congress or a Special Congress called for that purpose, on an adverse two-thirds majority vote.

Rule 60

The general secretary and the deputy general secretary/general treasurer shall each enter into a bond with a Guarantee Society, for the sum of €10,158, premiums to be paid out of the *General Fund*. The CEC may also arrange for the guarantee of such other employees of the organisation as may be considered advisable.

Rule 61

A. The CEC, or the general secretary with its authority, shall have power to appoint such and so many persons as may be considered necessary to carry out the work of the organisation, and shall have power to make such arrangements as to duties of such employees as may be considered advisable for the efficient management of the office. The rates of remuneration for such employees shall be fixed by the CEC subject to the approval of Congress. All employees of the organisation shall be subject to the control of the general secretary, who shall have power to suspend any such person subject to such procedures as may be agreed from time to time by the CEC.

B. *INTO Staff Pension Scheme*:

- i. the organisation shall, by Trust Deed, establish the *INTO Staff Pension Scheme* for the main purposes of providing pensions and other relevant benefits as defined in section 13(1) of the *Finance Act 1972* for and in respect of the officials and staff members of the organisation;
- ii. the persons entitled, or contingently entitled, to benefits from the *Superannuation Fund*, previously established by the organisation, shall instead be entitled or contingently entitled, to the same benefits from the *INTO Staff Pension Scheme*;
- iii. the organisation shall transfer to the trustees of the *INTO Staff Pension Scheme* the appropriate portion of the members' subscriptions allocated to pension provision and such other contributions as may be due under the Trust Deed and rules governing such scheme; and

- iv. the assets of the *INTO Staff Pension Scheme* shall not form part of the assets of the organisation but shall be held by the trustees of such scheme upon trust to provide the benefits set out in the Trust Deed and rules governing such scheme.

Rule 62

All officers whether general, branch, or district committee officers, or other persons, who are responsible for the custody of any books, records, or property of the organisation shall, upon ceasing to hold office, or at such other time as may be ordered by the CEC, hand over to their successors or to the CEC or to any person duly appointed by the CEC for that purpose, all books, records or property belonging to the organisation in their custody and should they fail to do so the CEC may take such action as it may be entitled to by law for the recovery of same.

SECTION FIVE: DISTRICT COMMITTEES

Rule 63

A district committee shall be established in each CEC electoral district.

Rule 64

Each branch must affiliate with the district committee established in the district in which it is situated, except otherwise permitted by the CEC.

Rule 65

The officers of a district committee shall be the district cathaoirleach, district leas-chathaoirleach, district treasurer and district secretary, who shall be elected at the AGM of the district committee to be held in June. District treasurers and district secretaries and district representatives on the Ed.C, Eq.C and PDC may be allowed such honoraria as the district may direct, subject to guidelines to be issued by the CEC from time to time and endorsed by Annual Congress. Such guidelines to specify that only one honorarium may be paid to a member.

INTO PRINCIPALS' AND DEPUTY PRINCIPALS' FORA

Rule 66

- A. Each district shall establish and fund a minimum of one and a maximum of five Principals' and Deputy Principals' Fora which shall be constituted of all the principals and deputy principals who are members of the district.
- B. A district officer shall be an ex-officio member of each Principals' and Deputy Principals' Forum in the district and shall have a right to be invited to all meetings of the fora and to take part in their deliberations, but not to vote at its meetings unless they are an ordinary as well as ex-officio member.
- C. Each forum within the district shall elect one delegate to the district committee.
- D. Each Principals' and Deputy Principals' forum shall hold at least two meetings per year, one of which shall be an AGM. The meetings shall take place generally in the months of February/March and November. The November meeting shall be the AGM.
- E. The officers of the fora shall be the cathaoirleach, leas-chathaoirleach and secretary elected at the AGM.

- F. Each Principals' and Deputy Principals' Forum shall report to the district committee on all decisions taken and may submit motions to Congress through the district in accordance with Rule 11D.
- G. Principals' and Deputy Principals' Fora have the right to nominate candidates to the PDC in accordance with Rule 53.

Rule 67

Each district committee shall frame special rules and bye-laws for the carrying on of its business and submit same for the sanction of the CEC.

Rule 68

The deputy general secretary/general treasurer shall pay quarterly to the treasurer of each district committee not later than 31 March, 30 June, 30 September and 31 December, an amount, determined by Congress in accordance with the terms of Rule 79, in respect of each member of every branch affiliated to the district committee whose subscriptions for the months of the previous quarter were received in Head Office. The minimum which the deputy general secretary/general treasurer shall pay annually to the treasurer of each district committee shall be €4,444.08.

Rule 69

- A. Each district committee shall open a bank account in the name of the district. All payments on behalf of the district, whether by cheque or online, shall be signed or sanctioned by the district secretary and the district treasurer.
- B. The district treasurer shall:
 - i. prepare an annual statement of accounts year end 31 May, duly audited, showing receipts and expenditure properly vouched for;
 - ii. supply a copy of the statement of accounts to the secretary of each affiliated branch prior to the AGM; and
 - iii. supply a copy to each delegate at the AGM.
- C. The district treasurer shall, by 30 September, return to the general secretary on a prescribed form an annual statement of accounts. Payment of the quarterly allocation to the district shall be subject to receipt by the general secretary of the statement of accounts in accordance with the terms of Rule 133 of these Rules.

CONSTITUTION OF DISTRICT COMMITTEE

Rule 70

Two auditors shall be elected annually at the AGM from members in the district who are qualified in accordance with Rules 75, and 76 or 77. They shall audit and certify the statement of accounts. It is the auditors' responsibility to submit a signed and fully completed district Auditors' Certificate to the district secretary within three months of the year end. The auditors shall hold no other office in the district.

Rule 71

- A. Each district committee shall consist of representatives of the affiliated branches chosen in accordance with the following scale:

| Branch membership | No of Delegates |
|-------------------|-----------------|
| 69 and under | 2 |

With an additional delegate for each additional 35 members or part thereof and representatives of the Principals' and Deputy Principals' Fora within the district.

- B. Branch representatives to the district committee shall be chosen at the AGM of the branches, from members who are qualified in accordance with Rules 75 and 76 or 77. The representative of the Principals' and Deputy Principals' Fora shall be elected by all the members of the fora in the district. Should a vacancy on the district committee be caused by the resignation, death or disqualification of a member, the branch or forum which originally appointed such a member may, after due notice, elect a successor to fill the vacancy.
- C. The following in addition, shall have the right to be summoned to all meetings of the district committee and to take part in its deliberations, but not to vote at its meetings, unless they are ordinary as well as ex-officio members of the committee:
- The member of the CEC, the member of the Ed.C, the member of the Eq.C, and the member of the PDC who by virtue of this Rule shall become ex-officio members of the district committee of the district which they represent.
 - In Northern Ireland, the NC area representatives in the district.
 - The member of the BFC in whose division the district committee meeting is to be held.

ELECTION OF DISTRICT OFFICERS

Rule 72

- A. After the branch AGM and not later than 28 February, each branch secretary shall send the names of the branch representatives chosen to act on the district committee for the coming year to the district secretary, who shall, in due course, forward to each branch secretary the list of all members appointed to act on the district committee. Branches shall, at the next general meeting prior to the district committee AGM, nominate from this list, candidates for election as district officers, a candidate for election to the Arbitration Panel, a candidate for election to the AC, a candidate for election as a teller for Annual Congress and a candidate for election to the SOC. In the absence of a general meeting of the branch prior to the district AGM, the branch committee shall be entitled to make these nominations.

- B. At its AGM the district committee shall elect from among the members so nominated, the district officers, a representative to the Arbitration Panel, a representative to the AC, a teller for the subsequent Annual Congress and a representative to the SOC of Congress for the coming year and of any Special Congress held before the next AGM of the district committee. It shall appoint one of its officers as an ex-officio member of the Principals' and Deputy Principals' Fora established in the district. Should there be no nomination for a vacant office, the district committee shall fill such office from amongst its members. Each officer must be proposed and seconded and in the case of a contest, the election shall be decided by a ballot vote. In the event of a tie, the terms of Rule 134 will be employed.
- C. At the June meeting, District Committees 1 and 2 shall elect from their members three representatives each to serve on the Northern Conference SOC.
- D. The outgoing cathaoirleach, or in the case that the outgoing cathaoirleach is not a member of the new committee, a temporary cathaoirleach, shall preside until the new cathaoirleach is declared elected; the outgoing or temporary cathaoirleach shall have one vote as a member of the committee, but shall have no casting vote. In case of a tie, the election shall be decided under the terms of Rule 134 of these Rules.
- E. The newly elected cathaoirleach shall preside during the remaining elections and shall have only one vote in any such election. In the case of a tie the election shall be decided as in the case of the election of cathaoirleach. Whether elected as delegates or not, the outgoing district secretary and treasurer shall attend the first meeting of the newly-elected committee in order to hand over balance on hands, books and documents, to their successors, provided always that, if not elected representatives, they shall have no power to vote. At the first meeting of the newly-elected district committee, the election of new officers shall take place immediately after the adoption of the minutes.

