Presidential Election - Constitution and Election Regulations

Article 19 Officers of the party

19.1 The President shall be the principal public representative of the Party and shall chair the Federal Board. The President shall be elected by the members of the Party for a term of three years starting from 1st January in the year immediately following the election and shall hold office until death, incapacity, resignation or the election of a successor; the President shall be eligible for re-election once only. A candidate for the office of President shall require the nomination of not less than 200 members in not less than 20 Local Parties (including, for this purpose, the Specified Associated Organisations representing youth and students). The President shall report to the annual meeting of the Conference and may make reports to any other meetings of Conference. The Federal Board shall have the power, in the event of a casual vacancy, to elect an Acting President from any of the Vice-Presidents and to determine a convenient date for a ballot to elect a successor who shall serve for the remainder of the term, except that if the remainder of the term is less than twelve months, the successor shall serve for the remainder of the term plus a period of three years thereafter.

Presidential Election regulations
(last approved by Federal Board January 2018 and by Federal Conference Spring 2018)

Presidential Election Regulations

1. The Chair of the Federal Appeals Panel shall be the Returning Officer. The rules of the Federal Appeals Panel shall make provision for a process to replace the Chair in this role if necessary. The Chief Executive shall be the Acting Returning Officer. A Deputy Acting Returning Officer shall be appointed from the Compliance Department. Other Deputy Acting Returning Officers may be appointed if required by the Acting Returning Officer.

2. The electorate for the purpose of the election shall be those members with current membership of the Liberal Democrats on the closing date for nominations, including those members whose subscriptions were due not more than three months before the closing date.

3. The sections of the membership register containing the names, addresses and telephone numbers of members will be released in electronic version to each candidate subject to the candidate signing a data protection statement agreeing to abide by the party’s data protection polices under article 3 of the Federal Party Constitution. Any candidate or supporter of a candidate facilitating a breach of this clause will be deemed to be in breach of the Party’s Data Protection Policy.
Candidates should also have due regard to their own data protection responsibilities when collecting and using any data of their own in a Party Election.

4. (a) The timetable for the election shall be no shorter than 8 weeks and no longer than 13 weeks. It shall contain a minimum of 15 days for nominations to be collected and at least 14 days between the close of nominations and the despatch of ballot papers and at least 14 days for the return of ballot papers.

(b) The Returning Officer may postpone or suspend these elections if it would conflict with a Parliamentary General Election or a Referendum covering England, Scotland, Wales or any combination thereof.

5. (a) The Acting Returning Officer shall co-ordinate arrangements for official party member hustings events via the states and regions with a view to balancing the competing demands for media coverage of the campaign, parliamentary and other duties and the desirability of party members to have a chance to attend a hustings. One or more of the official hustings may take place partly or wholly online and at least one shall be wholly online. Other party bodies may only hold hustings-type events if they invite all candidates to attend, but they do not require the agreement of all candidates to attend or send a representative in order to proceed. Events designated as official hustings by the Acting Returning Officer shall take precedence over any other arrangements a candidate may have made.

(b) Official party communications channels may only be used to promote hustings events organized in accordance with 5(a) and approved by the Acting Returning Officer. Responsibility for organising and paying for any hustings event shall lie with the hosting organisation, but the Acting Returning Officer will assist in publicising official hustings events via the party’s website, social media channels and email communications.

6. (a) A candidate for the office of President shall require the nomination of not less than 200 members in not less than 20 Local Parties (including, for this purpose, the Specified Associated Organisations representing youth and/or students).

(b) A nominator may not subscribe to more nomination papers than there are vacancies in the election being held.

(c) Nominations must be accompanied by the written consent of the candidate.

(d) All the forms set out in this regulation may be submitted via email.

(e) After acquiring the necessary nominations for candidacy, each candidate may nominate an agent for their campaign. A candidate who fails to nominate an agent will be deemed their own agent.
7. Federal Party employees shall maintain strict neutrality from the opening date for declaration of candidacy. It is recommended that employees of state parties, SAOs, AOs and any other relevant employing bodies shall also maintain such neutrality.

8. Party Officers, acting in their capacity as officers at federal, state, regional and local level, are expected, as far as possible, to give equal opportunities and fair balance to all candidates.

9. Treating is not allowed but the reasonable provision of food and drink to campaign helpers or event attendees is permissible.

