

# Constitution of the Scottish Artists Union

## Amended version, 2007

### 1. Title

The Union shall be named the SCOTTISH ARTISTS UNION.

### 2. Aims

The aims of the Union shall be to improve the working conditions of visual and applied artists practising in Scotland and to raise awareness of the contribution of artists to the public life and economy of Scotland. To represent its members in employment and contractual matters; to promote, protect and further the artistic, economic, social and legal interests of its members in their professional capacity; to achieve the best possible terms and conditions of work in all aspects in which our members are engaged; to secure these aims by organisation and all other effective methods of unity of action.

### 3. Membership

**a)** Full membership of the Union shall be open to visual and applied artists who have established their professional status through fulfilling four of the Union's membership criteria.

**b)** Associate membership of the Union without voting rights, shall be available to persons fulfilling two of the Union's membership criteria.

**c)** Membership may be deemed to have lapsed only in case of failure to pay the annual subscription within six calendar months after the date at which such subscriptions were due.

**d)** Full Members' Vested Rights - All right and interest in the Union and in the property thereof, shall be vested in the Full Members for the time being, but on the cessation of membership by death, resignation or otherwise, neither the Member nor their representative nor assignees shall have any right, title or interest in or claim upon the Funds of the Union.

**e)** Liability of members - Full and Associate Members shall have no financial liability beyond their liability for their annual subscription, and where appropriate the Registration Fee, except to meet some abnormal expenditure, providing that such expenditure has been in the first place approved at an Annual General Meeting, or at a Special General Meeting called for the purpose, by two-thirds of the Full Members present.

#### **4. The Executive Committee of the Union**

**a)** The Union's business shall be managed by an Executive Committee required to carry out the decision of general meetings consisting of Twenty Executive Committee members including office bearers who shall be full or associate members of the Union, of which no more than one quarter are associate members and who shall be elected directly by the full members of the Union at a general meeting.

**b)** The Executive Committee shall have the right to establish subcommittees for specific purposes and to co-opt into them as necessary members of the Union.

**c)** Office bearers shall be full or associate members of the Union and shall be elected by members of the Executive Committee at the first committee meeting after every Annual General Meeting. Postal voting for Executive Committee members shall be available in elections for these offices. The office-bearers shall be -

**(i)** President who shall be a full member and shall speak for the Union and chair meetings of the Executive Committee and general meetings of the Union.

**(ii)** Vice-president who shall be a full member and act to assist the President in his/her duties.

**(iii)** Secretary who shall be a full or associate member and shall act as secretary in all matters affecting the Union.

**(iv)** Treasurer who shall be a full or associate member and shall have charge of membership subscriptions of the Union, and who shall ensure members are sent due reminders of subscriptions owing.

**d)** In its composition the Executive Committee should seek to be representative of the practices and geographic composition of the membership.

**e)** In cases of tied voting in Executive Committee, the President shall have a casting as well as deliberative vote.

**f)** Sub-committees shall be responsible to the Executive Committee of the Union. Office-bearers shall be responsible to the Executive Committee of the Union. The Executive Committee shall be responsible to the Union's members in general meeting.

#### **5. Terms of Office**

**a)** Members of the Executive Committee shall serve for a one-year term.

**b)** In the interests of both continuity and renewal of the Union's Executive, Officer-bearers may serve up to (but not more than) three consecutive terms in any one, or five consecutive terms in any combination, of the four posts.

**c)** In the event of a vacancy occurring in the Office of President or in the Executive Committee during any year, such vacancy may be filled by the Executive Committee. An appointment made in this way shall hold good until

the date at which the original Members' term of office expires. Should that mean a term of less than one year the elected Member is eligible for immediate re-election.

**d)** Office Bearers and Members of Executive Committee may be removed from office only by a vote of censure passed by members at a general meeting and receiving an absolute majority of the votes of all members voting, postal votes being allowed.

**e)** Nominations for Executive Committee - Nominations for the vacancies on the Executive Committee shall be invited from Full Members in the preliminary notice of the Annual General Meeting, which shall be posted to each member at least 28 days before the date of the Meeting, and such nominations must be with the Secretary at a given date. A Full Member may nominate or second a candidate from any category. Nomination papers will be sent to every Full Member before the Annual General Meeting giving sufficient time to allow voting in the selected method before the Meeting. At least one new Member should not have served before on the Executive Committee.

**f)** Failure to fulfil Executive Committee duties - Executive Committee Members who miss two consecutive meetings without giving due notice, or consistently fail to support the work of the Committee will, at the discretion of the President and Executive Committee, be invited to resign their position.

## **6. Paid Administrator and Staff**

The Executive Committee shall be empowered to appoint an administrator or other paid staff as and when deemed necessary to assist with administrative duties of the Union. The Administrator or other paid staff shall act in accordance with the terms and conditions of employment laid down by the Executive Committee.

## **7. General Meetings**

### **a) Form**

**(i)** Annual general meetings must be held once a year, in an appropriate location, during the month of September each year, and members must receive two weeks notice of such meetings along with an agenda and an abstract of accounts for the previous year

**(ii)** Extraordinary general meetings may be requisitioned by an Application to the Executive Committee by any eight full members of the Union. Within two weeks of receiving such an application, the Executive Committee must call a general meeting, giving members two weeks notice and providing an agenda for the meeting. In no event should there be more than a calendar months between the receipt of by the Executive Committee of the requisition and the general meeting.

### **b) Purpose**

**(i)** Only a general meeting of the members of the Union shall have the right to decide on matters of Union policy.

(ii) Only the general meeting shall have the right to amend any of the terms of this constitution, and, in order to do so, members must be notified of proposed amendments two weeks in advance of the general meeting. For the amendment to pass, it must receive a two-thirds majority of the votes of those full members of the Union who vote, postal votes being allowed.

(iii) The Treasurer of the Union shall be required, in the case of annual general meetings, to circulate with the agenda an abstract of accounts for the year ending April 5 and to present a report and answer questions at the meeting itself

(iv) Subscription rates for the Union shall be fixed by general meetings and shall be open to review only at annual general meetings.

## **8. Quorums**

**a) General meetings** A quorum shall be one third or twenty one of the full members of the Union, whichever is the less.

**b) Executive Committee Meetings** A quorum shall be four full members.

## **9. Postal Voting**

Postal voting on policy matters and elections will be at the discretion of the President and Executive Committee.

## **10. Investment of Funds**

Any cash balance of any kind accruing to the Union from whatever source shall be invested by the Treasurer or Administrator in the name of the Union in Securities authorised by law for investment of Trust Funds or placed on deposit receipt or invested in a Savings Account or in a Savings Bank.

## **11. Appointment and removal of Auditors**

Auditors will be appointed at each AGM in compliance with the Trade Union and Labour Relations (Consolidation) Act 1992.

i. The appointed Auditors will be Independent Chartered Accountants qualified to audit in compliance with the Trade Union and Labour Relations (Consolidation) Act 1992.

ii. Auditors duly appointed to audit the accounts of the SAU shall not be removed from office except by a resolution passed at a General Meeting of its members or of delegates of its members. The auditors of SAU shall make a report to it on the accounts audited by them and contained in its annual return. It is the duty of the auditors, in preparing their report, to carry out such investigations as will enable them to state whether, in the opinion of the auditors, the accounts given are a true and fair view of the matters to which they relate.