POWERS, DUTIES AND TENURE OF DISTRICT COMMITTEES

Rule 73

- A. The district committee shall meet at least twice each year in or about the months of June and December. The meeting in or about June shall be the AGM. The district committee shall meet when directed to do so by the CEC and at such other times as may be deemed necessary in accordance with the district bye-laws. All members of the district committee must be summoned by due notice to attend ordinary and special meetings of the district committee. The notice of meetings shall set out the business to be transacted. The district committee and all officers and committees thereof shall hold office from one AGM to the next.
- B. Actual out-of-pocket expenses may be paid to members of the district committee, other than ex-officio members, out of the funds of the committee.

- C. The district committee shall be at liberty to set up standing committees, sub-committees and special committees, in the same manner and subject to the same conditions as provided for in the case of the CEC.
- D. The district committee shall, subject to Rule 3, be at liberty to organise meetings for such groups within the organisation as may be necessary from time to time and to organise functions which may be requested by the members of the district.
- E. The district committee shall receive and consider reports from its members regarding the numerical strength of the organisation in their areas, the numbers of teachers who are not members, and the extent and nature of the organising work performed since the last meeting of the committee. The district committee shall make arrangements for the opening of new branches where such may be deemed necessary. It shall, subject to the decision of the CEC, define the area from which a branch may draw its membership. It shall review these areas from time to time and shall ensure that the membership of a branch shall not be less than 30 members or more than 750 except with the specific authority of the district committee. The district committee shall be entitled to exercise its specific authority in this matter for a period of up to two years only and in circumstances where the numerical strength of the branch is 10% below the minimum figure where, in the judgement of the district committee, there is a reasonable prospect of the branch attaining the minimum figure within the two year period. However, a branch may also lodge an appeal under Rule 74.

BRANCH APPEALS COMMITTEE

Rule 74

It shall be open to a branch to appeal against the requirement to comply with the minimum branch size. An Appeals Board comprising members of the NAP, established in accordance with Rule 105C (vi), shall hear such an appeal.

- A. The grounds on which an appeal may be taken shall include at least one of the following:
 - i. evidence of a branch having a strong local tradition in a clearly defined geographical area; and/or
 - ii. evidence in relation to significant changes in the membership of the branch over the previous five years.
- B. On receipt of an appeal the general secretary shall summon an Appeals Board consisting of the three members of the NAP, selected on a rota basis prescribed by the CEC, to consider the appeal.
- C. The general secretary shall appoint a clerk to the Appeals Board.
- D. The duty of the Appeals Board shall be to consider an appeal by a branch referred to it by the general secretary and to issue a report and recommendations to the CEC.

- E. The Appeals Board shall make arrangements to convene a hearing and shall invite the branch to nominate from its officers persons to make the case on behalf of the branch.
- F. The Appeals Board shall make arrangements also to hear the views of the district committee and to invite the district to nominate from its officers, persons to put forward the views of the district.
- G. The Appeals Board shall also be entitled to call such other members, including officers of the branch or district, elected representatives or officials of the organisation as it considers necessary to enable a just determination of the case to be made.
- H. The report and recommendations of the Appeals Board shall be sent by the clerk to the general secretary.
- I. The general secretary shall place the report and recommendations of the Appeals Board before the CEC for consideration and determination at the next ordinary meeting.
- J. The decision of the CEC shall be final and shall be communicated to the secretary of the district committee concerned for implementation. Where the CEC rejects an appeal, the branch shall be given an appropriate timeframe within which to comply with the minimum size requirement.

SECTION SIX: ADMISSION AND CONDITIONS OF MEMBERSHIP

CONDITIONS OF MEMBERSHIP

Rule 75

Every member of the organisation must be a member of a branch of the organisation. The CEC shall have the right to refuse admission to membership and to decide under what conditions any teacher or teachers may be admitted or readmitted to membership.

A teacher who has been refused admission or readmission to a particular branch of the organisation shall have the right of appeal to the CEC.

ORDINARY MEMBERSHIP

Rule 76

A. Entitlements of ordinary membership

Ordinary members shall have the right to attend and speak at meetings of their branch; to vote on motions and at elections and ballots; to seek election as officers of the branch or as delegates to district committee or Congress or other offices in the organisation. They shall be entitled to receive organisation journals; advice on professional matters; legal aid and advice and other such benefits and facilities as may be negotiated for organisation members from time to time.

B. Eligibility for admission to ordinary membership

- i. Teachers registered with the Teaching Council in ROI under Route 1 or Route 4.
- ii. Registered and qualified teachers serving in schools and institutions recognised by the DENI.
- iii. Such other category or categories of qualified teachers as may be defined by the CEC.

C. Procedure for admission to ordinary membership

- i. Every teacher qualified for ordinary membership of the organisation may, subject to the final decision of the CEC, be admitted to the branch operating in an area in which such teacher is employed.

No branch shall admit or retain as a member a teacher who is employed outside its defined area, except with the special permission of the district committee

- responsible for the area in which such teacher is employed, or of the CEC. When members transfer from a school in one branch area to a school in another, they shall be automatically transferred to the branch in that area subject to the right of appeal to the district committee or the CEC.
- ii. The phrase 'deduction of subscription from salary' in these Rules shall mean deduction of subscription from salary by the Department of Education (DE) or the DENI as appropriate.
 - iii. Registered teachers taking up their first appointment in Ireland may become members of the organisation with entitlement to full benefit by completing in full the appropriate application form authorising deduction of subscription from salary and submitting it online to Head Office in accordance with Rule 133 of these Rules.
 - iv. Qualified teachers taking up their first appointment as lay teachers, following previous service as teachers in a religious order shall be entitled to join the organisation under the provisions of section (iii) of this Rule.
 - v. Members who resign from the teaching service and who at the time of their resignation were in full benefit, shall be eligible on reappointment as teachers, to qualify again for full benefit with effect from the date of receipt of notification of reappointment.
 - vi. Notwithstanding anything contained in the above sections of this Rule, a teacher, on completion of the appropriate form authorising the deduction of subscription from salary, may be entitled to benefit under sections (b)(ii) and (b)(iii) of Rule 107.
 - vii. In all cases membership will commence from the date of receipt of the completed application form, in accordance with Rule 133 of these Rules, online by Head Office. The branch secretary shall put the new application to a general meeting of the branch/branch committee for ratification. Deduction of subscription will commence from the salary received in the seventh month following the date on which the form is received.
 - viii. Application for membership of the organisation may be completed either online or in hard copy in accordance with the terms of Rule 133 of these Rules. Applications for membership shall authorise the deduction of subscription from salary. Branch secretaries shall be notified by Head Office of applications received and the branch secretary shall put all new applications to a general meeting of the branch/branch committee for ratification. The branch secretary shall notify Head Office immediately if the teacher's application for membership is rejected by a branch general meeting.
 - ix. All members whose salaries are paid by the DE or the DENI, shall authorise the deduction of subscription from salary.
 - x. Members, whose salaries are not paid by the DE or the DENI, shall pay their subscription in accordance with arrangements prescribed by the CEC. Those arrangements shall include provision for the re-admission of a teacher after a break in service, where such teacher is not paid by the DE or the DENI.

SPECIAL CATEGORIES OF MEMBERSHIP

Rule 77

A. Teachers on Courses

A teacher, who is pursuing a course which is approved by the CEC for the purpose of this Rule, may continue as a member in benefit on payment of such subscription as may be determined by the CEC.

B. Teachers on Leave without Pay including Career Breaks

Members on leave without pay, including extended sick leave and extended maternity leave as well as members on career breaks, may join a special category of INTO membership by registering their name and home address with Head Office. They shall pay a subscription at a rate to be determined by the CEC. They shall be entitled to benefits and facilities as determined from time to time by the CEC.

C. Substitute Teacher Members

Qualified teachers, recognised by the DE, serving as substitutes in primary schools and qualified teachers who serve as substitutes in schools in Northern Ireland, shall be eligible for substitute membership. The amount of their subscription shall be determined from time to time by the CEC. They shall enjoy all rights and privileges accruing to ordinary members. Substitute teacher members who have retired on pension shall have the right to attend, speak and vote at branch meetings but not the right to contest branch, district or National elections, or to act as delegates or officers of the branch or to benefit from death grants. They shall retain all other rights of membership. On joining the organisation, the substitute member shall become a member of a branch and shall remain a member of that branch for the school year.

D. Honorary Members

Teachers who have been members of a branch at the time of their retirement on pension may be elected as honorary members after retirement with the right to attend and speak at meetings of the branch but they shall not have the right to vote or to act as officers or delegates of the branch. They shall receive organisation journals. The CEC shall decide what subscription shall be forwarded to central funds on their behalf.

E. Student Members

Student teachers may be enrolled as student members on such terms and conditions as the CEC may prescribe from time to time.

