

Rules of “The Central Electricity Board Staff Association

Incorporated in August 1956

Registration No. 29

ARTICLE 1

(a) Name

The Union formed these Rules shall be called “The Central Electrical Board Staff Association

(b) Registered Office

The Registered Office of the Association shall be at 8, Teste de Buch Street Curepipe or at such other place as the Executive Committee may from time to time decide. In the event of any change in the situation of the Registered Office, notice of such change shall be given to the Registrar of Association by the Secretary.

ARTICLE 2

Objects

The objects of the Association shall be:

- (a) To promote efficiency in the Staff Service.
- (b) To foster good relations between members and the Board and to secure just and proper rates of salary.
- (c) To represent the members in any negotiations when they so declare, and secure representation on any Council or Committee or Board now in existence or that may be set up in the future which will affect them.
- (d) To promote generally and defend the interests of members of the Association in any lawful manner which the Annual General Meeting or the Executive Committee may from time to time deem expedient.
- (e) To provide legal aid for members in connection with their employment.
- (f) To promote or assist in securing legislation in the interest of its members.
- (g) To co-operate with other Associations having for one of their objects the promotion of the interests of employees, within the scope of the Industrial Relations Act.
- (h) To provide aid to its members in the forms of loans, funeral and maternity benefits.

ARTICLE 3

1. Election of Members of the Executive Committee

- (a) The Association shall be managed by an Executive Committee composed of ten members to be elected at the Annual General Meeting. In addition the Executive Committee may at its discretion co-opt among the compliance members of the Association not more than 4 members who shall sit thereon in an advisory capacity.
- (b) The Committee shall hold office for one year and shall be re-eligible.
- (c) 6 members shall constitute a quorum

2. Removal of Members of the Executive Committee

- (a) The Executive Committee or any member thereof may be removed by a resolution carried at any General Meeting specially convened for the purpose.
- (b) In case of a vacancy arising from any cause whatever, such vacancy shall, within a month, be filled by the Executive Committee. Provided that if more than 3 vacancies occur at one time such vacancies shall within a month be filled by a ballot at a Special General Meeting.

ARTICLE 4

1. Election of Officers

The ten members of the Executive Committee shall, within a seven days after their election, choose among themselves a President, two Vice-Presidents, a Secretary, two Assistant Secretaries, a Treasurer and an Assistant Treasurer.

- (a) All the officers or any officer of the Association may be removed by a resolution carried out at any General Meeting specially convened for the purpose.
- (b) In case of a vacancy arising from any cause whatever, such vacancy shall be filled by the Executive Committee, within the proviso of Art. 3 para. 2
- (b)

ARTICLE 5

1. Powers and duties of Executive Committee and Office Bearers

- (a) The Executive Committee shall meet at least once every three months.

- (b) The Executive Committee shall give instructions to the Secretary and other Officers for the conduct of the Association. It may appoint Staff as necessary, dismiss or suspend any officer of the Association, provided that any Officer so dismissed or suspended shall have the right of appeal at the Annual General Meeting whose decision shall be final. It may also appoint Committee for such purposes and with such powers as it may deem fit.
- (c) The Executive Committee shall be empowered to use the Association's funds to further the objects of the Association as laid down in the rules.
- (d) The Executive Committee may:
 - (i) Acquire, hold, dispose of, and deal with, movable and immovable property, make payments, receive donations and legacies, sue and be sued in all Courts and in all manner of suits and proceedings, and may do all other matters and things incidental or conducive to the objects of the Association and not inconsistent with the provisions of the Industrial Relations Act.
 - (ii) With the consent of the majority of members of the Association, borrow money with or without mortgage.
 - (iii) For the aforesaid dealings, be represented by any two of the following Officers: President, Treasurer and Secretary.
- (e) The Executive Committee may frame by-laws to regulate any matter for the implementation of these rules.
- (f) Any matter not dealt with in these rules shall be determined by the Executive Committee whose decisions shall be binding, on all members of the Association, subject to ratification by the Annual General Meeting.

2. Duties of President and Vice-President

- (a) The President shall preside at all meetings and sign the minutes and other official documents. He shall have a casting vote.
- (b) The Vice-President shall act for the President when the latter is absent.

