



SOLOMON ISLANDS NATIONAL UNIVERSITY

**SOLOMON ISLANDS NATIONAL UNIVERSITY  
GENERAL STAFF ASSOCIATION CONSTITUTION**

# SINU GENERAL STAFF CONSTITUTION

## RULES AND CONSTITUTION OF

### SOLOMON ISLANDS NATIONAL UNIVERSITY GENERAL STAFF ASSOCIATION

#### RULE 1      NAME AND REGISTERED OFFICE

1. The Trade Union formed under these rules shall be known as SOLOMON ISLANDS NATIONAL UNIVERSITY GENERAL STAFF ASSOCIATION.
2. The Registered Office shall be at Kukum Campus and normal place of meeting shall be at any of the campuses of SINU whereby shall be determined by the Executive.

#### RULE 2      OBJECTIVES

1. The objectives of the Union shall be:
  - (1) To secure the complete organization of all General Staff Union employed by SI National University and to promote the industrial, social and intellectual interests of the members.
  - (2) To obtain and maintain for its members just and proper rates of remuneration; security of employment, and reasonable hours and conditions of work, and to provide advice and assistance accordingly.
  - (3) To regulate relations between Employer and Employee, between member and member, and between members and other workers, and endeavour to adjust any differences between them by amicable and conciliatory means.
  - (4) To further financially or otherwise the work or purpose of any lawful association or federal body having for its objects the promotion of the interests of Labour, Trade Unions and Trade Unionists, subject to the provisions of the Trade Union and Ordinance, Cap. 76, as amended.

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- (5) To promote the material, social and education welfare of the members in any lawful manner which Executive Committee may deem expedient.
  - (6) To provide, if decided upon by the Executive Committee legal assistance to members in connection with their employment.
  - (7) To provide, if decided upon by the Executive Committee, such benefit as victimization pay and dispute pay.
  - (8) To enter into, or participate, if decided upon by a General Meeting, the business of publishing a journal or other publications, the main purpose of which is to further or promote the interests of the Union, its members, or Trade Unionisms in general.
  - (9) Generally to do any of the things that a Trade Union is permitted to do by law.
2. These objectives shall be promoted in accordance with these Rules and the Trade Unions Ordinance, Cap. 76 as amended.

### **RULE 3**      **MEMBERSHIPS**

1. Membership of the Union shall be open to all General Staff above the age of 18 years and employed by the SI National University.
2. Membership should be confirmed by way of signing required document(s) as the Executive so design.
3. No member under the age of 21 years shall be a member of the Executive Committee or Trustee.

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## RULE 4 SUBSCRIPTIONS AND ARREARS

1. The subscriptions payable shall be as follows:

### Annual Subscription - \$50.00

Any increase in the above rates shall be decided by a resolution at a General Meeting and approved by a majority of members by secret ballot in accordance with Rule 23.

2. All subscription shall become due on the first day of January of each year.
3. Any member who allows his/her arrears to exceed 6 months subscriptions shall not be entitled to any of the Association Benefits or to be an Officer or Trustee of the Association.
4. Any member who allows his/her arrears to exceed 12 months subscriptions shall cease to be a member of the Association and shall forfeit all rights attaching to Membership of the Association.
5. The Executive Committee shall have the power to fix reduced rates of subscriptions and levies (if any) in case of unemployment, sickness or any other proved hardship.

## RULE 5 RESIGNATIONS

No member is to resign except for death cases and for those who no longer work for the SI National University.

## RULE 6 RIGHTS OF MEMBERS

Except as otherwise provided for in these Rules, whereby all members shall have equal rights in the Organization, and shall be entitled to vote at any General Meeting of the Association.

## RULE 7 DUTIES OF MEMBERS

1. It shall be the duty of the Union's Treasurer to make sure that all subscriptions are deducted from each member of the union.