F. Part-time Teacher Members

Qualified part-time teachers may become members of the organisation and be registered as such in Head Office on the payment of a subscription at a rate to be determined by the CEC.

G. Associate Members

Persons who were qualified teachers and members of the organisation but who cease to be practising teachers, may become associate members of the organisation. Such members shall be centrally registered on payment of an annual subscription to be determined by the CEC and shall be entitled to receive the organisation journals. They shall have no other rights.

H. Teachers who Retire on Ill-Health

Teachers who have been members at the time of their retirement on ill-health pension may be allowed grants under Rules 110 or 111 at the discretion of the BFC until their normal retirement age (ROI) or normal pension age (NI).

TERMINATION OF MEMBERSHIP

Rule 78

- A. Members who wish to terminate their membership shall do so by contacting the membership section, who shall be responsible for notifying the DE or the DENI and the member's branch secretary.
- B. Members who terminate their membership or who are expelled from the organisation, shall cease to have any claim on the funds of the organisation from the last day of the month in respect of which a deduction of subscription from salary has been made.

RATE OF SUBSCRIPTION

Rule 79

- A. The rate of subscription shall be determined in accordance with the provision of sections (B) or (C) of this Rule. Subscriptions shall be allocated among the funds of the organisation in such manner as Congress may direct and shall include elements to be paid to the member's branch and district committee and to the *INTO Staff Pension Scheme*.
- B. In the case of members of branches in the Republic the rate shall be as Congress may, from time to time, decide.
- C. In the case of members of branches in Northern Ireland, the rate shall be that agreed upon from time to time by the CEC and the NC.

LEVIES

Rule 80

- A. For the purpose of furthering one or more of the objects of the organisation, Congress, after due notice, shall have power to make a levy on the members of the organisation.
- B. All outstanding levies due from members admitted to membership shall be paid in accordance with arrangements prescribed by the CEC. Members who fail to meet their commitments under these arrangements shall be deemed to have terminated their membership and instructions will be given to the DE to cease making deductions of subscriptions from their salaries. They shall cease to have any further claim on the funds of the organisation from the last day of the month in respect of which a deduction had been made.

RIGHT TO VOTE

Rule 81

Only members qualified in accordance with Rules 75 and 76 or 77 are entitled to vote:

- A. for the nomination or election of the president, vice president, general secretary, deputy general secretary/general treasurer, members of the CEC, BFC, NC, Ed.C, Eq.C, PDC, SOC and AC;
- B. for the appointment of delegates to an Annual Congress, Special Congress or regional conference;
- C. for the election of a district committee;
- D. for the election of branch officers and committees;
- E. for the filling of any vacancy in a branch office or committee; and
- F. in a referendum conducted under the terms of Rule 25.

SECTION SEVEN: BRANCHES

Rule 82

A branch of the organisation shall be constituted of all the members employed in the area defined by the district committee as a branch area.

Rule 83

A branch established under any previous Rules and which is in existence at the time of the coming into operation of these Rules shall be deemed to be a branch established under these Rules and shall continue in existence until dissolved or otherwise dealt with in accordance with these Rules.

Rule 84

A new branch shall not be established except with the sanction of the district committee and the CEC. Each branch shall submit rules and bye-laws for the sanction of the CEC and when sanctioned, a copy of the rules shall be supplied to each member. Any alteration in the rules and bye-laws so sanctioned, or any additional rule or bye-law, shall be submitted to the CEC for sanction.

BRANCH OFFICERS AND COMMITTEE

Rule 85

- A. The officers of a branch shall be the cathaoirleach, leas-chathaoirleach, secretary and organiser. In branches with less than 30 members, the whole of the secretarial and organising duties may be undertaken by one member appointed for that purpose.
- B. The officers, with not less than five, and not more than 10 other members, shall form the branch committee, provided that it shall be open to the CEC, on the application of a particular branch, to allow a number of members greater than 10 to be elected to the committee in addition to the officers.
- C. Officers and committee shall be elected at the AGM from members qualified in accordance with Rules 75 and 76 or 77 and shall take up duty immediately after Congress.

Rule 86

The branch officers must, except otherwise permitted by the CEC, use the templates provided by Head Office.

Rule 87

- A. The branch committee shall, as a rule, meet once a month.
- B. The duties of the branch committee shall be to carry out the orders of the branch meetings, to manage, superintend and direct the affairs of the branch between meetings, to direct the actions of the branch officers, to be responsible for the proper administration of the funds under its control and to conduct or to make arrangements for the carrying out of branch business between meetings. Branch bye-laws may make provision for the efficient implementation of these duties.
- C. The branch committee must report back to a branch meeting on all decisions taken in its name.

BRANCH CATHAOIRLEACH AND LEAS-CHATHAOIRLEACH

Rule 88

The duties of a branch cathaoirleach shall be to preside at all meetings of the branch or of the branch committee and conduct the business in accordance with the Rules and bye-laws. The cathaoirleach shall sign all minutes of the branch and of the branch committee and all official documents which require the signature of the cathaoirleach, and with the secretary, order special meetings when necessary, or in the manner provided for in the branch bye-laws. The cathaoirleach shall supervise the working of the branch and of its officers, and have the right to inspect all branch books and documents. The duties of the leas-chathaoirleach shall be in the absence of the cathaoirleach, as set forth above.

BRANCH SECRETARY

Rule 89

- A. The branch secretary shall keep all books and accounts belonging to this office in accordance with these Rules and in the manner directed by the CEC or the general secretary. When called upon to do so by the cathaoirleach or branch committee, or other lawful authority, the secretary shall produce all books for inspection, and furnish a correct statement of the accounts of the branch. The secretary shall attend all branch and branch committee meetings and draft the minutes of same.
- B. The branch secretary shall either, apply to Head Office for the appropriate forms on which application may be made for grants from the *Benevolent Fund* or the *General Fund*, or complete and submit the appropriate forms online, in accordance with Rule 133 of these Rules.

- C. The secretary shall forward to Head Office within seven days of their receipt from applicants for membership, the completed forms authorising the deduction of subscriptions from salary.
- D. If a branch secretary resigns or is unable to fulfil the secretary's duties under the Rules during the period between AGMs, the branch committee shall appoint a branch member to undertake the duties of the branch secretary until the secretary resumes duties or a new branch secretary is elected.

BRANCH ORGANISER

Rule 90

The branch organiser shall work in conjunction with the branch secretary and in accordance with policies determined from time to time by the CEC and/or branch. The branch organiser shall be responsible for seeing that new teachers in the branch area are recruited into the organisation and thus that the numerical strength of the branch is maintained and, where possible, increased. The organiser shall arrange to have all non-members canvassed as frequently as possible. Branch sub-committees may be appointed to assist the organiser.

ALLOCATION OF DUTIES

Rule 91

Notwithstanding anything contained in these Rules, a branch may, from time to time, allocate to its officers or to any one of them, such duties as in its judgement may be necessary for the more effective carrying on of the work of the branch.

Rule 92

Branch secretaries, branch cathaoirligh and organisers may be allowed such honoraria as the branch may direct, subject to guidelines to be issued by the CEC from time to time and endorsed by Annual Congress.

Rule 93

Should a vacancy occur in any branch office or committee, it may be filled temporarily by the branch committee until such time as the vacancy is filled by a general meeting of the branch.

BRANCH MEETINGS

Rule 94

Each branch shall hold an ordinary general meeting, which shall be known as the AGM, in the month of December or January each year. It shall hold at least one other ordinary general meeting. It shall hold a special meeting whenever the CEC so directs. It may also hold a special meeting at such time or times as the branch or the branch committee decides in accordance with the branch bye-laws. All members must be summoned by due notice to attend an ordinary or special branch meeting. The notice of meeting shall set out the business to be transacted.

Rule 95

The order of business at an ordinary meeting shall include the following:

- A. Minutes of previous meeting and business arising therefrom.
- B. Secretary's report and statement of accounts.
- C. Organiser's report.
- D. Proposals for membership.
- E. Communications from Head Office, other branches, district committees or elsewhere.
- F. Motions for district committee.
- G. Any special subject or subjects.
- H. Other business.

Items A, B, C, D and E may be delivered verbally or in writing.

STAFF REPRESENTATIVE

Rule 96

Each branch may appoint staff representatives whose duty shall be to recruit members of staff in the schools which they represent to membership of the INTO and to represent the staffs in their schools in all matters relating to their professional interests. Should it not be possible to resolve any problem within the school, staff representatives shall make contact with the branch officers or CEC representative.

BRANCH FINANCE

Rule 97

Each branch shall open a bank account in the name of the branch. All payments, whether by cheque or online, shall be signed or sanctioned by the branch secretary and one other member, preferably an officer, authorised by the branch.

Rule 98

Each branch shall receive a payment from central funds in respect of each member of the branch. Such payment to each branch shall be not less than 75 times the amount of the individual subscription allocated to branches in accordance with the terms of Rule 79. Annual Congress shall be empowered to authorise further provisions regarding central disbursement of branch funding, in the interest of enabling branches of all sizes to be funded in order to carry out their functions.

