

# **The Constitution of the Liberal Democrats In England**

As amended by English Council 22<sup>nd</sup> June 2019.

As updated and checked 31<sup>st</sup> March 2020

**The Constitution of the  
Liberal Democrats in England**

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## THE LIBERAL DEMOCRATS IN ENGLAND

### ARTICLE 1: Nature and Objects

- 1.1 The Liberal Democrats in England are part of the federal structure of the Liberal Democrats as set forth in Article 2 of the Party's Constitution ("the Federal Constitution"). The Liberal Democrats in England shall be a federation of the Regional Parties in England and shall be governed both by these Articles and by the Federal Constitution.
- 1.2 The objects of the Liberal Democrats in England shall be:
- (a) to seek to achieve the objects set forth in the Preamble to the Federal Constitution; and
  - (b) for that purpose, to secure the election of Members of Parliament and the European Parliament from constituencies in England and of members of local and other elected public authorities in England.
- 1.3 The functions of the Liberal Democrats in England shall be:
- (a) to exercise and perform the specific powers and duties conferred upon them by these Articles;
  - (b) to act as a co-ordinating and representative body on behalf of the Regional Parties in England; and
  - (c) to do such other things as may help to achieve their objects.
- 1.4 These Articles may only be altered, and consent may only be given to any alteration to the relative powers and functions of the federal institutions of the Party and the State Parties, by a two-thirds majority of members present and voting at a meeting of the English Council and any such alteration must have been submitted in accordance with the Standing Orders of the Council and notified to Regional and Local Parties at least eight weeks in advance. Alterations to these Articles may be proposed by the English Council Executive and by any other body or persons authorised by Standing Orders to propose motions for debate at meetings of the English Council.
- 1.5 Subject to Article 1.6 the Liberal Democrats in England shall determine the policy of the Party on matters affecting England which fall outside the remit of the Federal Party under the Federal Constitution and are not of merely local or regional concern.
- 1.6 The English Council may, by amendment to these Articles, establish a structure for the determination of policy. Until such a structure is established the Liberal Democrats in England shall confer their powers under Article 1.5 on the Federal Party.
- 1.7 The provisions of Articles 2.4, 2.5, 2.7 and 2.8 of the Federal Constitution and the election rules made under that Constitution shall apply to all elections within the English Party.
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### ARTICLE 2: Membership

- 2.1 Membership of the Liberal Democrats in England shall be acquired through an enrolling body, as set out in article 3.2 of the Federal Constitution.
- 2.2 A member shall, in addition to being a member of the Liberal Democrats in England,
- (a) if enrolled by a Local Party, be a member of the enrolling Local Party;
  - (b) if enrolled other than by a Local Party, be entitled to join the Local Party in a place in England in which the member lives, works or studies (or, with its consent, another Local Party);
  - (c) be a member of the Regional Party of the region in which the relevant Local Party is situated;
  - (d) subject to the Federal Constitution, be a member of the Federal Party.
- 2.3 No person may simultaneously be a member of more than one Local Party. A member may re-register as of right in a different Local Party which would be an appropriate enrolling body under Article 2.2 (b). A member who ceases to live, work or study within the area of a Local Party may retain membership of that Local Party with its consent. 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.
- 2.4 A person who is a member of another State Party or is on the register of members resident outside Great Britain maintained by the Federal Party may re-register as of right under Article 2.3 on surrendering membership of any State or Local Party outside England.
- 2.5 Membership may be refused by an enrolling body in accordance with the procedure laid out in the Membership Rules on one or more of the following grounds:
- (a) material disagreement, evidenced by conduct, with the fundamental values and objectives of the Party;
  - (b) the admission of the applicant would be likely to bring the Party into disrepute;
  - (c) membership of another political party in Great Britain.
- 2.6 Membership may be revoked **in accordance with article 3.7 of the Federal Constitution and the procedures laid down under article 22.3 of the Federal Constitution**
- 2.7 A person whose membership has been refused or revoked under these Articles or under the Federal Constitution or the constitution of another State Party shall not be admitted or readmitted to membership without the consent of the Regional Party and Local Party of which that person would then become a member.
- 2.8 The Liberal Democrats in England shall maintain a register of its members and shall be responsible for the renewal of membership, but the English Council may make arrangements with the Federal Party for the performance of these functions by the Federal Party. Subject to any such arrangements, membership subscriptions shall be remitted to the Liberal Democrats in England and shall be divided in accordance with Article 6. Membership will automatically lapse if the renewal subscription is three months in arrears.
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- 2.9 The Liberal Democrats in England shall make available to the Federal Party all information on its register of members. The Liberal Democrats in England shall make available to Regional and Local Parties and the Specified Associated Organisation representing youth and/or students all information on its register relating to persons who appear to be members of that Regional or Local Party or the Specified Associated Organisation representing youth and/or students (including lapsed members) and may make further information available to them. The Liberal Democrats in England may make any information on its register available to any other body for the proper purposes of the Party. The Liberal Democrats in England and Regional and Local Parties and the Specified Associated Organisation representing youth and/or students shall not use any such information except for the proper purposes of the Party.
- 2.10 The English Council may make and vary Membership Rules to give effect to or supplement the provisions of this Article **except in connection with disciplinary matters which shall be dealt with as set out in articles 3 and 22 of the Federal Constitution.**
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### ARTICLE 3: Local Parties

