



LIBERAL DEMOCRATS
OFFICE OF THE ENGLISH PARTY

Membership Rules

(as revised by English Council, 21 June 2008)

1 Recruitment, Registration and Acceptance

- 1.1 All members of the Party are encouraged to recruit new members. Upon receipt of an individual's subscription of not less than the minimum, for which a receipt shall be issued, the individual's application shall be sent by the enrolling body without delay to Membership Services for registration.
- 1.2 New membership applicants shall be advised that their application is subject to acceptance by their Local Party. All applicants shall be registered and lists of new members shall be sent to Local Parties as regularly as possible and not less than every two months.
- 1.3 (i) New membership applicants shall give an address ("Registered Membership Address") which shall be the address where the applicant lives, works or studies. For this purpose:
(a) "Lives" means is ordinarily resident;
(b) "Works" shall be defined in the same terms as for qualification for nomination as a candidate for a principal local authority election; and
(c) "Studies" means either the student's term time residential address as defined in Rule 1.3(i)(a) or the address of the Institution where the student studies.
(ii) Subject to registration and approval the applicant shall become a member of the Local Party covering this Registered Membership Address.
- 1.4 A member with an overseas address may maintain membership of a UK Local Party as long as that member qualifies to register as an overseas elector for that area and is on the electoral roll.
- 1.5 A member who wishes to be a member of a Local Party other than that covering the Registered Membership Address may do so:
(a) by completing the Prescribed Form available from Membership Services; and
(b) with the consent of the Executives of the proposed transferee Local Party and of the Regional Party.

If such consent is not granted, the process of refusal must be initiated within six weeks of notification of registration and must be completed within 14 weeks of initiation, and the procedure set out in Rules 6.3(ii) to 6.3(viii) shall be followed. If the process is not initiated or completed within these periods, the Local and Regional Parties shall be deemed to have consented and the member shall be a member of that Local Party. If there is any dispute about any such request Membership Services shall be able to request the minutes of the relevant Executive meeting as well as the Prescribed Form.

- 1.6 Where a person whose membership has previously been revoked or refused applies to join the Party again, his/her membership cannot be registered until this has been expressly agreed by resolution of the Executive Committee of the Local Party and by the Regional Party (acting by its Executive Committee unless its Constitution provides otherwise). Accordingly, if any application for membership is received from a person whose membership has previously been revoked or refused, the Membership Secretary shall immediately inform the Regional Party and Membership Services.

- 1.7 Local Parties may initiate refusal of membership in accordance with the Constitution of the Liberal Democrats in England (Article 2.5) within 6 weeks of receipt of the notification of registration. After that period, if membership is not refused the applicant shall be deemed to have been accepted and shall be a member of that Local Party.
- 1.8 Until membership has been registered the applicant shall not be a member of the Party and able to participate in the functions of membership, including voting in internal Federal, State and Regional elections. In internal Local Party elections all registered members must be accepted before they may participate.

2 Re-registration of Membership

- 2.1 A member who changes Registered Membership Address shall automatically be re-registered as a member of the Local Party covering the new Registered Membership Address, unless the member requests on the Prescribed Form to retain membership of the old Local Party in which case Rule 2.3 shall apply.
- 2.2 Subject to Rule 2.3, a member may re-register from one Local Party to another by applying to Membership Services on the Prescribed Form; but a member who is an MP, MEP, prospective Westminster or European parliamentary candidate or member of a local authority may re-register as of right in a relevant Local Party. However no person may simultaneously be a member of more than one Local Party.
- 2.3 A transferring member must, in relation to the transferee Local Party, satisfy one of the criteria listed in Rule 1.3(i). Rule 1.5 shall apply to any such transfer.

3 Issue of Membership Cards

- 3.1 Members shall receive a party membership card from Membership Services within five weeks of when the appropriate part of their subscription is received by Membership Services and their membership registered.
- 3.2
- (i) Members who are recruited by the Youth and Student SAO shall receive a party membership card and also become members of that SAO. Their names shall also be included as members of the Local Party in whose area they live or study.
 - (ii) Such members shall not vote in internal Local Party elections for Federal and Regional Conference representatives if they vote for these representatives through their SAO.
 - (iii) The Youth and Student SAO shall receive a service fee of a percentage of the subscription paid as agreed with the English Council on the recruitment and/or renewal of these members. The minimum subscription of the Party shall be as specified by resolution of Federal Conference or English Council.

