



Scottish Artists Union Constitution & Rules Book

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Constitution of Scottish Artists Union

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 practicing 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 and workplaces 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.
 - (i) See Page 8 of Rules Book for Membership Criteria.
- b) Associate Membership of the Union without voting rights, shall be available to persons fulfilling two of the Union's membership criteria.
 - (i) See Page 8 of Rules Book for Membership Criteria.
- c) Graduate Membership of the Union is open to final year undergraduate students, graduates and all post-graduates. For those who meet the criteria, Graduate Membership will be for the first year of membership only. For that year, Graduate Membership will have a discount on the membership subscription fee. The status of Graduate Members will by default be Associate but if a member can fulfil the full member criteria they will be deemed a full member after their first year's membership.
- d) Membership subscription fees, and the definition of "*Member in Good Standing*" – A "*Member in Good Standing*" is a member who has continued to pay their annual membership subscription fees, either annually or in monthly instalments, on the date at which such subscriptions are due. A member will cease to be a "*Member in Good Standing*" if their annual subscription fee payments are in arrears by one calendar month. And their membership may be deemed to have lapsed if their annual subscription fee payments are in arrears by two calendar months. Notice of one full calendar month must be given to cancel a membership.

At the point when a member joins, if they choose to pay in monthly instalments, the first payment of membership subscription fees will cover the first 3 months of their membership. If a member wishes to cancel their membership application after the first direct debit fee has already been scheduled for payment, this fee cannot be refunded.

- e) 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.
- f) 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 an Extraordinary 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. SAU shall adhere to the Trade Union Act of 1992 when engaging in nominations and the balloting process for elections of the Executive Committee.
- 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. Members shall have the right to establish subgroups and working groups, in consultation with the Executive Committee.
- c) Office bearers shall be Full or Associate members. The Office Bearers shall be Full or Associate members. The Office Bearers shall be – President, Vice-President, Secretary and Treasurer. In its composition the Executive Committee should seek to be representative of the practices and geographic composition of the membership. See Rules Book for descriptions of Office Bearer roles.
- d) In cases of tied voting in Executive Committee, the President shall have a casting as well as deliberative vote.
- e) 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.
- f) Subgroups will focus on topic areas relevant to the aims of the Union. The purpose of the subgroups is to offer opportunities for members to volunteer and contribute input into the Union, in collaboration with the Executive Committee and staff team, throughout the year. The subgroups will include Executive Committee members, staff team members and any SAU members who volunteer to take part. The subgroups may host discussion groups and events, and form working groups for project work and development. The aims of the subgroups will be to inform the Executive Committee and staff team on policy development and implementation between general meetings. Subgroups will report to the Executive Committee.
- g) Working groups will focus on project work relevant to the subgroups, subcommittees or Executive Committee. Working groups will report to the subgroups, subcommittees and Executive Committee.

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 eight 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, online votes being allowed.
- e) Nominations for Executive Committee - Nominations for the vacancies on the Executive Committee shall be invited from Full Members and Associate Members in the preliminary notice of the Annual General Meeting, which shall be posted on the website in the members area, and notification will be *emailed to each member at least two weeks before the date of the Meeting, and such nominations must be with the Secretary at a given date. A Full Member, in Good Standing, may nominate or second a candidate from any category.
- (i) See Rules Book for Nominations of Executive Committee

*Those members who do not receive emails will be mailed the notification.

- 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 Staff

The Executive Committee shall be empowered to appoint paid staff as and when deemed necessary to assist with the duties of the Union. Paid staff shall act in accordance with the terms and conditions of employment laid down by the Executive Committee and be paid equal to or greater than the Living Wage.

7. General Meetings

a) Form

- (i) Annual general meetings must be held once a year, in an appropriate location, during the month of August 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 month between the receipt of by the Executive Committee of the requisition and the general meeting.
- (iii) See Pages 10 – 11 of Rules Book for Protocol at Annual General Meetings.

b) Purpose

- (i) Full members of the Union, in Good Standing, shall have the right to decide on matters of Union policy at General Meetings, and in online voting periods when significant Union policy decisions arise between General Meetings. Online voting on policy matters will be at the discretion of the President and the Executive Committee.
- (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, online 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

whichever is the less.

- a) General meetings A quorum shall be one third or twenty-one of the full members of the Union,
- b) Executive Committee Meetings A quorum shall be four full members.

9. Online Voting

Please reference Section 7, b) Purpose, (i).

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 Annual General Meeting in compliance with the Trade Union and Labour Relations (Consolidation) Act 1992.