- 31 The Regional Parties shall ensure that Local Parties are formed throughout England.
- 32 The minimum membership of a Local Party shall be 30. If the membership remains below that level for a continuous period of six months, the Local Party shall be suspended and Article 4.9 shall apply until its membership reaches 30.
- 33 Each Local Party shall contain either:  
(a) one or more parliamentary constituencies, or  
(b) one or more principal local authority areas, or  
(c) a combination of all or part of a parliamentary constituency and all or part of an adjacent or overlapping principal local authority area.
- 34 For each Parliamentary constituency which has at least 30 members the vote on selection for a prospective parliamentary candidate for that constituency shall be by the members registered in that constituency. For any Parliamentary constituency which has less than 30 members the vote on selection for a prospective parliamentary candidate for that constituency shall be by all the members of each Local Party which covers part of the constituency.
- 35 A Local Party may, with the agreement of the Regional Party, divide into new Local Parties, provided that none of them will have less than 30 members. Such division shall require the consent of separate general meetings of the members registered in the area of each proposed new Local Party.
- 36 Regional Parties shall ensure that new Local Parties are formed whenever it is necessary to replace the existing structure of Local Parties in consequence of changes to the boundaries of parliamentary constituencies or principal local authorities and shall decide on any consequential disputes.
- 37 A Regional Party may direct that a proposal to form a Local Party under Article 3.3 or to divide one under Article 3.5 shall take effect despite the failure of one of the general meetings to approve it if in the opinion of the Regional Party this is necessary in the interests of the Party as a whole. There shall be a right of appeal to the English Council against any such direction.
- 38 For the purpose of  
(a) Parliamentary elections in a parliamentary constituency divided between Local Parties,  
(b) elections for a local authority, including Mayors, divided between more than one Local Party, and  
(c) Police and Crime Commissioner elections,  
the Local Parties concerned shall form appropriate joint arrangements to co-ordinate candidate approval and selection (according to the current English party rules), campaigning and publicity and to be responsible for the formulation of policy on local issues for that election. In the case of parliamentary elections the joint committee shall have the power to raise a levy from the relevant Local Parties. Where the local parties fail to form appropriate joint arrangements, the Regional Party or the English State Party shall have the power to investigate and impose any arrangements that it sees fit.
- 39 Each Local Party or Local Parties making joint arrangements under 3.8 above shall adopt a procedure for the approval of candidates for local authority elections. That procedure shall
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be uniform across the area of the local authority. It shall apply to those seeking election and re-election to the authority concerned. It shall apply to every election to every authority save for any parish or town council election that the relevant Regional Party agrees to exempt. It shall be also open to a Region to agree a blanket exemption for all parish and/or town councils or to stipulate the approvals process shall apply to one or more of them specifically. It shall comply with the following principles:

- (a) No candidate may be sanctioned by a Liberal Democrat Delegated Nominating Officer unless they s/he has been approved by a panel of Party members appointed for the purpose. The panel shall consist both of Liberal Democrat Party members who are not members of the local authority concerned, one of whom shall take the chair, and Liberal Democrat members of the local authority concerned, if any. The panel need not always comprise the same people,
- (b) No person may be approved as a Liberal Democrat candidate unless they are a member of the Liberal Democrats,
- (c) Approval shall be specific to each authority and shall last for a maximum of four years from the date of approval,
- (d) As a condition precedent of approval, prospective candidates shall be required to agree to make a financial contribution towards Liberal Democrat Party activities in the event of their election to the relevant authority. The level of contribution shall be calculated in the same manner across the area of the authority concerned. No candidate shall be required to make a contribution where doing so would cause hardship and, for these purposes, hardship shall be widely construed. The procedure shall contain a mechanism by which cases of hardship are to be identified.

Where it appears to the relevant Regional Party or the English State Party that such a procedure has not been adopted or, having been adopted, is not being followed, then a procedure may be imposed and/or a Party member appointed to administer the procedure and ensure that it is followed.

310 Each Local Party or Local Parties making joint arrangements under 3.8 above shall adopt a procedure for the selection of candidates for local authority elections. The procedure shall comply with the following principles:

- (a) No person may be selected as a Liberal Democrat candidate for the purposes of any election to an authority to which the provisions at 3.9 above applies unless they have satisfied the procedure agreed under that clause,
- (b) All selections carried out under the procedure shall be carried out in a fair, impartial, and democratic manner,
- (c) Except where it is impossible because of there being insufficient time in the case of a by-election, the selection shall be by secret ballot in which all eligible members may vote.

Where it appears to the relevant Regional Party or the English State Party that such a procedure has not been adopted or, having been adopted, is not being followed, then a procedure may be imposed and/or a Party member appointed to administer the procedure and ensure that it is followed.

311 Each Local Party shall take all reasonable and practicable steps to support the activities of Council Groups covering any or all of its geographical area and which have been recognised under Article 8.

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- 3.12 The objects of a Local Party shall include to be the successor to the Former Parties (as defined by the Federal Constitution) in its area and to promote and support the values and objects of the Party in the constituency or constituencies which it contains and in particular, through its members:
- (a) to secure the election of Liberal Democrats as Members of Parliament, UK Members of the European Parliament and members of local and other elected public authorities;
  - (b) to admit and actively recruit new members of the Party and encourage members to renew their membership;
  - (c) to participate in the formulation of the policy of the Party;
  - (d) to play a full part in the democratic processes of the Party;
  - (e) to play a full part in the campaigning activities of the Party at all levels;
  - (f) to campaign and work with local people to achieve the objectives set out in the Preamble to the Federal Constitution; and
  - (g) to help all local people, without regard to party or any other factor, to secure their rights and to protect them against oppression.

Local Parties may adopt additional objects which are not inconsistent with the Federal Constitution or these Articles.

- 3.13 Each Local Party shall have a Constitution. The English Council shall publish and may from time to time vary a Model Constitution for Local Parties.

- 3.14 The Constitution of a Local Party must comply with the following principles:

- (a) all elections shall be in accordance with election rules made under the Federal Constitution;
- (b) there must be an annual general meeting, and provision for the calling of other general meetings by the Executive Committee and by requisition of the members;
- (c) proper accounts and accounting records must be kept as required by the Political Parties, Elections and Referendums Act 2000, and must be audited and delivered to the Election Commission as required by the Political Parties, Elections and Referendums Act 2000 and submitted with an independent report to the annual general meeting for approval;
- (d) there must be an executive committee, which should include both men and women and at least one person under the age of 26, and which must report to the annual general meeting on its activities;
- (e) there must be a democratic process for the selection of candidates for local authority elections;
- (f) the Constitution of the Local Party may be amended only by a properly convened and quorate general meeting by the vote of at least two-thirds of those present and voting;
- (g) it must ensure compliance with the Political Parties, Elections and Referendums Act 2000.