Rule 99

All payments to Head Office shall be sent to the general secretary and shall be remitted by cheque made payable to 'Funds INTO', or by online banking facilities in accordance with Rule 133.

Rule 100

An annual statement of accounts, duly audited prior to the AGM, showing receipts and expenditure properly vouched for, shall be prepared by the branch secretary and a copy supplied to each member of the branch. A copy of this statement of accounts shall be filed and preserved with the records of the branch. The branch secretary shall return to the general secretary on a prescribed form an annual statement of accounts within three months after the branch accounts year end. This must be accompanied with a signed and fully completed Branch Auditors' Certificate. Payment of quarterly allocations to the branches shall be subject to the receipt by the general secretary of the statement of accounts in the prescribed manner in accordance with Rule 133 of these Rules.

BRANCH AUDITORS

Rule 101

Two auditors shall be elected annually at the AGM from among the branch members who are qualified in accordance with Rules 75 and 76 or 77. They shall audit and certify the statement of accounts. It is the Auditors' responsibility to submit a signed and fully completed Branch Auditors' Certificate to the branch secretary within three months of the year end. The auditors shall hold no other office in the branch.

ISSUE OF APPEALS ON BEHALF OF MEMBERS

Rule 102

No branch officer or member shall issue any circular by way of appeal for funds on behalf of a member to members of other branches except with the written permission of the district committee. Each such circular or appeal shall bear the words: 'Issued with the permission of the district committee'. Any such circular or appeal shall not be issued

to members outside the district, except with the permission, in writing, of the CEC, in which case the circular or appeal shall bear the words: 'Issued with the permission of the CEC'.

DISSOLUTION OR SECESSION OF BRANCHES

Rule 103

The monies, books, or other property of the organisation in the possession of a branch or any member thereof at the time of its dissolution or its secession from the organisation, shall be handed over to the general secretary or to a person authorised by the general secretary or by the CEC, to receive same and in the event of failure or refusal to do so, the trustees of the organisation shall be empowered to take such proceedings as they may be legally entitled to take for the recovery of such monies, books or other property held by such branch or member thereof.

SECTION EIGHT: DISCIPLINARY PROCEDURES

DEFINITION OF ACTIVITIES INJURIOUS TO THE INTERESTS OF THE ORGANISATION

Rule 104

- A. A member shall not engage in activities which the CEC may, from time to time, declare and define to be injurious to the professional or trade union interests of the organisation.
- B. A list of such activities is contained in Appendix 1 to these Rules. Deletions from and additions to the list shall be published to members of the organisation from time to time and shall be recorded annually in the CEC report to Congress.

DISCIPLINARY PROCEDURES

Rule 105

- A. i. It shall be open to a member of the organisation as defined in Rules 75, 76 or 77A, C or F to make a complaint under Rule 104 against another member or members.
- ii. The procedure of investigation and decision making on a complaint brought under Rule 104 shall consist of the following stages:
 - Stage 1 – Informal**
 - Stage 2 – Arbitration**
 - Stage 3 – Appeal**
 - Stage 4 – CEC Action**
- iii. Complaints shall be made as soon as possible but no later than the 1 December immediately following the school year in which the injurious conduct is alleged to have occurred.
- iv. The matters set out at Rule 105 C 'General' shall apply.
- B. **Procedure of Investigation**
 - Stage 1 – Informal**
 - i. Complaints shall, in the first instance, be dealt with informally and at local level, in order to seek to achieve early resolution.
 - ii. A complaint shall be initiated by a member by contacting the secretary for the district in which the injurious conduct is alleged to have occurred. Contact shall be in person or by telephone, email or letter. The complainant shall identify themselves and the member against whom the complaint lies (from here on in referred to as the respondent), and shall furnish details of the alleged injurious conduct.

- iii. Upon receipt of a complaint, the district secretary shall consult with the district officers and the CEC representative. The district secretary, together with the district officers and the CEC representative shall coordinate a plan in order to seek to achieve early resolution.
- iv. The plan may include any or all of the following steps, as deemed appropriate:
 - a. contact with the complainant;
 - b. contact with the respondent;
 - c. contact with the principal of the school where the respondent is employed;
 - d. contact with the chairperson of the board of management (BOM) of the school where the respondent is employed;
 - e. contact with the patron/patron's office;
 - f. meetings as appropriate;
 - g. correspondence as appropriate; and
 - h. such other steps as may be necessary in order to seek to achieve early resolution.
- v. All efforts shall be made by the district secretary, together with the district officers and the CEC representative to achieve early resolution.
- vi. The complainant and respondent shall also make all efforts to achieve early resolution.
- vii. Resolution may constitute any one of, or an amalgam of, the following:
 - a. an undertaking to cease the behaviour to which the complaint refers;
 - b. a plan to address matters in compliance with relevant INTO policy;
 - c. such other action, initiative, decision, statement, commitment or undertaking as may be necessary to resolve matters.
- viii. After efforts at informal resolution have been exhausted, the district secretary, in conjunction with the district officers and the CEC representative shall make one of the following decisions:
 - a. that the complaint falls outside the scope of the injurious conduct prescribed by Rule 104 and Appendix 1;
 - b. that in their view resolution has been achieved;
 - c. that in their view resolution has not been achieved.
- ix. The district secretary shall record the decision and outcome of Stage 1.
- x. The district secretary shall write to the parties and advise of the decision at Stage 1 and furnish their record of the outcome;
- xi. Stage 1 shall be completed within 25 school days.

Stage 2 – Arbitration

- i. Where a complainant wishes to pursue the complaint further, they shall write to the clerk of the Arbitration Board within 10 school days of the district secretary's communication at Stage 1 (x).
- ii. The complainant shall be required to set out the relevant details of the complaint which shall include:
 - a. the name of the respondent;
 - b. full details of the complaint;

- c. the specific section or sections of Appendix 1 of Rule 104 under which the complaint is being made;
 - d. the name or names of any witness/es; and
 - e. all such other information and evidence, including relevant documents, as the complainant proposes to rely upon.
- iii. The clerk of the Arbitration Board shall write to the respondent with a copy of all information furnished under Stages 2 (i) and 2 (ii).
- iv. The clerk shall seek a written response from the respondent within 10 school days of the date of the clerk's communication at Stage 2 (iii). The respondent shall provide all such information and evidence including relevant documents as they propose to rely upon.
- v. The clerk shall arrange for the exchange of documentation between the parties and shall also obtain the information sent by the district secretary at Stage 1(x).
- vi. The clerk shall select an Arbitration Board, consisting of five members of the National Arbitration Panel, from a rota prescribed by the CEC. Three members of the board shall form a quorum.
- vii. The clerk shall consult the members of the Arbitration Board for the purpose of deciding its chairperson.
- viii. The clerk shall liaise with the chairperson of the Arbitration Board to make the necessary operational arrangements for the investigation of the complaint by the Arbitration Board.
- ix. The clerk shall furnish the members of the Arbitration Board with the relevant documentation.
- x. Should an Arbitration Board decide that a complaint is frivolous or vexatious, or that it falls outside the scope of the injurious conduct prescribed by Rule 104 and Appendix 1, or that a prima face case has not been established, it shall take no further action in the matter and shall advise the parties and the general secretary of its decision.
- xi. In all other circumstances, the Arbitration Board shall proceed to conduct an oral hearing and the clerk shall notify the parties of the date and time. The parties shall be given every reasonable opportunity of attending. Geographical location of the parties will be considered when deciding upon the venue.
- xii. Should a complainant or respondent refuse or fail to attend a hearing of an Arbitration Board, due notice having been served upon them, the Board may proceed to investigate the complaint in their absence and issue its findings.
- xiii. The parties shall have the right to be represented and assisted at the oral hearing by a member of their branch or district selected by them, to call witnesses and to question the evidence presented by the other party.
- xiv. An Arbitration Board shall be empowered to call before it to give evidence such members or officials of the organisation as it considers necessary to enable a just determination of the case to be made.

- xv. Following the oral hearing, the Arbitration Board shall make findings, having regard to:
 - a. the decision at Stage 1 and the record of the outcome of Stage 1;
 - b. the information supplied by the complainant and respondent;
 - c. the oral submissions at the hearing;
 - d. such other matters, facts or circumstances as it deems appropriate.
- xvi. Should an Arbitration Board come to the conclusion that the person or persons who made the complaint were actuated by malice, the Board shall include a statement to that effect in its findings on the case. The CEC shall be empowered at Stage 4 to have regard to any such statement and to impose on the member or members concerned, such penalty as it may consider proper in the circumstances.
- xvii. The clerk shall issue the findings of the Arbitration Board to the parties within 10 school days from the conclusion of the oral hearing and shall advise the parties of their right to appeal in accordance with Stage 3.
- xviii. Where no appeal is received within the prescribed time, the clerk shall forward the findings of the Arbitration Board to the general secretary.
- xix. The general secretary shall place the findings of the Arbitration Board before the CEC for consideration at the next ordinary meeting.