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

Previous Amendments to Constitution

Amended version 2006

Updated by AGM 2017

Updated by AGM 2018

Updated by AGM 2023

Updated by AGM 2024

Updated by AGM 2025

Updated by AGM 2026

SAU Rules Book Introduction

Up until AGM 2025, the SAU Constitution was a document which also included the Union's Rules. At the 2024 SAU AGM, one of the actions from the motions was "to develop a Rule Book which is separate from the SAU Constitution" [...] because "when new rules are added to the Constitution this is causing it to be more cluttered and less coherent."

The Executive Committee, and the Elections Working Group, are currently in the process of overhauling the Constitution in stages and gradually developing the new Rules Book. At each stage, the proposed amendments to the Constitution, and introduction of newly written Rules, are being presented to the members in Motions to be approved at General Meetings. The implementation of the first stage was approved at AGM 2025.

This will be a process that will take place over the next few years. We are aiming to make the protocols and processes of the SAU more accessible and easier to understand so that SAU members feel confident to take part in our Trade Union democracy. The Constitution and the Rules Book of a Trade Union is a living document, and it should be updated at different points in time to fit the needs of our Union.

SAU Membership Criteria

As is stated in the SAU Constitution in section 3. a), b), and c):

“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.

Associate Membership of the Union [...] shall be available to persons fulfilling two of the Union's membership criteria. [...] The status of **Graduate Members** will by default be **Associate**, but if a member can fulfil the Full member criteria they will be deemed a Full member after their first year's membership.”

Note: The order in which the criteria are listed below is not indicative of merit.

- I have had two or more public exhibitions and / or public installations and / or public performances (solo or group, in person or online), not including a degree show.
- I have received one or more public body or corporate commissions or four or more private commissions.
- I have received one or more prizes, awards or bursaries for professional practice.
- I have been engaged by contractual agreement in an artist's placement scheme (e.g. a residency).
- My work has been purchased for one or more public collections, or four or more private collections.
- I hold one of the following internationally recognised qualifications in a visual and / or applied arts discipline -: • A Degree • An HND (or an equivalent, sector recognised, qualification) • Completion of an industry-recognised apprenticeship programme.
- My work has been available for sale (wholesale, consignment, or sale or return) through one or more commercial galleries, agents or retailers.
- I have sold / shown my work at two or more retail fairs, zine fairs, artist book fairs, or at (rural or urban) open studios tour events / festivals, or my studio is on a year-round open studios map.
- I have sold / shown my work via my own retail space / open studio on two or more occasions.
- I have participated in two or more national / industry-specific trade fairs.
- I am a member of, or my practice has been recognised by, one or more professional or industry representative associations or societies. (e.g. fellowship).
- My artwork or my practice has been reviewed, featured or credited in an art journal, magazine, book or newspaper, online or in print.
- In relation to my visual and / or applied arts practice, I have been invited to deliver talks / presentations or speak on panels at art or creative industry events, forums (inc. festivals, conferences, academic symposia, artists residencies) or education establishments.
- I have presented, led or assisted two or more community artist or socially engaged visual and / or

applied arts projects.

- On two or more occasions, I have presented, taught, tutored, led or assisted the delivery of visual and / or applied arts workshops/classes.
- I have lectured / taught in a visual or applied arts discipline at a further education college or higher education establishment (this includes teaching technicians and visiting lecturers).

Protocol for General Meetings (AGMs & EGMs)

Voting

At online General Meetings held on video conferencing platforms, the voting on Motions will take place using an appropriate poll - which is an electronic secret ballot. At in-person General Meetings votes will be held by a show of hands. However, a Full Member may request a secret ballot on a Motion at an in-person General Meeting. In this case, the supporting Staff and Executive Committee should be prepared to hold a secret ballot.

Tellers

The President will appoint the Tellers for the General Meetings. The duties of Teller at General Meetings will be to oversee ballots counts and counts of votes by show of hands.

Motions

A Motion is a formal written request for a new union policy or a proposal to change an existing policy that each and every Full Member in Good Standing of the Union has the right to submit at the AGM. Motions can be on any matter a member or group of members believes to be important. It may regard how the Union is run, what its aims are, its strategy, campaigns, wider political issues, changes to the Constitution, every day running of the Union, and how it spends its money. If you are submitting a Motion which is out with the "Aims" of the Union - as written in the Constitution - please position the Motion within the context of, or relevance to, visual and applied art practice, and/or the arts & culture sector(s).

Competency of a Motion

Any Motion submitted to a General Meeting should never request that the Executive Committee breaks the law. Members should also be considerate and aware to avoid submitting a Motion that could threaten the stability of the Union - because this could lead to accidental/unintentional union busting.