- 3.15 A Local Party may adopt a Constitution which is not in the model form, or is in the model form subject to variations. Any Constitution not wholly in the model form and any amendment to a Constitution shall be subject to approval by the relevant Regional Party. Such approval shall be withheld if, in the opinion of the Regional Party, any provision of the
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Constitution or amendment conflicts with the Federal Constitution or these Articles or rules made thereunder, or is unworkable or defective, or omits or deletes provisions necessary to the proper functioning of the Local Party. There shall be a right of appeal to the English Appeals Panel against the withholding of approval on the ground that it was unreasonably withheld.

- 316 Any person who is employed by or provides services to a Local Party for payment shall be appointed only by the executive committee of the Local Party and paid only through the Local party's funds or out of funds provided for that purpose by the Liberal Democrats in England, a Regional Party or the Federal Party.
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### ARTICLE 4: Regional Parties

- 4.1 Regional Parties shall be constituted throughout England.
- 4.2 No principal local authority and no Local Party shall be divided between Regional Parties.
- 4.3 Subject to Article 4.2, Regional Parties may be divided or merged or the areas of Regional Parties may be altered with the consent of the relevant Regional Conferences.

The English Council may direct that a proposal to divide, merge or alter the areas of Regional Parties shall take effect despite the failure of one of the Regional Conferences to approve it if in the opinion of the English Council this is necessary in the interests of the Party as a whole. There shall be a right of appeal to the Appeals Panel for England against any such direction.

- 4.4 The objects of Regional Parties shall include:
- (a) to seek to achieve the objects set forth in the Preamble to the Federal Constitution;
  - (b) for that purpose, to secure the election of Members of Parliament and the European Parliament from constituencies in the Region and of members of local and other elected public authorities in the Region;
  - (c) to participate in the formulation of party policy and to play a full part in the democratic processes of the Party;
  - (d) to play a full part in the campaigning activity of the Party at all levels; and
  - (e) to assist Local Parties within the Region.
- 4.5 Regional Parties shall have the power and the duty:
- (a) to make policy on issues which relate exclusively to the Region at meetings of the Regional Conference;
  - (b) to discuss other policy issues on a consultative basis at such conference;
  - (c) if thought fit, to prepare and publish a regional manifesto for General Elections, provided that the contents of that manifesto are consistent with the manifesto of the Federal Party;
  - (d) to work with other relevant bodies in the Party, including the SAOs, to encourage Local Parties to co-ordinate campaigning, publicity and policy-making for elections to local authorities and the Westminster and European Parliaments and between elections;
  - (e) to promote the political image of the Party within the Region;
  - (f) to stimulate and co-ordinate Party activities within the Region and to undertake regional campaigns;
  - (g) to be responsible for European Parliamentary elections within the Region;
  - (h) to develop, maintain and implement a strategic plan for the Region; and
  - (i) to undertake such other functions as may be appropriate or the Local Parties in the Region may vest in the Regional Party.
- 4.6 Regional Parties shall have the following powers and duties in relation to Local Parties within the Region:
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- (a) to ensure the adherence of Local Parties to the Political Parties, Elections and Referendums Act 2000, these Articles and the Federal Constitution, and to their own respective constitutions;
- (b) to review any proposed new constitution for a Local Party or any proposed amendment to its existing constitution to ensure that they comply with the requirements of the Federal Constitution and these Articles;
- (c) to investigate the affairs of a Local Party if there is reason to believe that the Local Party is not adhering to the Political Parties, Elections and Referendums Act 2000, these Articles or the Federal (or its own) Constitution or that events in connection with the affairs of the Local Party which are or may be seriously detrimental to the Party have taken place or are likely to take place or if the Regional Party is requested by the Local Party itself to carry out such an investigation;
- (d) to implement so far as may be thought fit any recommendations resulting from the investigation and for such purpose to act on behalf and in the name of any Local Party (or any organ thereof);
- (e) to suspend a Local Party if the Regional Party is satisfied that the Local Party is not adhering to these Articles or the Federal (or its own) Constitution or that events in connection with the affairs of the Local Party which are or may be seriously detrimental to the Party have taken place or are likely to take place if preventive action is not taken; and
- (f) to order that a specified Local Party officer vacate his or her post if it is satisfied that the officer concerned is not adhering to the Political Parties, Elections and Referendums Act 2000, these Articles, the Federal Constitution or to their own respective constitution, or that by their actions, events are occurring or about to occur in connection with the affairs of the Local Party which are or may be seriously detrimental to the Party. The Regional Party may direct either that there is to be a by-election for that post, in which case the previous incumbent would be ineligible to stand and the Region must nominate a Returning Officer, or it may appoint a suitably qualified member of the Party (but not necessarily the Local Party) to the role. Such power shall not be exercised without the Local Party and the affected Local Party officer being informed of what is proposed and offered a reasonable opportunity to reply or to take corrective action.