3. Duties of Secretary

- (a) The Secretary shall attend all meetings and record minutes of

of proceedings which he will sign when approved. He shall conduct the business of the Association in accordance with the Rules and act under the instructions of the Executive Committee.

- (b) He shall prepare the Annual Report to the Annual General Meeting.
- (c) He shall send to the Registrar on or before the 1st day of April each year, a general statement duly audited of all receipts and expenditure of the Association existing on such date. Every member of the Association shall on application to the Secretary or the Treasurer be entitled to receive a copy of such general statement free of charge.
- (d) He shall also send to the Registrar a statement showing all changes of Officers made by the Association during the period covering the year to which the general statement relates and the period which thereafter elapsed up to the date of the statement in the year in which it is made, and also a copy of the Rules as they exist at the date.
- (e) The Secretary shall within 21 days after the receipt by him of a written request by the Registrar furnish to him a true statement showing any particulars relating to the Association as may be specified in the request.
- (f) The Assistant Secretary shall act as Secretary whenever the latter is on leave.

4. Duties of Treasurer

- (a) The Treasurer shall keep such books of accounts as may be necessary and shall be responsible for all moneys belonging to the Association.
- (b) He shall prepare an audited financial statement for the Annual General Meeting and every member shall be entitled to a copy of the Annual Statement of Accounts of the Association.
- (c) He shall keep a register showing the names, addresses and payments made by members and shall erase from the register the names of lapsed members.
- (d) He shall deposit in a local bank chosen by the Executive Committee
- (e) The Assistant Treasurer shall act as Treasurer whenever the latter is on leave.

5. Duties of Auditors

Two Auditors shall, be nominated by the Annual General Meeting to audit the books and Accounts of the Association once every three months and at the close of the financial year. They shall certify the Balance Sheet and report on the financial position of the Association. This report shall accompany the Annual Accounts.

ARTICLE 6

1. Annual General Meeting

- (a) The Annual General Meeting shall be held not later than 3 months after its accounting date. The notice convening the Annual General Meeting shall be published, at least 21 days before the date of the assembly, in 2 daily newspapers.
- (b) Members shall give notice of any matter they wish to put up for discussion at the Annual General Meeting at least 14 days before the date of such meeting.
- (c) The quorum at the Annual General Meeting shall be $\frac{1}{4}$ of the members on roll.
- (d) The Business of the Annual General Meeting shall be to receive reports from Executive Committee.

To consider the statement of accounts and balance sheet and to review the past work of the Association and plan future tasks, to consider all matters upon the Agenda, to elect the Executive Committee.

- (e) The Annual General Meeting shall have power to rescind alter, add to any of these rules, in accordance with Art. 10.
- (f) The Secretary shall prepare an Agenda of the Meeting including resolutions, motions for the amendment of the Rules and nominations for the Executive Committee.

2. Special General Meeting

- (a) The Executive Committee may at any time convene a Special General Meeting, but upon a request fully stating the terms of the question and signed by not less than one fourth ($\frac{1}{4}$) of the members of the Association, the Executive Committee shall within a fortnight convene a Special General Meeting to consider such question.
- (b) The quorum at such Special General Meeting shall be $\frac{1}{3}$ (one third) of the number of members on roll.
- (c) Any Special General Meeting shall have power to rescind, alter and add to any of these rules in accordance with Art. 10.

ARTICLE 7

Industrial Action

- (a) No Industrial Action shall be undertaken unless the matter giving occasion thereto has been dealt with as provided by law.

- (b) A single majority of members of the Executive Committee at a meeting specially convened for the purpose, may decide to engage the Association in any kind of Industrial Action.
- (c) Only the Officers of the Association will be entitled to give instructions to members of the Association concerning any Industrial Action.

ARTICLE 8

1. Qualifications for candidature as an Officer or Member of the Executive Committee.

- (a) No member of the Association may stand a candidate as an Officer of the Association unless he has been engaged in the Electrical Industry for at least 18 months, during which period he should have been on the Central Electricity Board Staff for at least 6 months preceeding the date of election.
- (b) Should no suitable person with the necessary qualifications be available, the Executive Committee should report the matter to the Registrar.

2. Eligibility of Members for voting

- (a) Members whose subscriptions remain unpaid for three months shall lose their right to vote.
- (b) Members who have failed to pay any levy or fine imposed by the Executive Committee shall lose their right to vote.