4 Start Date for Membership and Dates for Renewal

- 4.1 Membership shall commence for new members on the date of receipt of the subscription and application by the enrolling body or Membership Services, whichever is the earlier, subject to acceptance by their Local Party.

4.2 Membership will be due for renewal:

- (a) for new members on the quarter day (March 31, June 30, September 30 or December 31) one year after the quarter day immediately following the date of their first joining;
- (b) for renewing members of the Party, annually on their quarter day.

4.3 Membership for lapsed members who rejoin shall commence on the date of receipt of their subscription and application by the enrolling body or Membership Services, whichever is the earlier.

5 Renewals and Lapsing of Membership

5.1 Members shall be sent renewal reminders by Membership Services not later than the end of the month before their subscriptions fall due. At least two reminders shall be sent and the Local Party shall be notified of non-renewers.

5.2 Resignations shall not be acted upon unless received in writing by Membership Services from the member resigning.

5.3 Members who do not renew their subscriptions shall retain their rights (other than their voting rights, to which Rule 7 shall apply) as members for three months beyond their renewal date after which time, if no subscription has been received, their membership rights shall be deemed to have lapsed.

6 Membership Admission and Refusal

6.1 All Local Parties shall operate a system agreed by the Local Party Executive Committee for the approval of prospective new members of the Party in the event that the Executive Committee is unable to meet within a reasonable time to do so. That system shall involve no fewer than three officers of the Local Party.

6.2 The Local Party, either through that procedure or by resolution of its Executive Committee may only refuse membership of the Party on one or more of the grounds listed in Article 2.5 of the Constitution of the Liberal Democrats in England. If the membership of any individual is so refused, then the Local Party concerned shall cause the reasons for so refusing membership to be reduced to writing. The individual concerned shall be informed and provided with those reasons within two weeks of the decision being taken.

6.3 A meeting of the Local Party Executive Committee shall be convened within five weeks of the decision being taken to consider the issue. The individual concerned shall be notified of the meeting, their right to be represented, their right to speak and their right of appeal.

6.4 The Local Party Executive meeting shall be conducted as per the provisions of 7.9 (vi) below with appropriate modifications. At its conclusion, the members of the Executive Committee shall vote by secret ballot on whether the individual concerned should become a member of the Party or not.

6.5 A person who is refused membership has the right of appeal to the Appeals Panel for England. If no such appeal is received in writing by the Secretary of the Local Party concerned, the Region, the Liberal Democrats in England or the Appeals Panel within one calendar month from the date of the meeting when refusal was decided, then that appeal right shall cease.

7 Disciplinary Procedure

- 7.1 Where there is a suspicion that any of the grounds set out in the Constitution of the Federal Party or the Constitution of the Liberal Democrats in England for the revocation of membership are made out, the following Disciplinary Procedure shall be applied.
- 7.2 For the purposes of this Disciplinary Procedure, there shall be a rebuttable presumption that a person has brought the Party into disrepute when;
- (i) they have been convicted of an offence of dishonesty, violence or a sexual offence of any description, that is not spent under the Rehabilitation of Offenders Act 1974,
 - (ii) they have acted in breach of any Postal Vote Code of Conduct agreed by the Liberal Democrats with the Electoral Commission or any other external body
 - (iii) they have acted in a manner that would have brought the Party into disrepute were it to be known about outside the Party but which did not become known either by chance or by agreement with the member concerned.
- 7.3 The Disciplinary Procedure may be initiated by any of the following Party bodies, either on receipt of a valid complaint about a Party member from a complainant, or of its own motion:
- (i) the relevant Local Party,
 - (ii) the relevant Regional Party,
 - (iii) the Youth and Student S.A.O. (where the individual is a member of the Party through that S.A.O.),
 - (iv) the English Party.
- 7.4 Before the procedure can be initiated, the following matters shall be reduced to writing either by the complainant or, where the Party body is acting of its own motion, by an appropriate member of that body:
- (i) the grounds for commencing the procedure (which must be one or more of those set out in the Constitution of the Liberal Democrats in England at Articles 2.6),
 - (ii) details of why the ground(s) cited is or are made out,
 - (iii) a summary of the facts giving rise to the complaint,
 - (iv) details of persons who can substantiate the complaint,
 - (v) details of the remedy that is sought (which must be either membership revocation or any of the sanctions prescribed below).