4.7 For the purpose of any investigation under Article 4.6:

- (a) the Regional Party may appoint one or more persons to act as investigators, provided that at least one of such persons shall be a member of the Regional Executive Committee (who shall not take part in any subsequent proceedings of the Committee relating to action to be taken in consequence of the investigation) and none shall be a member of the Local Party concerned;
- (b) the Regional Party shall have such access as it requires to the books and records of the Local Party concerned; and
- (c) the Local Party concerned shall be informed of any allegations against it and given a reasonable opportunity to reply or to take corrective action.

4.8 There shall be a right of appeal to the English Appeals Panel against the suspension of a Local Party or the ordering of a Local Party Officer to vacate his or her post on the ground that the suspension was unreasonable. The suspension or order to vacate post shall take effect pending the appeal.

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- 4.9 During the suspension of a Local Party, the Regional Party shall:
- (a) ensure, in consultation with local members, that a prospective candidate is in place for any parliamentary election, unless the Regional Party is satisfied that this is not appropriate for the time being;
  - (b) take such steps as may be appropriate, in consultation with local members, to organise the contesting of local authority elections;
  - (c) exercise the functions of the Local Party under Article 3;
  - (d) summon and supervise meetings of members to form a new Local Party or reconstitute the Local Party as soon as possible; and
  - (e) hold and manage the assets of the Local Party for the benefit of the members of the Local Party.
- 4.10 A Regional Party shall be financed by the share of subscription income to which it is entitled under Article 6 and any other funds which it raises for its own purposes.
- 4.11 A Regional Conference shall be held in each Region at least once in each year, subject to postponement in the event of conflict with a General Election.
- 4.12 The constitution of a Regional Party shall provide, in relation to their Regional Conference:
- (a) for the composition of the Conference to be representative;
  - (b) for representatives of Local Parties to be elected simultaneously with and by the same method as their representatives at the Federal Conference, and to be not less in number;
  - (c) for the election of representatives of the Specified Associated Organisations representing youth and/or students, on a basis comparable with that of the Federal Conference;
  - (d) for provision to be made for the representation of both sexes on the same basis as the Federal Conference;
  - (e) for the representation of members of Liberal Democrat Groups on principal local authorities in the Region;
  - (f) that all members in the Region who are not representatives shall be encouraged to attend as observers and, subject to a power for the Regional Conference Committee to impose restrictions, shall be entitled to speak;
  - (g) for the election by the representatives of a Chair, other Officers and members of the Executive of the Region, a Candidates Committee, which shall include persons who have contested a Parliamentary or European Parliamentary election on behalf of the Party within the previous ten years, and a Chair of the Region's Candidates Committee (who shall be one of the Officers of the Region);
  - (h) for the election of representatives of the Region on the English Council by the representatives; and
  - (i) for the Region to be represented on the English Council Executive by one of its Officers or Executive Committee members or by a person elected by the Regional Conference representatives (who must be a member of the English Council).
- 4.13 The Regional Conference shall determine the division of subscription income remitted by the Liberal Democrats in England (as determined under Article 6) between Local Parties and the Regional Party.
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- 4.14 Each Regional Party shall adopt and may from time to time amend a constitution. Such constitution shall comply with the requirements of the Federal Constitution and these Articles.
- 4.15 The constitution of a Regional Party shall comply with the following rules:
- (a) the Party shall have an Executive Committee, of which the Chair of the Region shall be chair ex-officio;
  - (b) proper accounts and accounting records must be kept as required by the Political Parties, Elections and Referendums Act 2000, and must be audited and delivered to the Election Commission as required by the Political Parties, Elections and Referendums Act 2000 and submitted with an independent report to the annual general meeting for approval;
  - (c) the Constitution may be amended only by the vote of at least two-thirds of those voting on a motion for amendment at a Regional Conference; and
  - (d) it must ensure compliance with the Political Parties, Elections and Referendums Act 2000.
- 4.16 A Regional Executive Committee shall be responsible, subject to the authority of the Regional Conference, for directing, co-ordinating and implementing the work of the Regional Party. A Regional Executive Committee may express the initial views of the Regional Party on topical issues but such views shall not constitute the policy of the Regional Party.
- 4.17 A Regional Party may seek recognition as a State Party for the purposes of the Federal Constitution. Such process shall be treated as an alteration to the constitution of the Regional Party and to these Articles.
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### ARTICLE 5: The English Council and the English Council Executive