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4. The Secretary shall send to the members 7 days before the General Meeting an Agenda, including motions, copies of minutes and reports, financial statements, etc. He/she shall also send to each member the required number of ballot papers and envelopes for the election of officers and for any other matters requiring a secret ballot in accordance with Rule 23.
5. The nominations for election of officers and motions for discussion at the meeting shall be sent to the Secretary not later than 14 days after the receipt of the preliminary notice.
6. A quorum shall be considered as having been formed if the number of members present is at least 50% (fifty per cent) of the total number of members eligible to attend the General Meeting.
7. If a quorum is not present two hours after the appointed time, the General Meeting shall be postponed to another date, not exceeding 5 days following the original date, to be decided by the Executive Committee.
8. The business of the Annual General Meeting shall be to receive reports from the Secretary, Treasurer, and the Executive Committee to consider and determine all matters affecting the welfare of the members and the progress of the Union to appoint Trustees, Internal Auditors and Scrutineers; to consider and determine all other matters included on the agenda, and to receive the Scrutinizers' report on the ballot taken for the election of the officers of the Union including members of the Executive Committee and any other ballot specified in Rule 23.
9. The Secretary shall forward to all the Members a copy of the draft minutes of the Annual General Meeting as soon as possible after the conclusion of the Meeting.

### RULE 10      EXTRA-ORDINARY GENERAL MEETINGS

1. An Extra-ordinary Meeting shall be convened when:
  - i) the Executive Committee deems it necessary.

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- ii) at the request in writing by a fifth of the members of the union stating the reason(s) for such a meeting.
2. An Extra-ordinary General Meeting requested by the members in accordance with (ii) above shall be convened within 7 days after the request has been received by the Secretary.
3. The Agenda and other information relevant to the subject(s) to be discussed at the Meeting shall be forwarded by the Secretary to all the members at least 3 days before the date fixed for all the meeting.
4. Paragraphs 2, 3, 4, 5, and 8 of Rule 9 shall apply to an Extra-ordinary General Meeting. If, however, no quorum is present two hours after the time and date fixed for the Extra-ordinary Meeting, the Meeting shall be cancelled.
5. The Secretary shall forward to all members a copy of the draft minutes of an Extra-ordinary Meeting as soon as possible after the conclusion of the Meeting.

### RULE 11      EXECUTIVE COMMITTEE

1. The Government of the Union and the conduct of its business in the period until the next Annual General Meeting shall be vested in the Executive Committee.
2. The Executive Committee shall consists of:-

The President  
Vice President  
Secretary  
Assistant Secretary  
Treasurer

**Who shall be elected by a secret ballot vote of the whole of the members at the Annual General Meeting and shall hold office for a term of three (3) years.**

3. The members of the Executive Committee shall be termed 'Officers' of the Union. The President, Vice President, Secretary,

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Assistant Secretary, and Treasurer shall be elected by a secret ballot vote of the membership of the Union.

4. No person shall be eligible to be an officer of the Union unless he/she is:
  - (a) a member of the Union,
  - (b) at least 21 years of age,
  - (c) not an officer of another Trade Union; and
  - (d) engaged or occupied in an industry, trade or occupation with which this Union is directly concerned, and has been so engaged for not less than one year prior to his/her nomination for office.

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**NOTE:**

With reference to 4(d) above the Trade Unions Ordinance, Cap. 76, permits the offices of President, Vice Presidents, Secretary, Treasurer and three (3) ordinary members to be filled by person not actually engaged or employed in an industry, trade, or occupation with which the Union is directly concerned but no one person may hold more than one of these posts.

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### **RULE 11      (MEETING)**

5. The Executive Committee shall meet at least once in every month. A quorum shall consist of not less than three (3) members.

The Minutes of the Executive Committee Meetings shall be confirmed at the next meeting of the Committee.

6. Should an urgent matter require the approval of the Executive Committee and it is not possible to convene a meeting; the Secretary may obtain such approval by means of a circular letter. The following conditions must be fulfilled before a decision of the Executive Committee is deemed to have been so obtained:-

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- (a) the issue must be clearly set out in circular letter and forwarded by hand delivery to all the members of the Executive Committee,
- (b) At least one-half (1/2) of the members of the Executive Committee must reply; in writing, indicating 'for' or 'against' the proposal,
- (c) The decision must be by a majority vote;

Any decision obtained by circular letter shall be reported by the Secretary at the next Executive Committee Meeting following the decision and the result recorded on the Minutes.