If the Executive Committee and Standing Orders Working Group deems that your Motion fits either of these circumstances, you will be formally asked to rescind, or amend, your Motion.

Submission deadline for *ordinary Motions to AGMs

The deadline for submitting Motions will be set at a reasonable period before the AGM, this timeline will be determined by the Executive Committee and the Standing Orders Working Group. *Ordinary Motions refers to Motions that are not amending the Constitution & Rules of the Union.

Emergency Motions

An Emergency Motion must deal with issues that have arisen since the closing date for Ordinary Motions. (citing STUC Rules). The deadline for submission of Emergency Motions will be set at two hours before the AGM. The Standing Orders Working Group will assess the competency of Emergency Motions. The Chair/President will determine when these will be scheduled into the Order of Business in the Agenda.

Word limit for Motions

The wording for ordinary Motions at a General Meeting must not exceed 250 words.

Mover

Only a Full Member In Good Standing may submit and Move a Motion. The time limit of a speech to Move a Motion will be set at 4 mins.

Second

Only a Full Member In Good Standing may Second a Motion. The time limit of a speech to Second a Motion will be set at 2 mins.

Speaker for or against

Only a Full Member In Good Standing may speak for or against a Motion. In the discussion on the Motion, speaking times will be limited to 2 minutes per member.

Second turn speaking

If a speaker wishes to speak a second time, they must wait until other speakers who are waiting have had a chance to speak. The Chair will determine if there is time in the meeting for a second turn to speak. The Mover shall be allowed Right of Reply before second turn speakers.

Right of Reply

Right of Reply - The Mover shall be allowed 2 minutes to reply to a discussion on the Motion concerned, but no new matter may be introduced into such a reply. (adapted from STUC Rules).

Call to Question

Call to Question: Once the discussion on the Motion appears to be concluded, or if the continuation of the discussion is going to cause the AGM to go over time, the Chair will Call to Question to move to the vote.

Going overtime in discussion on a Motion

More time for discussion: If the members present are not ready to vote, and the members demand further discussion, the meeting will go "out of order" to vote on extending the discussion, a vote will be called with a show of hands. If the members vote for an additional agreed time extension, the meeting will go back "in order" to continue discussion in order to move towards a vote. The Chair/President will decide the appropriate length of time to extend the discussion.

Second Call to Question

Second Call to Question: After the agreed time extension, the Chair will Call to Question to move to the vote.

Tied Vote

In cases of tied voting at General Meetings, the President shall have a casting as well as deliberative vote.

If there is an impasse in the discussion on a Motion

Options for rejection of Call to Question: If there is an impasse in the discussion, and there is no more time to continue the discussion in the meeting, the Chair will take the meeting "out of order" to offer the two following options as alternatives:

- The President/Chair may offer up the option to move to an online vote on the Motion. If there is agreement by the Mover (of the Motion) to hold an online vote on the Motion, the President/Chair will call with a show of hands to hold an online vote on the Motion, which will include all Full Members of the Union in Good Standing.

- If there are at least 8 Full Members who are in support of continuing the discussion on the Motion, the President/Chair may offer up the option to call an Extraordinary General Meeting (EGM) - in order to allow further discussion on this single matter. If there is agreement by the Mover of the Motion to call an EGM, and there are 7 more Full Members who support this option, then the original Motion be rescinded at AGM, and replaced by an instruction to the Executive Committee to hold an EGM to resubmit and discuss the Motion

Responsibilities of a Trade Union Executive Committee

General oversight

Scottish Artists Union is a Trade Union and is required by law to have an Executive Committee to lead the Union.

The SAU Executive Committee are SAU members who are nominated & elected to volunteer to take office to lead and manage the business of the Union. This means that we are a trade union led by artists, for artists.

Please Note: Although experience taking part in artists-led organisations can bring valuable skills and insights to the Executive Committee, it must be stressed that serving on the Executive Committee of a Trade Union is not the same as being a member of a board or committee of an artist-run organisation, nor any other arts organisation or charity. In addition to leading the Union, the Executive Committee of a Trade Union is responsible to make sure that the actions of the Union abide by the Constitution & Rule Book of the Union, and also to abide by the UK Trade Union Act.

Serving on the Executive Committee of a Trade Union is not only a responsibility of leadership and stewardship of the Union, it is also a commitment to take part in Trade Union activism.

Serving on the SAU Executive Committee sometimes involves working in collaboration and solidarity with leaders, officers, and representatives of other Trade Unions, particularly in relation to the STUC, and the STUC Creative Industries Trade Unions Group.

An Executive Committee Member must be, at all times, a *Member in Good Standing, if they fail to keep their Member in Good Standing status while in office, they will be asked by the President to resign.