Stage 3 – Appeal

- i. It shall be open to the complainant and respondent to appeal against the findings of an Arbitration Board setting out their grounds of appeal.
- ii. An appeal shall be submitted to the clerk of the Arbitration Board within 10 school days of the date on which a copy of the findings of an Arbitration Board are issued by the clerk to the parties, as provided for at Stage 2 (xvii).
- iii. Where an appeal is submitted to the clerk of the Arbitration Board, they shall refer the matter to the clerk of the Appeals Board together with the following:
 - a. the appeal;
 - b. the findings of the Arbitration Board; and
 - c. the documentation considered by the Arbitration Board.
- iv. The clerk of the Appeals Board shall write to the other party seeking their written response to the appeal within 10 school days.
- v. The clerk of the Appeals Board shall arrange for the exchange of documentation between the parties.
- vi. The clerk of the Appeals Board shall select an Appeals Board consisting of three members of the National Appeals Panel, from a rota prescribed by the CEC.
- vii. The clerk of the Appeals Board shall convene a meeting of the Appeals Board to consider the appeal against the findings of an Arbitration Board and in advance, shall furnish the members of the Appeals Board with the following:
 - a. the documentation furnished by the clerk of the Arbitration Board in accordance with Stage 3 (iii); and
 - b. the written response.
- viii. The duty of an Appeals Board shall be to consider an appeal against the findings of an Arbitration Board and to issue a report and recommendations to the CEC.

- ix. The report and recommendations of the Appeals Board shall be sent by the clerk of the Appeals Board to the parties within 10 school days of the last meeting of the Appeals Board.
- x. The report and recommendations of the Appeals Board shall be sent by the clerk of the Appeals Board to the general secretary, within 10 school days of the last meeting of the Appeals Board, together with the findings of the Arbitration Board.
- xi. The general secretary shall place the findings of the Arbitration Board and the report and recommendations of the Appeals Board before the CEC for consideration at the next ordinary meeting.

Stage 4 – CEC Action

- i. Before any penal action is taken by the CEC against a member or members, as a result of the findings of an Arbitration Board or the report and recommendations of an Appeals Board, the member or members shall be given an opportunity to submit in writing to the CEC, any observations they may wish to make towards the mitigation of any penalty which may be imposed upon them. The CEC, before coming to a decision in the case, shall take such observations into consideration. The decision of the CEC shall be final.
- ii. The CEC shall be empowered to impose such penalty, including advisement, admonishment, censure, final warning, fines, suspension or expulsion, as it deems proper and proportionate, on a member found guilty under Rule 104. The list of sanctions is not exhaustive.

C. General Matters

- i. The principles of fair procedures shall apply in the operation of this Rule including the requirement to treat every case on its own merits.
- ii. Once a complaint has been processed to Stage 4 and completed, it shall not be the subject of any further complaint by the original complainant or any other complainant(s) against the same respondent under Rule 105.
- iii. Members shall be entitled to seek advice and assistance from the organisation in relation to any matter in connection with the processing of a complaint or preparation of a response, under Rule 105.
- iv. The CEC shall appoint an official of the organisation for any period or for any case to act as clerk to the Arbitration or Appeals Boards. A clerk shall exercise such discretion as may be necessary for the effective administration of the rules.
- v. A National Arbitration Panel shall be established consisting of one representative of each district committee elected at the district committee AGM by the same procedure as the representatives to the SOC and AC.
- vi. A National Appeals Panel shall be established consisting of five members elected on the basis of the same divisions and by the same procedure as members of the BFC.
- vii. Arbitration and Appeals Boards shall be entitled to develop rules of operation for the conduct of their duties to comply with fair procedures and may also develop specific forms to assist the procedures.

- viii. Members of the National Arbitration and Appeals Panels shall not take part in the investigation, hearing or determination of any case or appeal in which:
 - a. a member or members in their own district is a party; or
 - b. they have a personal interest. Members shall, where necessary, declare their interest and withdraw from the case.
- ix. An Appeals Board shall also exercise its function in accordance with Rule 74.
- x. Travelling and personal expenses shall be paid from the *General Fund* to members of Arbitration and Appeals Boards.
- xi. Payment of expenses from district funds to other persons attending oral hearings, such as a complainant and a respondent, shall be in accordance with guidelines prescribed by the CEC.
- xii. A member of the CEC, BFC or NC shall not be a member of the National Arbitration or Appeals Panels. A member shall not be a member of the National Arbitration and Appeals Panels simultaneously. A member of the CEC involved at the informal or earlier stages of Rule 105 shall withdraw and take no part in the CEC's deliberations at Stage 4.
- xiii. All matters relating to the disciplinary procedure shall be kept confidential by the participating parties including the documentation arising therefrom, such as forms and reports of Arbitration and Appeals Boards, and shall not be disseminated to any third parties. Confidentiality shall also apply in respect of any sanction issued to an individual member.
- xiv. Details of sanctions imposed on members shall be published in *InTouch* and on the INTO website, allowing for the anonymity of members sanctioned.
- xv. The applicable time limits shall be based on school days, save where a date is specified.
- xvi. In so far as possible and having regard to circumstances, communication shall be by email.

SECTION NINE: ORGANISATION FUNDS

ORGANISATION FUNDS

Rule 106

- A. The funds of the organisation shall be:
- i. *General Fund.*
 - ii. *Publications Fund.*
 - iii. *Contingencies and Legal Fund.*
 - iv. *Benevolent Fund.*
 - v. *Political Fund.*
 - vi. *Solidarity Fund.*
 - vii. *Capital Expenditure Fund.*
 - viii. *Investments Fund.*
 - ix. *Training Fund.*
 - x. *Professional Development Fund.*
 - xi. *Benefits and Services Fund.*
 - xii. *Charity/Donations Fund.*
- B. These funds shall be used for the purpose of furthering the objects of the organisation as defined by, and subject to, the provisions of these Rules.
- C. The CEC or Congress shall, at any time, have power to establish other separate funds for the purpose of furthering the objects of the organisation as defined in these Rules.
- D. The monies collected or held by each and every branch and district committee of the organisation, or by any member thereof, and any monies due to any branch or district committee, shall be the property of the organisation and shall only be applied for the purpose and in the manner prescribed in these Rules, or in the approved Rules and Bye-laws of the branch or district committee.

THE GENERAL FUND

Rule 107

- A. Income
- The income of the *General Fund* shall consist of:
- i. the appropriate portion of the members' subscriptions allocated to the fund; and

- ii. the income and refunds appropriate to the fund.
- B. Expenditure
 - The *General Fund* shall be used to provide:
 - i. all administration and organisation expenditure incurred in the course of the work of the organisation. The CEC shall charge to one or more of the organisation funds, such proportion of the expenses of administration as it considers necessary;
 - ii. grants on account of legal expenses incurred by members arising out of or in connection with their professional duties, with the exception of such major legal expenditure as may, from time to time, be deemed by the CEC to be a contingency, which shall be provided for from the *Contingencies and Legal Fund* subject to the provisions of Rule 122 and at the absolute discretion of the CEC;
 - iii. legal assistance in connection with school enquiries ordered by the DE; and
 - iv. payment to members in accordance with Rule 123 who lose their positions owing to an alteration in the average enrolment or attendance in the schools in which they are employed, or to the closure of their schools.
- C. Expenditure under section (b)(ii), (iii) and (iv) shall be administered by the BFC with the exception of major legal expenditure, as deemed by the CEC to be a contingency, under section (b)(ii) of this Rule.

PUBLICATIONS FUND

Rule 108

- A. Income
 - The income of the *Publications Fund* shall consist of:
 - i. the appropriate portion of the members' subscriptions allocated to the fund; and
 - ii. other income and refunds appropriate to the fund.
- B. Expenditure
 - The fund shall be used to provide all administrative, organisation and printing expenditure incurred in the production of reports, books, news letters etc., by and for the organisation.

CONTINGENCIES AND LEGAL FUND

Rule 109

- A. Income
 - The income of the *Contingencies and Legal Fund* shall consist of:
 - i. the appropriate portion of the members' subscriptions allocated to the fund; and
 - ii. other income and refunds appropriate to this fund.
- B. Expenditure
 - The fund shall be used to provide:
 - i. Payment to a member or members who, as a result of action taken on the advice,

- instructions or by directive of the CEC, or Congress, suffer loss of salary or other emoluments which, in the opinion of the CEC, such member or members would not have lost had they not acted on such advice, instructions or directives;
- ii. strike pay to members who, in accordance with Rule 121 are ordered to take strike action by the CEC;
 - iii. payment of expenditure incurred by the organisation arising from involvement in a campaign or industrial action as defined by the CEC; and
 - iv. payment of major legal expenditure, as deemed by the CEC to be a contingency, incurred by the organisation arising from legal action.