ARTICLE 9

Voting and Ballot

1.VOTING

- (a) Voting shall take place by show of hands or by ballot on voting papers specially prepared for the purpose
- (b) Members working on shift or on stand-by-duties and who shall be unable to attend the Annual General Meeting shall be given the opportunity to vote in presence of the Secretary and 2 scrutineers on the day of the Annual General Meeting during hours to be fixed by the Executive Committee. These ballot papers will be kept in a separate ballot box.

- (c) For members posted or residing at Rodrigues, voting shall be done by post and the ballot shall reach the Secretary at latest on the day of the Annual General Meeting
- (d) Each member shall be entitled to one vote.
- (e) A member may vote by proxy through another member, but no member, shall vote as proxy for more than (5) members.
- (f) No person shall be eligible to be appointed as a proxy unless he is registered member of the Association.
- (g) The instrument appointing a proxy shall be dated and signed by the Appointer in the prescribed form.
- (h) The instrument appointing a proxy shall be deposited at the registered Office of the Association not less than (24) twenty four hours before the time appointed for the holding the Annual/Special General Meeting at which the person named in such instrument proposes to vote.
- (i) The instrument appointing a proxy shall be in the following prescribed form:
 “ I of..... being a member of the Central Electricity Board Staff Association hereby appoint Mr/Mrs/Miss as my proxy to represent me and vote on my behalf at the Annual/Special General Meeting of the association to be held on or any other adjournment thereof”

Date

Signature of Appointer

2 Ballot

Whenever a ballot is necessary at an Annual or Special General Meeting, it shall be taken in the following manner:

- (i) The Executive Committee shall appoint three members who are not members of the Executive Committee or candidates as officers to be scrutineers for the purpose of supervising the ballot and ascertaining the results thereof in presence of the Chairman, the Secretary and as many members of the Executive Committee as desire to attend.
- (ii) The ballot box shall be inspected by the scrutineers and sealed by the Secretary in their presence, prior to the issue of ballot papers.
- (iii) The Chairman, in presence of the scrutineers shall deliver to each member present in person or represented by proxy, who is entitled to vote, a ballot paper stamped with the seal of the Association and the Secretary shall check off each ballot paper against the name of such member. No ballot paper shall be used for voting which is not stamped.

- (iv) Apart from the cross required, no mark shall be made on any part of a ballot paper. Any contravention of this rule by a member shall render the ballot paper invalid, and the vote shall not be counted.
- (v) Each member after having voted shall fold and deposit his ballot paper in the ballot box.
- (vi) On completion of the ballot, the result thereof shall be ascertained by the scrutineers in presence of the Chairman and the Secretary and made known through the Chairman.
- (vii) Ballot papers which have been counted and those which have been rejected shall be secured by the scrutineers in two separate sealed parcels and shall be retained by the Secretary for not less than six months, during which period they shall, on written demand from the Registrar or from not less than half plus one of the total number of members having the right to vote, be recounted by the scrutineers appointed by a General Meeting.
- (viii) If the seal of the ballot box is broken, except in the presence of the scrutineers, the Chairman and the Secretary at the close of the ballot, all ballot papers shall be destroyed and a new ballot taken.
- (ix) The Executive Committee shall be bound to take action according to the decision of a majority of members voting by ballot.

ARTICLE 10

Alteration of Rules

- (a) These rules shall not be amended, altered or rescinded save by a resolution approved on a ballot, at a General Meeting of the Association who are not disqualified from voting pursuant to Art. 8 of these rules.
- (b) Every amendment, alteration or rescindment of the rules shall be registered with the Registrar and shall take effect from the date of Registration unless later date is specified in the Rules.

ARTICLE 11

Dissolution

- (a) The Association shall not be dissolved unless a resolution for its dissolution is approved, on a ballot, at a General Meeting of the Association by a majority of all the members who are not disqualified from voting pursuant to Art. 8

- (b) In the event of the Association being dissolved as provided above, all debts and liabilities legally incurred on behalf of the Association shall be fully discharged, and the remaining funds divided equally among the members. Notice of the dissolution of the Association under the hand of the Secretary shall be sent forthwith to the Registrar.