The resulting document shall be forwarded to the individual being complained against, copied to Membership Services and, where the Party body undertaking the procedure is a Local Party, to the relevant Regional Party. The individual being complained against shall also be provided with a copy of the Disciplinary Procedure (section 7 of the Membership Rules).

- 7.5 During the course of the Disciplinary Procedure, the person being complained against may be suspended from membership of the Party in accordance with Article 2.8 of the Constitution of the Liberal Democrats in England. Such suspension may not last for in excess of the full period provided in these Rules for the procedure to be completed. If the procedure is not completed within that time, then the suspension shall automatically cease unless an extension of time is granted by the English Appeals Panel in accordance with its procedures. The person being complained against shall be notified of the suspension and the reasons for it. Such notification shall be copied to Membership Services and, where the Party body undertaking the procedure is a Local Party, to the relevant Regional Party.

- 7.6 The relevant Party body may appoint an investigator to investigate the complaint in accordance with its internal procedures. That investigator must be independent and must not be a member of the same Local Party as the person being complained against,
- (i) The investigator shall be responsible for gathering written statements from all of those who are able to substantiate or undermine the complaint,
 - (ii) The investigator shall also be responsible for seeking to conciliate between the parties where possible and appropriate,
 - (iii) The investigator shall then evaluate the strength of the evidence in support of the complaint,
 - (iv) Within four weeks of their appointment, the investigator shall send a report to the Chair of the Party body pursuing the Disciplinary Procedure.
 - (v) That report shall either comprise a charge or list of charges against the individual concerned, together with a list of persons who can substantiate them and a copy of all of the written statements gathered during the course of the investigation, or it shall indicate that, in the view of the investigator, there is insufficient evidence to proceed.
 - (vi) Where the investigator reports that there is sufficient evidence to proceed, s/he shall be responsible for presenting the complaint at any subsequent Disciplinary Meeting and for ensuring the attendance of all witnesses who can substantiate it. Except as provided for in this paragraph and in 7.9, the investigator shall play no further part in the procedure.
- 7.7 Should no investigator be appointed, the Party body concerned may proceed with the procedure in any event and an officer of the body concerned shall formulate the charge and act in the role of investigator for the purposes of the Disciplinary Procedure.
- 7.8 When the grounds cited in the charge include those specified under Article 2.6 (c) or (d), and the particulars are that the member concerned has stood against a candidate of the Party in any election to public office, has publicly declared his or her support for another political party of Great Britain in the public media, or whilst holding public office, has joined the group of another political party, the Disciplinary Procedure may proceed as follows:
- (i) the individual concerned shall be notified that membership revocation is being considered and shall be provided with a copy of the original complaint, the charge, and copies of any written statements obtained. The individual shall also be informed that, in order to avoid automatic revocation, s/he must provide written reasons why their membership should not be revoked within seven days of the receipt of the notice. The papers shall be copied to Membership Services and, where the procedure is being conducted by a Local Party, to the relevant Regional Party,
 - (ii) if an objection to membership revocation is received by the Party body concerned within the time limit, then the procedure shall continue as set out in 7.9 below,
 - (iii) if no objection to membership revocation is received, then after the expiry of the time limit, and following the agreement of the Party body concerned arrived at through its internal procedures, the membership of that individual shall be deemed to have been revoked. The individual concerned and Membership Services shall be advised accordingly.
- 7.9 When the grounds cited in the charge are those specified under Article 2.6 (a), (b) or (d), the Disciplinary Procedure may proceed as follows:
- (i) A date shall be set for a Disciplinary Hearing which shall be not more than fourteen weeks from the receipt of the original complaint or original decision of the Party body concerned to proceed of its own motion, unless the Appeals Panel for England grants an extension of time in accordance with its procedures. Should the time expire, then no further action may be taken,