- 7. Any member of the Executive Committee who fails to attend three (3) Consecutive Meetings of the Committee shall be disqualified from holding office unless an explanation satisfactory to the Committee is forthcoming.
- 8. In the event of death, resignation, or disqualification of a member of the Executive Committee, the candidate who received the next highest number of votes at the previous election for the post effected shall be invited to fill the vacancy. If there is no such candidate or if the person concerned declines to accept office, the Executive Committee shall have the power to appoint a member to fill the vacancy, provided that if the vacancy arises in respect of an Executive Committee Member.
- 9. Subject to these Rules and the provisions of the Trade Unions Ordinance Cap. 76, the Executive Committee may exercise all such powers and perform all such acts as it deems necessary for promoting the interests of the Association and attaining its objects.
- 10. The Executive Committee shall protect the funds of the Union against any misuse including extravagance, unauthorized expenditure and misappropriation. It shall instruct the Secretary or any other appropriate officer to take legal proceedings against any officer, member or paid employee of the Union for alleged misappropriation of funds, or withholding any money or property of the Union.
- 11. The Executive Committee shall give instructions to the Secretary, other officers or paid employees of the Union for the conduct of the affairs of the organization. It may appoint such staff as it

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deems, necessary. It may remove from office, suspend or dismiss any officer or employee of the Union for neglect of duty, dishonesty, incompetence, refusal to carry out the instructions of the Executive Committee, or for any other reason which the Executive Committee considers in the best interests of the Union.

12. It shall give instructions to the Trustees with regards to the investment of the Union's.
13. The Executive Committee shall have the powers to suspend from benefit, expel from membership, or prohibit from holding office, any member who, in its judgment is guilty of any attempt to injure the Union, or of taking action contrary to the Rules of the Organization, or who makes or in any way associates himself/herself with any defamatory, scurrilous or abusive attack on the Association. Any member who has been debarred, suspended or expelled by the Executive Committee shall, however, have the right of appeal to the Annual General Meeting. If he/she requests, he/she shall be entitled to address the Annual General Meeting before the appeal is decided upon. The decision of the Annual General Meeting shall be final.
14. Between Annual General Meetings, the Executive Council shall interpret the Rules, and when necessary, determine any point on which the Rules are silent.
15. Except where a ballot of the membership is required, and subject to the provisions of the Trade Unions Ordinance, Cap. 76, the decisions of the Executive Committee shall be binding on all the members of the Union unless and until countermanded by a resolution at a General Meeting.

### RULE 12      DUTIES OF OFFICERS

1. The President shall, during his/her terms of office preside at all General and Executive Committee Meetings and he/she shall be responsible for the proper conduct of all such meetings. He/she shall have a casting vote in the case of a tie. He/she shall sign the minutes of all meetings at the time they are approved. In conjunction with the Secretary and the Treasurer, he/she shall sign all cheques on behalf of the Union, superintend the general administration of the affairs of the Union, and

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endeavor to secure the observance of the Rules by all concerned.

2. The Vice President shall, in the absence of the President, act for and have the powers vested in the President.
3. The Secretary shall, conduct the business of the Union in accordance with these Rules and shall carry out the instructions of the General Meetings and Executive Committee. He/she shall supervise the work of any staff engaged by the Association. He/she shall be responsible for conducting all correspondence and keeping all books, documents and papers belonging to his/her office in such form and manner as the Executive Committee may direct. He/she shall attend all General Meetings and Executive Committee Meetings and record the proceedings. He/she shall be responsible for the preparation of the report for the preparation of the Annual Returns and all the other documents required by the Registrar of Trade Unions and ensure that they are forwarded to the Registrar of Trade Unions by the prescribed date. He/she shall keep a Membership Register containing names and addresses of all the members, their membership numbers, their occupations, and the dates on which they joined the Union. In conjunction with the President and the Treasurer, he/she shall sign all cheques on behalf of the Association.
4. The Assistant Secretary shall, assist the Secretary in all the Administrative work of the Union and he/she shall act for his/her in his/her absence.
5. The Treasurer shall be responsible for the financial books and for all moneys belonging to the Association. He/She shall prepare a financial statement for the Annual General Meeting and for each business meeting of the Executive Council. In accordance with the provisions of the Trade Unions Ordinance, Cap. 76, he/she shall prepare annually, i.e. 1<sup>st</sup> January to 31<sup>st</sup> December period, a financial statement giving a true and fair view of the financial affairs of the Association. The financial statement shall be audited by a fit and proper person approved by the Registrar of Trade Unions. Every member of the Association shall be entitled to receive a copy of the financial statement free of charge.