ARTICLE 12

Members of the Association

Membership

- (a) Membership shall be open to all staff employees of the Board residing in Mauritius and Rodrigues and not below the age of eighteen, staff employees shall for the purpose of this paragraph, mean clerical or technical monthly paid staff.
- (b) Applications for membership should be made to the Executive Committee through the Secretary in writing and giving name and surnames, date of birth and residential address.
- (c) The Executive Committee will examine applications for membership and reply within three months after the date the application has been received.
- (d) In case an application has been rejected the applicant will have a right of appeal at the Annual General Meeting.
- (e) Members who have lost their membership right may be re-admitted on a decision of the Executive Committee provided they pay a fresh entrance fee.

ARTICLE 13

Subscription

Subscription – Fines and Levies

- (a) The entrance fee for admission shall be one hundred rupees (Rs100.00) and re-admission shall be two hundred rupees (Rs200.00) concurrently with any arrears due, inclusive of any levies that have remained unpaid.
The monthly subscription shall be 0.5 % of the monthly gross basic salary/pension
- (b) Members whose subscriptions remain unpaid for three months shall lose their rights to vote at General Meetings, and their rights to Trade Union Benefits will be forfeited.
- (c) Members whose subscriptions remain unpaid for four months shall cease to be members and their names shall be erased from the register of members.

- (d) The Executive Committee may impose a levy on a per capita basis or pro-rata basis and may also impose a fine not exceeding Rs 10 on any member for breach of any of these rules. Every member shall be bound to pay any levy and fine which may be imposed by the Executive Committee.
- (e) If any member refuses or neglects to pay any levy or fine within two months from the imposition thereof the amount due shall be treated as arrears of contribution and, so long as it remains unpaid, the member concerned shall be treated as out of compliance with the Rules in regard to any Association benefits.
- (f) A levy of Rs 25.00 shall be imposed on the active members and Rs 12.50 on Pensioners upon death or retirement of a member.
Henceforth such levy will be indexed to yearly inflation to the nearest next rupee
The amount so collected shall be paid to the person nominated by the deceased member.
In the case of a retirement of a member the amount shall be paid to the member himself.

ARTICLE 14

Disciplinary Actions

Expulsion

- (a) Any member acting in a manner considered to be to the detriment or contrary to the interests of the Association may be expelled from the Association.
- (b) In every case the member shall be given by registered letter posted to his last known address not less than a week's notice of any motion for expulsion.
- (c) In case of expulsion the Secretary shall advise the member of his right of appeal and of the delay within which such right should be exercised.
- (d) In every case the member shall have the right of appeal at the Annual General Meeting, the decision of which shall be final.
- (e) Any member so expelled shall not have the right to claim refund of any sum of money which he has contributed towards the funds of the Association.

ARTICLE 15

Termination of Membership

Members may terminate their membership by giving one month's notice to the Secretary in writing.

ARTICLE 16

Complaints

- (a) Members complaining that action contrary to the Rules of the Association has been taken by the Association or by any person acting on its behalf will request in writing to be heard at the Executive Committee.
- (b) Such request should be dealt with within three months.

ARTICLE 17

Property and Funds

1. Investments

- (a) The Executive Committee may invest the funds of the Association:
 - (i) On current and/or deposit account with any Bank approved by the Executive Committee.
 - (ii) In Mauritius Government, Municipal and other local Government securities
 - (iii) On first rank mortgages inscribed on real property.
 - (iv) In such other securities as the Executive Committee may think fit excluding shares.
- (b) No investment shall be made in securities for the redemption of which no specific provision is made.
- (c) All investments shall be made in the name of the Association but separate accounts shall be kept of the General Fund and of the Benefits Fund, and no member of the Association shall have any claim upon such investments.
- (d) No member of the Executive Committee shall be liable for any loss arising from or contingent upon any investment made unless such loss has been occasioned by his wilful negligence or fraud.
- (e) No member of the Executive Committee and no servant, agent or person acting under the authority of the Executive Committee shall be personally liable to any action or proceeding for or in respect of any act, matter or thing, bona fide done or omitted to be done in the exercise of any of the rights or powers of the Executive Committee or of the members thereof.
- (f) All cheques, deeds and other documents connected with the funds of the Association shall be signed by any two of the following Officers: President, Secretary and Treasurer.