- (ii) The Disciplinary Meeting shall be a meeting of the Local Party Executive, where the procedure is being conducted by a Local Party, the relevant Regional Executive or Regional Local Parties Committee (or other body prescribed by the constitution of the Region concerned providing that it consists of at least five people none of whom have a conflict of interest) where the procedure is being conducted by a Region, or the English Finance and Administration Committee, where the procedure is being conducted by the English State Party,
- (iii) The original complaint, the charge, copies of any written statements obtained and details of the Disciplinary Meeting shall be provided to the person being complained against and to all members of the Disciplinary Meeting not later than four weeks before the date of that meeting. The person being complained against shall also be informed of their right to representation, right to speak, and right of appeal. The papers shall be copied to Membership Services and, where the procedure is being conducted by a Local Party, to the relevant Regional Party,
- (iv) No substantial evidence of which the person being complained against has not been given notice shall be introduced at the meeting unless it be by agreement,
- (v) The meeting may proceed notwithstanding the absence of the person being complained against providing that the requisite notice of the meeting and the required information under these Rules has been given,
- (vi) The meeting shall be conducted as follows:
 - (a) The charge shall be introduced by the investigator,
 - (b) The investigator shall then ask each witness to give their account following which the person being complained against, or their representative, may ask questions along with members of the Disciplinary Meeting,
 - (c) The person being complained against may then give their account and be asked questions by the investigator and/or members of the Disciplinary Meeting,
 - (d) The person being complained against may then call any witness that they wish. The witnesses may be questioned by the investigator and/or members of the Disciplinary Meeting,
 - (e) The investigator and person being complained against may then make any closing statement that they wish,
 - (f) The person being complained against shall leave the room and the members of the Disciplinary Meeting shall discuss the matter,
 - (g) At no stage of the meeting shall there shall be any comment made that is not relevant to the charges in issue,
 - (h) The members of the meeting shall then, by secret ballot, vote on whether the charges have been made out beyond a reasonable doubt. Each charge shall be voted upon separately,
 - (i) The individual concerned and Membership Services shall be informed of the outcome of the meeting.

7.10 In the event that any of the charges are made out, the Disciplinary Meeting may impose any one or more of the following sanctions,

- (i) Revoke the membership of the individual concerned,
- (ii) Barring the individual concerned from holding or standing for election to any specified Party office or role either permanently, for a specified period, or until satisfactory training has been undertaken by the individual concerned,
- (iii) Barring the individual concerned from holding or seeking to be elected to any or any specified public office on behalf of the Party either permanently, for a specified period, or until satisfactory training has been undertaken by the individual concerned,

- (iv) Barring the individual concerned from having access to data from Membership Services either permanently, for a specified period, or until satisfactory training has been undertaken by the individual concerned,
- (v) Reprimanding the individual concerned.

The individual concerned, and Membership Services, shall be advised accordingly.

- 7.11 A person who is made subject to any of the sanctions above has the right of appeal to the Appeals Panel for England. If no such appeal is received in writing by the Secretary of the Local Party concerned, the Region, the Liberal Democrats in England or the Appeals Panel within one calendar month from the date of the meeting when refusal was decided, then that appeal right shall cease.

8 Record-Keeping

- 8.1 All members of the Party in England shall be under a duty to inform Membership Services upon conviction of any offence which might lead to action being taken under the Disciplinary Procedure. Any doubt should be resolved in favour of disclosure.
- 8.2 There shall be a record retained in Membership Services, as far as is practicable, of all disciplinary decisions under the Disciplinary Procedure

9 Rights of Members to Participate in Local Party Elections

- 9.1 For all Local Party elections, including Parliamentary and local government candidate selection and General Meetings, the Executive Committee shall determine and agree the date for the closure of nominations before which members not both registered and accepted by the Local Party, and qualifying in accordance with Rule 9.2, shall not be eligible to participate in the elections; provided that, in the event of any conflict, Rules for the Selection of Parliamentary Candidates duly made by the English Party shall prevail.
- 9.2 Members joining after 26 November 2005 shall only be eligible to vote in any such election if their membership is in at least its second continuous year, they have paid their membership renewal and have reached the age of at least 10 years. Eligible Members whose subscriptions are no more than three months overdue shall be entitled to attend the meetings specified in Rule 9.1 but shall only be eligible to vote if they pay their overdue subscription.

10 Changes to these Rules

- 10.1 These Rules have been agreed by the English Council under Article 2 of the Constitution of the Liberal Democrats in England. The English Council may amend these Rules by a simple majority of those present and voting at any Council Meeting.

11 General

- 11.1 Where these Rules provide for anything to be done in writing then, except where these Rules require a prescribed form to be used, it may also be done by e-mail.