

THIS INSTRUMENT OF AMALGAMATION

made between **Amicus the Union (“Amicus”)** and the **Transport and General Workers Union (“TGWU”)** (together “the merging unions”) shall, if duly approved by a resolution of the members of each of the merging unions take effect upon the date of registration of this instrument (“the effective date”)

IT IS HEREBY AGREED AS FOLLOWS:-

- 1 Upon the effective date the members of each of the merging unions shall become members of the New Union and shall become subject to that Union’s rules.
- 2 The name of the New Union shall be {new name to be inserted; hereafter “*new*”} or such other name as may be agreed by both the National Executive Council of Amicus and the General Executive Council of TGWU and approved by the Certification Officer prior to the registration of this instrument of amalgamation.
- 3 The rules of the New Union shall consist of:
 - 3.1 The general rules which are set out in the Schedule hereto with the insertion of the name of the new Union determined in accordance with Clause 2 above which shall apply to all members of the New Union as from the effective date.
 - 3.2 The rules of the Amicus Section which shall consist of the rules of the Amicus in force immediately before the effective date insofar as they are consistent with the general rules. The Amicus Section rules shall apply to all members of the New Union who were members of the Amicus immediately before the effective date or who, having joined the New Union since the effective date, have been allocated to the Amicus Section.

- 3.3 The rules of the TGWU Section shall consist of the rules of TGWU in force immediately before the effective date insofar as they are consistent with the general rules. The TGWU Section rules shall apply to all members of the New Union who were members of TGWU immediately before the effective date or who, having joined the New Union since the effective date, have been allocated to the TGWU Section.
- 3.4 The general rules provide that a new set of rules to supercede the general rules and the sectional rules shall be prepared to come into effect on 1st November 2008 or such earlier date as may be agreed when those new rules are approved.
- 4 The assets, funds and property of the merging unions shall, upon the effective date, continue to be held by the corporate trustees or individuals who were the trustees of the merging unions prior to the effective date in trust and for the benefit of and in accordance with the rules of the New Union.
- 5 Upon the effective date the members of the Amicus shall become members of the Amicus Section and the members of TGWU shall become members of the TGWU Section of the New Union. Members joining after the effective date shall be allocated to the appropriate Section in accordance with the provisions of the general rules.
- 6 As from the effective date the members of the Amicus and TGWU Sections of the New Union shall pay contributions to the appropriate Sections at the same rates as those payable to their respective merging unions immediately before the effective date.
- 7 As from the effective date the members of the Amicus and TGWU Sections of the New Union who before the effective date paid contributions towards the political fund of their respective merging unions shall continue to pay contributions towards the political fund of the New Union until such time as notice is given by a member requesting an exemption from doing so, or in the case of a contributing Northern

Ireland member until such time as the member gives a notice of withdrawal.

- 8 Upon the effective date the employees of the merging unions shall become employees of the New Union upon terms and conditions of employment no less favourable than those in force immediately before the effective date. No employee of either of the merging unions shall be declared redundant as a direct result of the amalgamation of those unions without that employee's consent.
- 9 Upon the effective date:-
- 9.1 The Joint Executive Council of the New Union shall consist of 30 members being 15 members from each of the Amicus and TGWU Sections.
- 9.2 The members from the Amicus Section shall be elected by and from the National Executive Council of the Amicus Section. If a member of the Amicus Section who is a member of the Joint Executive Council shall cease to hold that office for any reason the vacant position shall be filled by such member of the National Executive Council of the Amicus Section as that National Executive Council shall determine.
- 9.3 The members from the TGWU Section shall be elected by and from the General Executive Council of the TGWU Section. If a member of the TGWU Section who is a member of the Joint Executive Council shall cease to hold that office for any reason the vacant position shall be filled by such member of the General Executive Council of the TGWU Section as that General Executive Council shall determine.
- 10 The period of membership of every member of the New Union who was a member of either of the a merging unions immediately prior to the effective date shall be treated, for all purposes, as a continuous period of membership of the New Union from the date of the member's last entry into membership of either of the merging unions.

Signed on behalf of Amicus

**Signed on behalf of The Transport and
General Workers Union**

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DEREK SIMPSON
General Secretary

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TONY WOODLEY
General Secretary

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National Executive Council Member

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National Executive Council Member

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National Executive Council Member

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National Executive Council Member

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National Executive Council Member

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National Executive Council Member