2. Application of Funds

- (a) The Association shall apply its funds (when available) solely for the following purposes:-
- (i) Expenditure incurred for the purpose of complying with the contents of the Industrial Relations. Act, 1973.
 - (ii) The payment of reasonable emoluments to Officers.
 - (ii) Reasonable expenditure for the administration of the Association funds and the auditing of its accounts, such expenses not to exceed 60% of the yearly contributions.
 - (iii) The conduct of legal proceedings to which the Association or any of its members is a party, if the proceedings are undertaken for the purpose of securing or protecting any rights of the Association or of any of its members in relation to his contract of employment.
 - (iv) The conduct of an Industrial Dispute on behalf of the Association or any of its members and the payment of compensation to members of the Association for any loss arising out of an Industrial Dispute.
 - (v) Benefits to members of the Association or their dependents on account of maternity, old age or death.
 - (vi) Payment of affiliation fees to federation of Trade Unions. Provided that :
 - Separate accounts shall be kept of the General Fund and of the Benefits Fund, and
 - The Executive Committee with the consent of the General Meeting may transfer to the Benefits Fund all surplus of the General Fund/
- (b) The Association shall not apply any of its fund either directly or indirectly in payment of any penalty imposed upon any person by a court of Law, other than a penalty imposed upon the Association itself.
- (c) The Association shall not apply any of its funds in support or in connection with any unlawful strike and lock out.

ARTICLE 18

Financial Benefits

1. Membership

- (a) A benefit member shall be a member of the Staff Association contributing for death and other benefits. If a benefit member ceases to be a member of the Association otherwise than by reason of his retirement on account

of his age, he shall at the same time automatically forfeit any right to benefit and his membership shall be cancelled.

- (b) The monthly contribution shall be as follows:-

Category of Members	Monthly Contribution
A. Single membership	Rs 15.00
B. Separate membership (applicable to husband & wife)	Rs 7.50

2. Benefits

- (a) If a member's contributions are two months in arrear, no claim shall be entertained unless the arrears are paid and until two weeks after the date of payment.
- (b) If a member fails to pay his contributions for three months, he shall cease to be entitled to benefit and his name shall be erased from the list of benefit members.
- (c) Each member, shall, on joining the Fund, give to the Secretary, the name of his two dependants, who must be persons wholly or partially maintained by such member.
- (d) Any change among his dependants shall be notified within one week to the Secretary.
- (e) If a member is treated as "out of compliance" under Articles 4 and 7, he shall cease to be entitled to Benefits.
- (f) All claims for benefit must be accompanied by the Birth, Death or Medical Certificate, as the case may be.
- (g) Benefits shall be paid in accordance with the following schedule:

Description of Benefits

1. Death Benefits

A member who would have contributed to the Fund during the period shown hereunder shall be entitled to the Death Benefit set out against the respective period.

Period of Contribution	Benefit payable (Rs.)
Twenty years and over	5,500
Eighteen years or over	5,000
Sixteen years or over	4,500

Fourteen years or over	4,000
Twelve years or over	3,500
Ten years or over	3,000
Eight years or over	2,500
Six years or over	2,000
Four years or over	1,500
Under four years	1,000
(ii) Wife or husband of a member	1,000
(iii) Children under 21 years	800
(iv) Combined maternity & death benefit	600
(v) Dependants limited to two	500
(vi) Maternity Benefit	300

2. Retiring Benefits

A member who would have contributed to the Fund during the period shown hereunder, shall be entitled to the Retiring Benefits set out against the respective period of his retirement from the service of the Board

Period of Contribution	Benefit payable (Rs.)
Twenty years and over	15,000
Eighteen years or over	13,500
Sixteen years or over	12,000
Fourteen years or over	10,500
Twelve years or over	9,000
Ten years or over	7,500
Eight years or over	6,000
Six years or over	4,500
Four years or over	3,000
Two years or over	1,500
Under two years	750

On the death of a member still in the service of the Board, he would be considered as having retired from the said service and granted the Retirement Benefit he would have been entitled to, had he retired before his death.

A member who resigns as a member or is dismissed from the service of the Board shall be eligible to the total refund of the amount subscribed by him monthly to the fund less the benefit which had been paid to him during the period of his membership.

Any pensioner, who fails to pay his subscription during three consecutive months shall automatically cease to be a subscriber.