- 5.1 The English Council (EC) shall consist of:
- (a) the Chair of each Regional Party and the Specified Associated Organisation representing youth and/or students in England; and
  - (b) 150 members elected annually by the Regions and by the Specified Associated Organisation(s) representing youth and students in England, on the basis of dividing the membership of the English Party by 150 and the membership of each Region and the SAO(s) by the resultant number. The number of English Council members for each Region and the SAO for the following year will be agreed by the September meeting of the ECE.
- 5.2 Subject to the provision of these Articles and the Federal Constitution, the EC shall be the sovereign body of the Liberal Democrats in England.
- 5.3 The EC shall normally meet at least twice a year. One such meeting shall constitute the Annual General Meeting of the Liberal Democrats in England to which an annual report and the accounts of the Liberal Democrats in England shall be presented. Meetings may be summoned on the requisition of the English Council Executive, the Council itself or 30 members of the EC. A meeting may be cancelled by the English Council Executive in exceptional circumstances.
- 5.4 The EC shall elect its Chair annually from its members. The Chair shall be the a member of the Federal Board as per Article 9.2 (i ) of the Federal Constitution. . The Chair shall be eligible for re-election, save that the Chair shall not serve for more three terms in any five-year period.
- 5.5 The EC shall make standing orders for its proceedings.
- 5.6 There shall be an English Council Executive (ECE), which shall consist of:
- (a) the Chair of the EC, who shall be the Chair of the ECE;
  - (b) one representative of each Region and each Specified Associated Organisation representing youth and/or students in England to be elected or appointed by each Region or organisation in accordance with its constitution;
  - (c) members elected annually by and from the EC, the number of whom shall be equal to the number elected under (b) above;
  - (d) the Treasurer of the EC, who shall be appointed by the ECE (and need not be a member of the EC) and shall be the English Party's representative on the Federal Finance & Resources Committee;
  - (e) the Chair of the English Candidates Committee elected by the EC (but who need not be a member of the EC);
  - (f) one representative of the staff employed by the Liberal Democrats in England elected from time to time by such staff (who shall be entitled to vote only on financial and administrative matters);
  - (g) not more than three further non-voting members as the ECE may co-opt on an annual basis.
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### ARTICLE 6: Functions of the English Council and the English Council Executive

6.1 Subject to Article 6.2 (b), the functions of the EC shall be:

- (a) to co-ordinate the activities of the Regional Parties;
- (b) with the agreement of the Regional Party to exercise or provide for the exercise of any of the powers and functions of that Regional Party;
- (c) to act as a mediator in disputes between Regional Parties or between a Local Party and a Regional Party;
- (d) to manage the finances of the Liberal Democrats in England and, as part of that function,
  - i) to negotiate financial arrangements with the Federal Party;
  - ii) to determine the amount of membership income to be remitted to the Regional Parties;
  - iii) to determine service fees to be paid to Local Parties for recruitment and collection of renewal subscriptions;
  - iv) to determine the level of grants to SAOs and other bodies in the Party to carry out work in England;
  - v) if thought fit, to borrow money for the purposes of the Liberal Democrats in England and give security for borrowings;
  - vi) if thought fit, to guarantee and give security for borrowings by any Regional or Local Party in England;
  - vii) to raise funds by such means as may be thought fit, but so that no funds may be raised in ways which may conflict with fund-raising by the Federal Party without consultation with the Federal Treasurer;
- (e) to elect the representatives of the Liberal Democrats in England to any committee or other body established by or under the Federal Constitution which includes such representatives or to any Joint State Committee;
- (f) to receive reports from the Federal Board and any other such bodies as are appropriate;
- (g) to receive reports from the English Candidates Committee, which shall include any revisions to the rules for selection and adoption of candidates;
- (h) to discharge other functions of the EC or the Liberal Democrats in England under these Articles;
- (i) to do anything else which may enable the EC to discharge its functions more effectively.