BENEVOLENT FUND

Rule 110

A. Income

The income of the *Benevolent Fund* shall be:

- i. the appropriate portion of the members' subscriptions allocated to the fund;
- ii. donations from branches, district committees, individual members and others;
- iii. proceeds of fundraising activities during the week of Congress, organised by the local Congress Organising committee in the centre at which Congress is held;
- iv. income derived from investments of organisation funds, except the *Superannuation Fund*, whether by way of rents, dividends, shares, bonds, bank interest or otherwise; and
- v. refunds and levies appropriate to the fund.

B. Expenditure

The *Benevolent Fund* shall be used to provide:

- i. a death grant on the death of a spouse, civil partner or child of a member.
- ii. The amount of the grant shall be decided by Congress from time to time;
- iii. a death grant to the dependant, next of kin or legal representative of a deceased member. The amount of the grant shall be decided by Congress from time to time. Dependant in relation to any member shall mean all or one or more of the following persons: namely the wife, husband and such persons as the Benefit Funds Committee may consider to depend substantially upon the member for the provision of the necessities of life;
- iv. a grant in exceptional cases of hardship arising from illness or old age, for members or ex-members, when the BFC are satisfied that circumstances justify the making of such grant; and
- v. a grant for any matter not provided for in (ii) and (iii) as the BFC may determine.

C. Applications

- i. The amount of the grant in each case, with the exception of death grants, and the manner in which it shall be afforded shall be at the discretion of the BFC.
- ii. In the case of an application for a grant under Rule 110(B), (iii) and (iv), a declaration of means must be made by the applicant disclosing all means including property,

earnings, pensions, insurance benefits or other sources of income and must, as a rule, be signed in the presence of the BFC Representative for the relevant division.

- iii. Any matter not provided for in the Rules governing the administration of the *Benevolent Fund*, shall be dealt with as the BFC shall determine.
- iv. The BFC may appoint medical assessors to advise them on technical matters arising in the administration of the fund, and may determine the conditions of their appointment and the remuneration to be paid to them.

D. This fund shall be administered by the BFC.

POLITICAL FUND

Rule 111

A. Income

The income of the *Political Fund* shall consist of:

- i. the appropriate portion of the members' subscriptions allocated to the fund; and
- ii. the income and refunds appropriate to this fund.

B. Expenditure

The *Political Fund* may only be used to make a grant towards the expenses incurred by a member who is a candidate seeking election to an tOireachtas or Parliament or to the Governing Bodies and Senates of the Universities or to local authorities.

An application from a member for a grant must be made by the applicant in writing prior to the election.

The amount and payment of any such grant shall be entirely at the discretion of the CEC.

The Rules for the *Political Fund* are contained in Appendix 2.

SOLIDARITY FUND

Rule 112

A. Income

The income of the *Solidarity Fund* shall consist of:

- i. the appropriate portion of the members' subscriptions allocated to the fund; and
- ii. other income and refunds appropriate to this fund.

B. Expenditure

The fund shall be used to provide support for the development of educational facilities for developing countries.

CAPITAL EXPENDITURE FUND

Rule 113

A. Income

The income of the *Capital Expenditure Fund* shall consist of:
the appropriate portion of the members' subscriptions allocated to the fund; and
other income and refunds appropriate to this fund.

B. Expenditure

The fund shall be used to meet all major expenditure incurred in the provision and maintenance of organisation property.

INVESTMENTS FUND

Rule 114

A. Income

The income of the *Investments Fund* shall be so much of the funds of the organisation as may not be required for immediate use or to meet the usual accruing liabilities.

B. Expenditure

Where expenditure from a fund exceeds the income of that fund for the year, the amount of the deficit shall be made good from the *Investments Fund* unless alternative provision is made to meet the deficit. The income of the *Investments Fund* shall be invested in accordance with the provisions of Rule 54.

TRAINING FUND

Rule 115

A. Income

The income of the *Training Fund* shall consist of:

- i. the appropriate portion of the members' subscriptions allocated to the fund; and
- ii. other income and refunds appropriate to this fund.

B. Expenditure

The fund shall be used to meet appropriate administrative, organisation and printing expenditure incurred by and for the organisation to provide training courses for members.

PROFESSIONAL DEVELOPMENT FUND

Rule 116

A. Income

The income of the *Professional Development Fund* shall consist of:

- i. The appropriate portion of the members' subscriptions allocated to the fund; and
- ii. Other income and refunds appropriate to this fund.

B. Expenditure

The fund shall be used to meet appropriate administrative, organisation and printing expenditure incurred by and for the organisation to promote the professional development of members.

BENEFITS AND SERVICES FUND

Rule 117

A. Income

The income of the *Benefits and Services Fund* shall consist of:

- i. the appropriate portion of the members' subscriptions allocated to the fund; and
- ii. other income and refunds appropriate to this fund.

B. Expenditure

The fund shall be used to meet appropriate administrative and organisation costs incurred by and for the organisation in connection with the provision of benefits and services to members.

CHARITY/DONATIONS FUND

Rule 118

A. Income

The income of the *Charity/Donations Fund* shall consist of:

- i. the appropriate portion of the members' subscriptions allocated to the fund; and
- ii. other income and refunds appropriate to this fund.

B. Expenditure

The fund shall be used to provide support to charities and other organisations as decided by the CEC, in accordance with guidelines set out by them.

CONDITIONS AND PROCEDURES GOVERNING APPLICATIONS FOR GRANTS FROM INTO FUNDS

Rule 119

- A. The CEC and the BFC shall have power to make regulations in accordance with these Rules, setting out and governing the method of applying for grants from the organisation funds and to prescribe the forms on which such applications are to be made.
- B. Members, qualified under relevant Rules, who desire to make claims on any of the funds of the organisation, shall notify their branch secretary, who will forward the appropriate form to the applicant or applicants, with a request that it be completed and returned with the necessary vouchers as directed on the application form.
- C. Persons who leave the teaching service shall cease to have any claims on the funds of the organisation, except that members retiring on disability may be deemed to continue in benefit for the purpose of Rule 110 until their normal retirement age (ROI) or normal pension age (NI).
- D. In deciding the membership qualifications of a claimant, the BFC shall be bound to have regard only to the evidence of membership as shown by the records in Head Office.
- E. If, after a grant has been made from the funds of the organisation it is discovered that the person who received such grant was not entitled in accordance with the Rules to receive a grant, or that the amount of the grant was in excess of that which should have been made in accordance with the said Rules, the trustees shall have the right to recover such grant or over-payment from the person to whom the grant was made or from the person's representatives, within three years of the date on which same was made, and all grants shall be made and accepted subject to this right on the part of the trustees.
- F. The trustees shall have the right to recover money paid from the *General Fund* for a period for which salary is afterwards allowed by a Department or School Authority.
- G. No grant shall be made under Rules 107(b)(iv) or 120 until a legal agreement is executed providing that the money paid from the *General Fund* for any period for which salary is afterwards allowed by a department or school authority, shall be repaid to the trustees of the organisation.
- H. Decisions made by the CEC or BFC, on applications for grants from organisation funds, are final and shall not be altered by Congress.
- I. Members making claims on the funds shall have all subscriptions, fines, levies, arrears or other charges due by them at the time of claiming fully paid up before any benefit can be granted, or alternatively all outstanding sums shall be deducted from any benefit payable.

GRANT ON ACCOUNT OF UNJUST DISMISSAL OR WITHDRAWAL OF SALARY

Rule 120

- A. Should a member have been, in the opinion of the CEC, or NC acting on behalf of the CEC, unjustly dismissed, grants at a rate to be determined by the CEC shall be made to that member. Should the dismissal of such a member arise from advice given by the CEC, grants at the current rate of remuneration payable to the member at the time of dismissal shall be made. In either case, the organisation shall compensate for consequential losses in pension and gratuity at a rate to be determined by the CEC.
- B. The CEC shall, at any time, have power to suspend, reduce or terminate such payments made under this Rule.
- C. The CEC shall have discretion to make a grant under this Rule to a member from whom salary is, in its opinion, being unjustly withheld.
- D. All disbursements under this Rule shall be made from the *General Fund*.