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### RULE 12

The Treasurer, in conjunction with the President and Secretary shall sign ALL cheques on behalf of the Union.

### RULE 13      TRUSTEES

1. The Annual General Meeting shall appoint three (3) Trustees and they shall hold office during the pleasure of the Association. They shall be at least 21 years of age and shall not be officers of the Union. Should a vacancy occur in the number of Trustees between Annual General Meetings, the Executive Committee shall be empowered to fill the vacancy until the next Annual General Meeting. The Annual General Meeting may appoint a Bank approved by the Registrar of Trade Unions to be a Trustee. All property of the Union shall be vested in the Trustees, in accordance with section 41 of the Trade Unions Ordinance, Cap. 76. Subject to the provisions of the Ordinance, the Trustees shall deal with the property of the Union in such a manner as the Executive Committee may direct.
2. The Trustees shall not sell, withdraw or transfer any of the property of the Union without the consent of the Executive Committee conveyed to them in writing by the Secretary and the Treasurer.
3. A Trustee may be removed from office by the Executive Committee on the grounds that, owing to ill health, unsoundness of mind, absence from the country, or for any other good reason, he/she is unable to perform his/her duties or is unable to do so satisfactorily. In such an event, the Executive Committee shall appoint a replacement until the next Annual General Meeting.

### RULE 14      INTERNAL AUDITORS

1. The Annual General Meeting shall appoint two (2) Internal Auditors. They must be members of the Union, at least 21 years of age, but must not be members of the Executive Committee. They shall audit the Accounts of the Union every 12 months and submit a report to the Executive Committee.

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2. The two Internal Auditors shall work jointly together in carrying out any audit. They must have free access to all books and documents necessary for the completion of the Audit.

### RULE 15      EXTERNAL AUDIT

1. An audit shall be carried out annually in accordance with the provisions of Section 53 of the Trade Unions Ordinance, Cap. 76. The Auditor shall have free access to all the books and documents necessary for the completion of the audit.
2. The audited report shall be presented to the Annual General Meeting. In addition, a copy of the Report shall be conspicuously displayed at the Registered Office of the Association.

### RULE 16      SCRUTINEERS

1. The Annual General Meeting shall appoint three (3) Scrutineers to supervise all the voting, including any secret ballots held at the Conference. They shall not be serving officers or candidates for posts of the Union. At least two (2) Scrutineers shall be present when a ballot is being taken or counted. They shall see that the procedure set out in Rule 23 is strictly adhered to and shall certify the ballot results.

### RULE 17      FUNDS

1. Subject to the provisions of the Trade Unions Ordinance, Cap. 76, the funds of the Association shall only be expended for the following objects:-
  - (a) the payment of any salaries, allowances, and expenses to officers of the Association;
  - (b) the payment of expenses for the administration of the Union, including the audit of the funds of the Association;
  - (c) the prosecution or defense of any legal proceedings to which the Association or any member thereof is a party; when such prosecution or defense is undertaken for the purpose of

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- securing or protecting any rights arising out of the relations of any members with his employer or with a person whom the member employs;
- (d) the conduct of any Trade Dispute not being an illegal or unconstitutional strike on behalf of the Association or member therefore;
  - (e) the compensation of members for loss of wages/salary arising out of a Trade Dispute not being an illegal or unconstitutional strike;
  - (f) allowances to members or their dependants on account of death, old age, sickness, accidents or employment of such members;
  - (g) the payment of subscriptions and fees to any Federation, Congress or Council of Trade Unions to which the Association is affiliated and,
  - (h) any other object which is permitted by law to be an object for which the Association funds may expended.
2. All moneys which belong to the Association and which are not required for approved current expenses shall, within seven days of receipt, be deposited by the Treasurer into a Bank approved by the Executive Committee. The Bank Account shall be in the name of the Association and the name of the Bank shall be forwarded to the Registrar of Trade Unions.
  3. All cheques or withdrawal notices on the Association Account shall be signed jointly by the President (or in his/her absence, the Vice President), the Secretary (or in his/her absence, the Assistant Secretary) and the Treasurer, the Executive Committee shall appoint one of its members to sign in his/her place.
  4. The Treasurer may hold Petty Cash not exceeding \$500 dollars at any one time.
  5. No expenditure exceeding \$1,000 may, at any one time incurred without the prior approval of the Executive Committee.
  6. The funds of the Association which are not required for current expenses shall, on the direction of the Executive Committee, be invested in such secure stocks, etc., as the Executive Committee may determine.