6.2 The functions of the ECE shall be:

- (a) to organise meetings of the EC;
  - (b) subject to Article 6.3, to discharge the functions of the EC between meetings of the EC;
  - (c) to make proposals to the EC for the discharge of functions of the EC;
  - (d) to discharge any functions of the EC which the EC has directed or authorised the ECE to carry out;
  - (e) to keep proper accounts and accounting records of the Liberal Democrats in England in accordance with the Political Parties, Elections and Referendums Act 2000, to audit and deliver them to the Election Commission as required by the Political Parties, Elections and Referendums Acts 2000 and to present them to the EC;
  - (f) to be responsible for the employment of staff to carry out the functions of the EC and the ECE;
  - (g) to report on its activities to each meeting of the EC.
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- 63 The ECE shall not, without the express authority of the EC, at anytime:
- (a) make a determination under Article 6.1 (d) (ii) or (iii);
  - (b) elect representatives under Article 6.1 (e) except on an interim basis until the next meeting of the EC;
  - (c) adopt membership rules under Article 2.10
  - (d) give any direction under Article 4.3;
  - (e) express views on policy on behalf of the EC;
  - (f) borrow or guarantee money in excess of a limit determined by the EC;
  - (g) make standing orders for the EC;
  - (h) exercise the powers of the EC under Article 6.4.
- 64 The ECE may, if it is satisfied that a Regional Party is not adhering to the Political Parties, Elections and Referendums Acts 2000, these Articles or the Federal (or its own Constitution) or that events in connection with the affairs of the Regional Party which are or may be seriously detrimental to the Party have take place or are likely to take place if the power under this Article is not exercised, direct that all the Officers and members of the Executive Committee of that Regional Party shall forthwith vacate office. This power may only be exercised by a two-thirds majority of those present and voting at a meeting of the EC on the proposal of the ECE. The ECE shall not make any such proposal without informing the Regional Party concerned that it is considering doing so and giving the Regional Party concerned a reasonable opportunity to reply or to take corrective action.
- 65 Where the EC exercises its power under Article 6.4:
- (a) the ECE shall forthwith convene a meeting of the Regional Conference of the Region concerned for the purpose of electing Officers and an Executive Committee;
  - (b) the ECE shall appoint a Returning Officer for such elections;
  - (c) subject to paragraph (b), such elections shall be conducted in accordance with the Constitution of the Regional Party;
  - (d) the Officers and members of the Executive Committee who have been directed to vacate office shall be eligible for re-election;
  - (e) the ECE shall exercise or provide for the exercise of the functions of the Regional Party pending the election of new Officers and Executive Committee members, and in particular shall hold and manage the assets of the Regional Party pending such elections.
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### ARTICLE 7: Parliamentary Candidates

- 7.1 Each Regional Party shall have a Candidates Committee elected by the Regional Party by its internal procedures, which shall include persons who have contested a Parliamentary or European Parliamentary election on behalf of the Party within the previous ten years. Two or more Regional Parties may form a single Regional Candidates Committee.
- 7.2 There shall be an English Candidates Committee consisting of
- (a) the Chair, who shall be elected annually by the English Council;
  - (b) the Chair of each Region's Candidates Committee;
  - (c) five ordinary members, who shall be elected by and from the English Council;
  - (d) the Chief Whip or one person appointed by the Chief Whip, being a Member of Parliament for a Constituency in England;
  - (e) one person appointed by the Parliamentary Candidates Association.

The English Candidates Committee shall, subject to ratification by the English Council, make Standing Orders for the conduct of its business.