STRIKES AND STRIKE PAY

Rule 121

- A. i. The provisions of this Rule shall apply notwithstanding any other provisions contained in these Rules.
- ii. In this Rule, the terms 'strike' and 'industrial action' shall have the same meaning as in the *Industrial Relations Act 1990*.
- iii. In this Rule the term 'member' shall have the same meaning as in Rule 76.
- iv. The organisation shall not organise, participate in, sanction or support a strike or other industrial action without a secret ballot, entitlement to vote in which shall be accorded equally to all members whom it is reasonable at the time of the ballot to believe will be called upon to engage in the strike or other industrial action.
- v. The organisation shall take reasonable steps to ensure that every member entitled to vote in the ballot, votes without interference from, or constraint imposed by, the organisation or any of its members, officials or employees and, so far as is reasonably possible, that such members shall be given a fair opportunity of voting.
- vi. The CEC shall have full discretion in relation to organising, participating in, sanctioning or supporting a strike or other industrial action notwithstanding that the majority of those voting in the ballot including an aggregate ballot referred to in paragraph A(viii) of this Rule, favour such strike or industrial action.
- vii. The CEC shall not organise, participate in, sanction or support a strike or other industrial action against the wishes of a majority of the organisation's members voting in a secret ballot, except where, in the case of a ballot by more than one

- trade union, an aggregate majority of all the votes cast favours such strike or other industrial action.
- viii. Where the outcome of a secret ballot conducted by the organisation and any number of other trade unions which are affiliated to the Irish Congress of Trade Unions, is that an aggregate majority of all the votes cast is in favour of supporting a strike organised by another trade union, a decision to take such supportive action shall not be implemented by the organisation without the sanction of the Irish Congress of Trade Unions (ICTU).
 - ix. As soon as practicable after the conduct of a secret ballot, the organisation shall take reasonable steps to make known to the members of the organisation entitled to vote in the ballot:
 - i. the number of ballot papers issued;
 - ii. the number of votes cast;
 - iii. the number of votes in favour of the proposal;
 - iv. the number of votes against the proposal; and
 - v. the number of spoiled votes.
 - x. Nothing in this Rule shall constitute an obstacle to negotiations for the settlement of a trade dispute nor the return to work by members of the organisation party to the trade dispute, and any decision taken in accordance with this Rule to organise, participate in, sanction or support a strike or other industrial action may be rescinded or amended without the necessity of a further ballot of the members concerned.
 - xi. A strike shall not be declared unless two thirds of the votes cast are in favour of the proposed strike.
 - xii. Members shall take strike action or other industrial action only when directed to do so by the CEC.
- B. Strike pay may, at the discretion of the CEC and at a rate to be determined by the CEC, be paid for a one day strike or a strike of less than one day.
- C. In the case of more than one day, strike pay at a rate to be determined by the CEC shall be made to all members on strike. Strike pay shall be limited to a maximum of net salary.
- D. The organisation shall not have any liability in respect of pension unless members have been involved in strike action for a period of more than four weeks.
- E. Only the CEC shall have the power to declare or call off a strike.
- F. Members who go, or remain on strike, contrary to the orders of the CEC, shall be disqualified from receiving any strike pay and shall, in addition, render themselves liable to such penalties, including expulsion from the Union, as the CEC may determine.
- G. All disbursements and payments under this Rule shall be made from the *Contingencies and Legal Fund*.

LEGAL EXPENSES

Rule 122

- A. To qualify for grants for legal expenses under Rule 107(b)(ii) in any case in which the member is a plaintiff or an appellant from a lower to a higher court, the following conditions must be fulfilled:
- i. The CEC is entitled to institute or defend, or authorise the institution or defence of, legal proceedings, and pay the whole or any part of the legal expenses thereof in any matter affecting the welfare of the organisation or its members.
 - ii. To obtain authorisation in (A)(i) above, the application shall be submitted to a joint meeting of the CEC and BFC and a two-thirds majority of the members present and voting at the meeting shall be necessary before official authority may be given for the institution of the proceedings.
 - iii. In cases for the district Court, the CEC and BFC may empower the general secretary to give the necessary permission to institute proceedings.
 - iv. The conditions and procedures to be observed in applying for a grant of legal expenses are prescribed from time to time by the CEC whose decision is final.
- B. Neither the CEC, the BFC nor Congress may award a grant for legal expenses in any case to which this Rule applies, unless the prior official authority for entering on legal proceedings, in accordance with the terms of section (A) of this Rule, has been obtained. For the purpose of this Rule 'entering on legal proceedings' means employing and/or consulting a Solicitor and/or Counsel for the purpose of entering on legal proceedings. This section of this Rule shall not prevent the CEC/or the general secretary from taking legal advice on behalf of a member or members.
- C. Before any grant on account of legal expenses is made under this Rule, whether in the case of court proceedings or for legal advice or assistance at school inquiries or otherwise, the BFC must be supplied with such receipts, vouchers, bills of costs etc. as it may consider necessary to enable it to decide the amount of the grant.
- D. All payments and disbursements under this Rule shall be made from the *General Fund* with the exception of major legal expenditure, as deemed by the CEC to be a contingency, under the terms of Rule 107(b)(ii), which shall be provided for from the *Contingencies and Legal Fund*.

UNEMPLOYMENT GRANT

Rule 123

- A. Payment of salary and allowances may be made to a member whose teaching appointment is terminated by reason of the closure of the member's school or of any alteration in the average enrolment of the school, where the member has been teaching in a permanent capacity for at least two years preceding the loss of the position due to such alteration. Payment shall be at the rates payable at the date of termination of the appointment.

- B. The following classes of teachers are excluded from benefit under this Rule:
 - i. Teachers recognised provisionally; and
 - ii. Teachers with panel rights.
- C. A member who applies for, or obtains a disablement or other pension following disemployment shall not be entitled to receive a grant under this Rule, and should any grant have been paid on account of a period for which pension is afterwards allowed, such grant must be refunded and will be recoverable by the organisation as a debt.
- D. The maximum grant payable shall not exceed an amount to be determined from time to time by Annual Congress.
- E. The grant shall cease on reappointment as a teacher in a permanent capacity.
- F. The gross amount otherwise due for any period shall be abated by any part time earnings or full-time earnings as a temporary teacher or earnings in any other capacity or redundancy payment.
- G. All payments and disbursements under this Rule shall be made from the *General Fund*.

METHOD OF MAKING PAYMENT FROM ORGANISATION FUNDS

Rule 124

To meet current office and general expenses, the deputy general secretary/general treasurer may retain a sum, up to but not exceeding, an amount to be determined from time to time by Annual Congress. All other funds shall be lodged in the bank in the name of the organisation as soon as possible after the receipt thereof. Except payments for current expenses made from the cash retained for such purpose (and for which the deputy general secretary/general treasurer shall be held responsible), no payments can be made unless ordered by the CEC or BFC. All other payments may be made by cheque or by online banking systems. Proper controls shall be in place for the use of online banking services and proper accounts shall be kept in respect of each transaction.

AUDIT OF ACCOUNTS

Rule 125

The general accounts of the organisation shall be audited annually by a firm of accountants appointed by the trustees with the agreement of Congress. Congress or the CEC may, should they think necessary, order an interim audit.

SECTION TEN: INSPECTION OF REGISTERS AND ACCOUNTS, DISSOLUTION OF ORGANISATION, RULES

Rule 126

The Register of Members and the Account Books of the organisation shall be kept at the Registered Office and shall contain a list of the names of all the members of the organisation, and all such books shall be open at all reasonable times, and after reasonable notice, to inspection by every member or person having an interest in the funds of the organisation.

Rule 127

The books of each branch and of each district committee must be available for inspection by every member of such branch or committee. They shall also be produced for the inspection of the general secretary or any person appointed by the general secretary or by the CEC.

DISSOLUTION OF ORGANISATION

Rule 128

The organisation may be dissolved with the consent of five-sixths of the members. Any surplus funds shall be divided equally among the members who are in good standing at the time of the dissolution. Notice of dissolution shall be sent to the Registrar of Friendly Societies as required by regulations.

RULES

Rule 129

Only Congress shall have the power to add to, alter or omit any of these Rules, and no such addition, alteration or omission shall be made except the motion to that effect is supported by two-thirds of the delegates who vote on such motions.

Rule 130

In the case of any conflict of opinion arising from the interpretation of a Rule, the CEC shall be the final arbiters.

Rule 131

Any matter not provided for in these Rules shall be dealt with as the CEC may determine, but any member, officer or branch aggrieved thereby shall have the right to appeal to the next Congress. This Rule does not cover the payment of grants from the organisation funds.

Rule 132

One copy of these Rules shall be supplied free to each member of the organisation via the members' area of the INTO website or on application to the branch secretary. Copies of any alterations and amendments shall be supplied to the Registrar of Friendly Societies and the Certification Officer in Northern Ireland as soon as possible.

Rule 133

Where within these Rules, documentation is required to be issued by, or submitted to, Head Office, or a signature is required, documentation or signature may be issued or submitted electronically or by hard copy as the CEC may decide, and where so decided, either method shall be deemed acceptable for the purpose of compliance with these Rules and Constitution. Furthermore, where within these Rules, payment is required, it is open to a branch/district, to make payment by cheque or to avail of online banking facilities.

Rule 134

In the event of a tie emerging in any INTO election, the election shall, in all cases, be determined by lot and the candidate or candidates shall in cases of exclusion, be excluded in the order in which their names are drawn in accordance with the *Electoral Act 1992*.