10. The Federal Board shall set a spending limit for election expenses, not including travel or subsistence, for each presidential candidate, when they set the timetable for the election. No candidate, or their agent, shall exceed this limit in the production of publicity material and all other expenditures connected with the campaign. This shall include any expenditure (or the relevant proportion of any expenditure) incurred before an individual becomes a candidate if the property, services or facilities are used for the purposes of the candidate’s election. All donations above £500 must comply with the provisions of Schedule 7 of the Political Parties, Elections and Referendums Act 2000.

11. (a) All publicity material produced in paper or electronic form for or on behalf of a candidate shall bear their agent’s imprint including a full postal address. Any email messages sent out for or on behalf of a candidate for the purposes of publicising their candidacy shall also include a standard form of words provided by the Returning Officer specifying how the recipient of the message may opt out of future messages.

(b) Each candidate shall be responsible for supplying material that verifies, to the satisfaction of the Acting Returning Officer, any statement in their personal election address claiming that he or she is endorsed by any individual or organisation. Such material must accompany the candidate’s personal election address artwork.

(c) Each candidate shall be entitled to include in the mailing of ballot papers a personal election address covering up to two sides of A4 paper, or A5 in the event of there being more than three candidates, printed by and to be displayed electronically at the expense of the Federal Party. Election address artwork in camera ready form and matching the artwork specification determined by the Returning Officer must reach the Acting Returning Officer at an address and by a date to be notified.

(d) The Returning Officer may make provision for voters to view the candidates’ election addresses electronically as well as, or instead of, through the postal mailing.
(e) The published personal election address may be reproduced in whatever format is decided by the Returning Officer so long as the minimum coverage provided in regulation 11(c) is met.

(f) The Returning Officer may carry out electronic communications to facilitate the election, including to raise turnout, and send out electronic communications on behalf of the candidates in the election.

12. No material published or circulated in paper or electronic form by or on behalf of any candidate or the Returning Officer or the Acting Returning Officer shall defame by name or implication any candidate and no candidate shall so defame any other candidate in the course of personal canvassing.

13. Any party publication whether in paper or electronic form shall give, as far as possible, equal coverage and a fair balance to all candidates.

14. The election shall be conducted by secret ballot and the single transferable vote. Counts shall be conducted in accordance with the current edition of the Electoral Reform Society’s publication ‘How to conduct an election by the single transferable vote’. The election count may be scrutinised by the candidate, their agents and any other personal representative and shall be open to any party member, subject to capacity of the venue.

15. The election will be conducted electronically. The Returning Officer may make provision for voters who cannot vote electronically to vote by post upon a request in writing. Any such request shall only be valid for the specific election being conducted at the time of the request.

16. Each candidate and their agent shall complete and lodge with the Acting Returning Officer an election expenses return form. The form must have attached receipts or invoices for all expenditure and must be lodged with the Acting Returning Officer by midday on the 35th day after the declaration of the election result. The Acting Returning Officer will hold the expenses returns of each candidate on file and these may be examined by any party member. The expenses form shall also contain the necessary information to prove compliance with schedule 7 of the PPERA 2000.

17. Any candidate who needs to make a report to the Electoral Commission shall do so in consultation with the Party’s Compliance Department in order to ensure they meet the statutory deadlines.

18. The Returning Officer shall have the power to disqualify before declaration of the result, or unseat if declared elected, any candidate who:

(a) has brought the party into disrepute during the campaign or where the Returning Officer has clear evidence of this happening in the near future; or
(b) is found to be in breach of any of these regulations.

19. Any party member may lodge, in writing, a formal complaint of infringement of election regulations at any time up to 21 days after the declaration. The written complaint should be addressed to the Acting Returning Officer and specify in detail the nature of the infringement. The Returning Officer shall then decide, in full consultation with the Acting Returning Officer, whether there is sufficient evidence and grounds to uphold the complaint.

20. Appeals against decisions of the Returning Officer must be referred to the Federal Appeals Panel within 14 days of the decision. For the purposes of Appeals under these regulations one of the Panel Vice Chair’s shall act as the Chair of the Federal Appeals Panel, unless they are not available in which case the other Panel members shall appoint one of their number as Acting Chair.

21. These regulations will be reviewed by the Federal Board no later than six months after the completion of the elections. Before conducting the review, the Federal Board shall first ask the Returning Officer and Acting Returning Officer to submit a report to it on the conduct of the elections. The report must include a report on any diversity measures taken as a result of any requirement under the Federal Party Constitution, potential data protection breaches and any changes or clarifications required by rulings made by the Returning Officer or the Federal Appeals Panel.