General practical time commitments & responsibilities

The Executive Committee holds a two-hour meeting once a month. There is an expectation to prepare, and read reports, prior to this meeting.

The Executive Committee may also take part in some of the operational team meetings with the Staff Team and Rep Team. These meetings are scheduled when necessary. There is an expectation to prepare, and read reports, prior to these meetings.

Subgroups, Working Groups, and Local Groups.

There is an expectation that members of the Executive Committee take part in Subgroups, Working Groups, and Local Groups in order to contribute input into the development of our Trade Union, and to engage with other members. Connecting together builds our Union. Executive Committee members may be appointed as chairs and co-chairs of Subgroups and Working Groups in order to assist in promotion, engagement and effective reporting.

Executive Committee of the Union – Office Bearer Roles & Duties

President

The President who shall be a Full Member in Good Standing, shall provide overall leadership and strategic direction for the Union and shall uphold and advance the Aims of the Union, policies and democratic decisions. The President shall speak for the Union and Chair meetings of the Executive Committee and General Meetings of the Union. The President shall work with the Executive Committee, Staff Team and members to lead and oversee the progression of the Union's priorities across organising, campaigning, policy, membership development, representation, partnerships and organisational development; ensure that decisions of General Meetings and the Executive Committee are carried forward; and support effective coordination across the Union's structures and areas of work. The President shall be a member ex-officio of all SAU subcommittees, subgroups and working groups.

The President shall also represent and advocate for the Union externally representing SAU on the STUC Creative Industries Trade Unions Group, across the Trade Union movement, across the wider cultural sector; in communications with government and public bodies. The President shall provide senior leadership and oversight in relation to the Union's staffing, organisational development and member representation; oversee key governance, reporting and compliance responsibilities; support the Union's commitments to intersectional anti-oppression, equality, diversity and inclusion; and report to and remain accountable to the Executive Committee and SAU Members.

Vice President

The Vice President, who shall be a Full Member in Good Standing, shall assist the President in her/his/their duties. The Vice President shall be ready to stand in for the President should there be a circumstance where the President delegates authority for any of her/his/their duties. The Vice President shall be a member ex-officio of all SAU subcommittees, subgroups and working groups, and support the Union's commitments to intersectional anti-oppression, equality, diversity and inclusion. The Vice President shall assist with membership recruitment and retention; and shall represent/assist SAU in the STUC Creative Industries Trade Unions organising initiatives, and report to and remain accountable to the Executive Committee and SAU Members.

Secretary

The Secretary who shall be a Full or Associate Member in Good Standing, shall assist the President, Vice President and Treasurer in preparing the Agenda and Papers for Executive Committee Meetings and General Meetings. The Secretary shall be responsible for taking the Minutes for Executive Committee Meetings and General Meetings and recording the action points from any full SAU Team meetings (only when the Executive Committee are expected to be present). The Secretary shall be responsible for sending out the meeting invitations/reminders with Agenda, Minutes and Papers for Executive Committee Meetings. When appropriate and necessary, the Secretary shall assist the President, and/or Vice President, in drafting official communications from the President and Executive Committee. The Secretary shall support the Union's commitments to intersectional anti-oppression, equality, diversity and inclusion.

Treasurer

The Treasurer who shall be a Full or Associate Member in Good Standing, and shall attend Finance Committee meetings, assist the Finance & Operations Manager in her/his/their duties and ensure that accurate records are kept of all the Union's financial matters. The Treasurer shall help identify and mitigate against financial risks and encourage a culture of sound financial practice and reporting in order to safeguard the Union. The Treasurer shall support the Union's commitments to intersectional anti-oppression, equality, diversity and inclusion.

Nominations for Executive Committee

Candidate

In order to be eligible to be nominated as a Candidate for the Executive Committee, the candidate must have consistently maintained their Member in Good Standing status for the period of at least one full year prior to the Nomination period.

In order to be eligible to be nominated as a Candidate for the Executive Committee a candidate must pledge to make their primary residence in Scotland for the full term of office.

During the approved Nominations Period - A Candidate should nominate themselves by filling out and submitting the Executive Committee Nominations Form.

In order for a nomination to be valid, a Candidate must provide approval signatures from two supporting nominators - Seconders.

Seconders

Seconders must be Full Members of the Union.

Seconders must have consistently maintained their Member in Good Standing status for the period of at least one full year prior to the Nomination period.

Voting in Elections and Statutory Strike Ballots

Voting Rights

All SAU members of any category shall have voting rights in Elections and Statutory Strike Ballots, in accordance with the UK Trade Union Act.