APPENDIX 1

LISTED IN CONJUNCTION WITH RULE 104

The CEC has declared and defined the following to be conduct injurious to the professional or trade union interests of the organisation and in the application of these provisions the CEC will have regard to the contractual and legislative position in the relevant jurisdiction:

- A. To take an appointment from which, in the opinion of the CEC, another member has been unjustly dismissed.
- B. To censure other teachers or to criticise their work as teachers publicly or in the presence of pupils.
- C. To canvass for pupils personally or by letter, circular or otherwise.
- D. To keep pupils in school outside the ordinary school hours for the purpose of coaching them for examinations.
- E. To accept an appointment or promotion contrary to the provisions of an INTO/management procedural agreement, whether or not a particular management has accepted the agreement.
- F. To issue statements or to engage in public controversy on press, radio or television on confidential organisation matters, without the prior permission of the general secretary, or to release to the press, radio or television any confidential information on organisation matters.
- G. To fail to comply with any Rule of the organisation or directive of the CEC.
- H. To aid and abet any other member engaging in activities which the CEC had declared and defined as injurious to the professional or trade union interests of the organisation.
- I. Any action by a member which would amount to assisting school authorities to deny access to Traveller children or other ethnic groups.
- J. To compel teachers of infant classes whose teaching day ends before normal school closing time, to perform any teaching duties for the remainder of the school day, contrary to the wishes of those teachers.

APPENDIX 2

RULE 111 GOVERNS THE INCOME AND EXPENDITURE OF THE POLITICAL FUND

Rules for Political Fund

(These Rules shall apply only to members who are employed in the Republic).

- A. The objects of the Irish National Teachers' Organisation shall include the furtherance of the political objects to which section 3 of the *Trade Union Act 1913*, applies, that is to say, the expenditure of money:
- i. on the payment of any expenses incurred either directly or indirectly by a candidate or prospective candidate for election to parliament or to any public office, before, during or after the election in connection with the candidature or election; or
 - ii. on the holding of any meeting or the distribution of any literature or documents in support of any such candidate or prospective candidate; or
 - iii. on the maintenance of any person who is a member of Parliament or who holds public office; or
 - iv. in connection with the registration of electors or the selection of a candidate for parliament or any public office; or
 - v. on the holding of political meetings of any kind, or on the distribution of political literature or political documents of any kind, unless the main purpose of the meetings or of the distribution of the literature or documents is in furtherance of statutory objects within the meaning of the Act, that is to say, the regulations of the relations between workmen and masters, or between workmen and workmen, or between masters and masters, or the imposing of restrictive conditions on the conduct of any trade or business and also the provision of benefits to members.

The expression 'public office' in this Rule means the office of members of any county, county borough, district or parish council or board of guardians, or of any public body who have power to raise money, either directly or indirectly, by means of a rate.

- B. Any payments in the furtherance of such political object shall be made out of a separate fund (hereinafter called the *Political Fund* of the organisation).
- C. The CEC, as soon as practicable after the adoption of a resolution of the organisation approving the furtherance of such political objects as an object of the organisation, shall cause a notice in the following form to be given to each member of the organisation:

TRADE UNION ACT, 1913
IRISH NATIONAL TEACHERS' ORGANISATION

"A resolution approving the furtherance of political objects within the meaning of the above Act as an object of the organisation has been adopted by a ballot under the Act. Any payments in furtherance of these objects will be made out of a separate fund, the *Political Fund* of the organisation, but every member of the organisation has a right to be exempt from contribution 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 general office or any branch office of the organisation or from the Registrar of Friendly Societies."

"Such form, when filled in, should be handed or sent to the secretary of the branch to which the member belongs."

Such notice shall be published in such manner, whether in the organisation's journal or report or otherwise, as notices are usually given by the organisation or its branches to its members and shall also be posted up and kept posted up for at least 12 months in a conspicuous place, accessible to members, at the office or meeting place of each branch of the organisation, and the secretary of each branch shall take steps to secure that every member of the branch, so far as practicable, receives a copy of such notice, and shall supply a copy to any member on request. The CEC shall provide the secretary of each branch with a number of notices sufficient for this purpose.

The form of exemption notice shall be as follows:

| | | |
|---|--------|----|
| Irish National Teachers' Organisation Political Fund (exemption notice) | | |
| <p>"I hereby give notice that I object to contribute to the <i>Political Fund</i> of the Irish National Teachers' Organisation, and am in consequence exempt, in the manner provided by the <i>Trade Union Act, 1913</i>, from contribution to that fund"</p> | | |
| Signature | | |
| Name of branch | | |
| Address | | |
| Date | day of | 20 |

- D. The CEC shall provide a sufficient number of such forms at the General office and at each branch office of the organisation for such members of the organisation as require them; and a copy of such form shall be delivered either by the CEC or by the secretary of any branch to any member on request, or on request made on behalf of the member either personally or by post.
- E. Any member of the organisation may at any time give notice on such form of exemption notice or on a form to the like effect that the member objects to contribute to the *Political Fund* of the organisation. Such notice shall be sent to the secretary of the branch to which the member belongs, and, on receiving it, the secretary shall send an acknowledgement of its receipt to the member at the address appearing upon the notice, and shall inform the general secretary of the name and address of the member.
- F. On giving such notice, a member of the organisation shall be exempt, so long as the notice is not withdrawn, from contribution to the *Political Fund* of the organisation as from the first day of January next after the notice is given, or, in the case of a notice given within one month after the notice given to members under Rule 3 hereof or after the date on which a new member admitted to the organisation is supplied with a copy of these Rules under Rule 12 hereof, as from the date on which the member's notice is given.
- G. The CEC shall give effect to the exemption of members to contribute to the *Political Fund* of the organisation by relieving any members who are exempt from payment of part of any periodical contributions required from the members of the organisation towards the expenses of the organisation as hereinafter provided, and such relief shall be given as far as possible to all members who are exempt on the occasion of the same periodical payment.
- For the purpose of enabling each member of the organisation to know as respects any such periodical contribution what portion, if any, of the sum payable by the member is a contribution to the *Political Fund* of the organisation, it is hereby provided that 0.111% of the annual members' subscription is a contribution to the *Political Fund* of the organisation and that any member who is exempt as aforesaid shall receive from Head Office an annual rebate of 0.111% of their previous year's annual subscription.
- H. A member who is exempt from the obligation to contribute to the *Political Fund* of the organisation shall not be excluded from any benefits of the organisation or placed in any respect either directly or indirectly under any disability or disadvantage as compared with other members of the organisation (except in relation to the control or management of the *Political Fund* of the organisation) by reason of the member being so exempt.
- I. Contribution to the *Political Fund* of the organisation shall not be made a condition for admission to the organisation.
- J. If any member is aggrieved by a breach of any of these Rules for the *Political Fund* of

the organisation, the member may complain to the Registrar of Friendly Societies, and the Registrar, after giving the complainant and any representative of the organisation an opportunity of being heard, may, if the Registrar considers that such a breach has been committed, make such order for remedying the breach as the Registrar thinks just in the circumstances; and any such order of the Registrar shall be binding and conclusive on all parties without appeal and shall not be removable into any court of law or restrainable by injunction, and on being recorded in the county court may be endorsed as if it had been an order of the county court.

- K. Any member may withdraw notice of exemption on giving notice to that effect to the secretary of the member's branch, who shall thereupon send such member an acknowledgement of receipt of the notification and inform the general secretary of the name and address of the member so withdrawing.
- L. The CEC shall cause to be printed, as soon as practicable, after the approval and registration of these Rules for the *Political Fund* of the organisation, a number of copies thereof having at the end copies of the certificates of approval and registration sufficient for the members of the organisation, and a further number for new members, and shall send to the secretary of each branch a number of copies sufficient for the members of the branch. The secretary of each branch shall take steps to secure that every member of the branch, so far as practicable, receives a copy of these Rules, and shall supply a copy to any member on request. A copy thereof shall also be supplied forthwith to every new member on admission to the organisation.
- M. A return in respect to the *Political Fund* of the organisation shall be transmitted by the organisation to the Registrar of Friendly Societies before the first day of June in every year, prepared and made up to such date and in such form, and comprising such particulars as the Registrar may from time to time require, and every member of the organisation shall be entitled to receive a copy of such return on application to the deputy general secretary/general treasurer or general secretary of the organisation, without making any payment for the same.

APPENDIX 3

ENABLING RESOLUTION OF ANNUAL CONGRESS 2024 Congress

- a. instructs the CEC to draft a revised edition of the *INTO Rules and Constitution 2019* to incorporate:
 - 1. all rule changes adopted on foot of this Congress
 - 2. all necessary consequential rule changes and renumbering arising therefrom
- b. further instructs the CEC to change all references to the Department of Education and Skills (DES) to the Department of Education (DE) in the revised *INTO Rules and Constitution 2019*; and
- c. directs the CEC to use gender-neutral language throughout the revised *INTO Rules and Constitution 2019*.

APPENDIX 4

CERTIFICATE OF REGISTRY OF RULES 2024

Register Number: 351T

Partial Amendment

Acknowledgement of Registry of Amendment of Rules

The foregoing Amendment of the Rules of
IRISH NATIONAL TEACHERS ORGANISATION
is registered under the Trade Union Acts, 1871 to 1990,
this Thursday, the 12th day of September, 2024.

Maureen C. Sullivan

Registrar of Friendly Societies

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