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### RULE 18      INSPECTIONS OF BOOKS AND ACCOUNTS

1. Any officer or member of the Association may inspect the Account Books, Receipts Books, Receipts for Expenditure and the List of Members after having given the Treasurer and/or the Secretary reasonable notice.

### RULE 19      LEVIES

1. The Executive Committee may, after the approval of the membership has been obtained by a secret ballot vote in accordance with Rule 23, impose levy upon all the members of the Association, and all the members with the exception of those who have been exempted by the Executive Committee as provided for in Rule 4, Paragraph 6 shall be required to pay such levy.
2. If a member fails to pay such levy within 14 days of its imposition, the amount due shall be treated as arrears of Association subscriptions and the member concerned shall be liable to disqualification under Rule 4.

### RULE 20      PROCEDURE FOR PROCESSING MATTERS RELATING TO CONDITIONS OF EMPLOYMENT AND TRADE DISPUTES

1. Should any member or members request that action should be taken with reference to their conditions of employment etc, they should submit his/their request to the Secretary, who shall submit the request to the Executive Committee.
2. Should any Trade Dispute arise, the members concerned must bring the matter to the attention of the Secretary, who shall immediately report it to the Executive Committee who shall decide upon what action to be taken.
3. No cessation of work or other form of industrial action shall take place unless at least two-thirds ( $\frac{2}{3}$ ) of the members affected have voted, by secret ballot, in favor of the proposed action. In addition to receiving the approval of the members concerned by secret ballot, the Executive Committee must also signify its approval. No strike or industrial action shall commence until all

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procedures provided for in Legislation have been carried out, the Executive Committee shall not support a strike or other form of industrial action, financially or otherwise, unless a secret ballot vote has been taken and the required majority in favor of such action has been obtained.

### RULE 21      EDUCATION WORK

1. The Association may promote the education of its member through holding meetings and classes. Also, it may publish literature and take such action as it may publish literature and take such action as will promote its members' industrial, cultural and social knowledge, subject to the statutory provisions relating to the expenditure of Trade Union Funds for the time being in force.

### RULE 22      AMENDMENTS OF RULES

1. Any amendment to these Rules shall require approval by a secret ballot vote of the whole of the membership in accordance with Rule 23.
2. Any amendment(s) to these Rules shall only take effect from the date they are approved by the Registrar of Trade Unions, unless a later date is specified in the resolution approving the amendment(s).

### RULE 23      SECRET BALLOT

1. Decisions on the following matters shall be taken on a vote by secret ballot.
  - (a) the election of officers of the Association;
  - (b) Amendments to the Rules;
  - (c) Imposition of the Levy;
  - (d) All matters relating to industrial action, including strikes;
  - (e) To amalgamate with another or other Registered Trade Unions, to federate with or join a Federation of other

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Registered Trade Unions or join Unions within the Solomon Islands.

- (f) The election of representatives to a Federation or Congress/ Council of Registered Trade Unions;
  - (g) Withdrawal of membership from a Federation or Congress/ Council of Registered Trade Unions;
  - (h) Dissolution of the Union;
  - (i) Change of the Name of the Union;
2. For the taking of a secret ballot, the procedure set out in the APPENDIX shall be complied with.

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NOTE: For the Association to amalgamate with another or other Registered Trade Unions, at least one-half ( $\frac{1}{2}$ ) of the members entitled to vote must cast their votes and of the votes recorded those in favor of the proposed amalgamation exceed by one-fifth ( $\frac{1}{5}$ ) or more of the vote against the proposed amalgamation.

Note also that for the Association to change its name, at least two-thirds ( $\frac{2}{3}$ ) of the voting members of the Association must be obtained by a secret ballot vote in accordance with Rule 24.

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### RULE 24      DISSOLUTION

- 1. The Association shall not be voluntarily dissolved except with the consent of the membership obtained by a secret ballot vote.
- 2. Where the Association is dissolved in accordance with the preceding clause the assets standing to the credit of the Association, after having being realized to meet its liabilities, shall be given to a charitable organization appointed at the meeting of the Association of which dissolution was determined.