(i) Rights of existing Members

Existing members who have contributed to the previous “Benefit Section” shall be considered as having contributed to the new “Benefit Section”, an equivalent number of months as set out against the respective number of years shown hereunder:-

Number of Years	Number of Months
1 to 5	6
Over 5 to 10	12
Over 10 to 15	18
Over 15 to 20	24
Over 20	30

3. Nomination of Beneficiaries

Every member belonging to the Death Benefit Fund shall nominate, on the Official Form, the person entitled to receive Death Benefit in respect of him. Any such nomination may be subsequently cancelled and a fresh nomination may be made. Every such nomination, revocation or variation shall be recorded on payment by the member of a fee not exceeding twenty-five cents of a Rupee.

4. Loans

- (a) Any member who is less than 2 months in arrears at the time of the request may, at the discretion of the Executive Committee, be granted a loan on the following conditions:-
 - (i) Any amount depending on the validity of Fund.
 - (ii) The amount of the loan shall be increased by an amount representing interest at a rate to be fixed by the Executive Committee provided that such rate does not exceed 1% over local bank rate.
 - (iii) The amount representing both the loan and the interest shall be refunded in twelve monthly instalments or earlier in case of resignation or dismissal or still, in exceptional circumstances, later if the Executive Committee so decide.
- (b) Fresh loans may be granted only after complete payment of the amount due in respect of the previous loan or before depending on the availability of fund.
- (c) The condition and mode of reimbursement of any such loan shall be fixed by the Executive Committee and shall be framed in the by-laws.

5. Suspension of and change in Benefits

- (a) (i) The Executive Committee may at any time convene a meeting

- of the benefit members, but upon a request fully stating the terms for the change in benefits and signed by not less than 1/5 of the benefit members on roll, the Executive Committee shall within a fortnight convene a Special General Meeting of the benefit members to consider such change.
- (ii) The quorum of such Special General Meeting shall be 1/3 of benefit members on roll.
 - (iii) Any decision reached at such a Meeting shall be approved by a majority of all the benefit members who are not disqualified from voting.
- (b) In case of an officially declared “*Epidemic*” the Executive Committee shall have the power to suspend payment of Death and Funeral Benefits until the “*Epidemic*” is cleared.
- (c) **Expulsion from Benefit Section**
- The Committee may expel from the Benefit Section any member who is guilty of making a false statement or wilfully concealing relevant facts when applying for membership or who obtains or endeavours to obtain benefit by false pretences.
 - Every such expulsion shall be reported by the Executive Committee to the Annual General Meeting which shall in that case either confirm the expulsion or order his reinstatement. The decision of the Annual General Meeting shall be final. Any member expelled under this Rule shall be advised, in writing, of his right of appeal.

ARTICLE 19

Inspection and retention of Books

- (a) Any person having an interest in the funds of the Association may inspect at any reasonable time, any books or papers of the Association, and the names of the members, at the Registered Office.
- (b) The Association shall retain:
 - (i) for a period of at least three years after the last date to which they relate:
 - All books and statement of accounts and auditors reports.
 - All registers of members, and all records of money paid by members of the Association.
 - (ii) for a period of at least three years after their date of origin, minutes of meetings, vouchers, receipts, correspondence and other documents relating to the affairs of the Association.

ARTICLE 20

Security Bonds

The President, Secretary and Treasurer, shall each be bound with two securities jointly and severally in the sum of two hundred and fifty rupees (Rs 250) for the due discharge of their duties. The security bonds shall be filed with the Registrar without undue delay.

ARTICLE 21

Constitution and Government

- (a) The Supreme Authority of the Association shall be vested in the Annual General Meeting of members, and subject to that authority the Association shall be governed by the Executive Committee.
- (b) The Association may sue and be sued in its corporate name and service of any notice or process by or on the Secretary shall be deemed to be service of or on the Association.
- (c) Anything which is not provided under these Rules shall be performed in conformity with the Industrial Relations Act 1973 which may be subsequently amended.

ARTICLE 22

Disputes

Disputes between members and their employers must be at once reported to the Secretary.

ARTICLE 23

Supply of Rules

The Executive Committee shall supply to each member a copy of these Rules on payment of a sum of one rupee.

ARTICLE 24

Interpretation

In these Rules words importing the masculine include the feminine, unless otherwise required by the context.