- 7.3 The English Candidates Committee and Regional Candidates Committees shall have the functions set out in Article 19.1 of the Federal Constitution, which they shall exercise under the co-ordination of the Joint Candidates Sub-Committee established under Article 13.4 of the Federal Constitution.
- 7.4 The Chair of the English Candidates Committee shall be Liberal Democrats in England's representative on the Joint Candidates Sub-Committee but he or she shall have the power to make a substitution if he or she cannot attend a particular meeting of the Joint Candidates Sub-Committee.
- 7.5 There shall be separate Lists of Approved Candidates in England for Parliamentary and European Parliamentary elections. Applications for inclusion in the Lists shall normally be determined by English Candidates Committee but may be delegated by English Candidates Committee to Regions.
- 7.6 An applicant whose application is refused may request to be reassessed by the English Candidates Committee and may thereafter appeal to the Appeals Panel pursuant to Article 9, but such an appeal may only be on the grounds that the proper procedures have not been applied correctly and reasonably. On an appeal under Article 9 the reasonable and proper exercise of discretion within the powers of the English Candidates Committee shall not be open to review.
- 7.7 The English Candidates Committee or a Regional Candidates Committee may remove any person from a List on any of the grounds specified in Article 19.3 of the Federal Constitution subject to the appeal procedure set out in Article 7.6.
- 7.8 No person shall be removed from a List without being notified of the grounds upon which the Committee is considering such removal and being given:
- (a) a reasonable time within which to reply and make representations in writing; and
  - (b) a right upon request to a personal hearing before the Committee;

and such person may thereafter appeal to the Appeals Panel pursuant to Article 9.

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- 7.9 There shall be rules for the selection and adoption of prospective Parliamentary and European Parliamentary candidates, candidates for directly elected mayors and candidates for election to other directly elected public posts where the electorate comprises more than a single parliamentary constituency which shall be made and may from time to time be varied by the English Candidates Committee, subject to ratification by the English Council.
- 7.10 Those rules shall contain a stipulation that no person is to be shortlisted for selection or selected or re-selected as a Liberal Democrats candidate unless they have undertaken:
- (a) To take all reasonable steps to negotiate an agreed Compact between them and the level of the Party responsible for their selection setting out a commitment from each as to the level and nature of campaigning activity to be undertaken before the election and, if they are elected for the term of their election,
  - (b) In the event of their election, to make a reasonable financial contribution towards ongoing party activity, the level of which will be determined following the election.
- 7.11 If, after the selection of a prospective parliamentary candidate, boundary changes substantially affecting the related constituency come into force, a new selection shall be held if the Regional Candidates Committee so directs.
- 7.12 Each Regional Party shall be responsible for ensuring the selection of candidates for elections to the European Parliament from constituencies within its area. If a European Parliamentary constituency covers more than one Region, the Regional Parties concerned shall agree appropriate arrangements to co-ordinate candidate selection, campaigning and publicity.
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### ARTICLE 8: Councillors and Recognised Council Groups

8.1 Each Regional Party shall be responsible for the recognition of Council Groups subject to the provisions of this Article and according to its own internal procedures. A Regional Party may resolve, through its own internal procedures that this Article, or specific sections of it, shall not apply to any parish or town council or shall apply only to designated ones.

8.2 A Council Group of an authority;

- (a) wholly comprising members of the Liberal Democrats who are elected to the authority after having been sanctioned as Liberal Democrat candidates by a Delegated Nominating Officer and properly approved as such under Article 3 or admitted to membership in accordance with 8.13, and
- (b) operating according to written Standing Orders which are in conformity with the constitutions of the Liberal Democrats, and which include the requirement that all group offices shall be filled by open and democratic election by the members of the group,

shall be deemed to be recognised by the relevant Regional Party subject to the provisions of clause 8.12 below. The Regional Party shall maintain a register of such groups and satisfy itself as soon as practicable and in any event no later than 31<sup>st</sup> July of each year, that each group appearing on the register continues to conform to the definition in this clause.

8.3 Where a Council Group has been recognised under clause 8.2 above, but it becomes apparent to the Regional Party that it no longer meets the relevant definition and has not done so for a period of ten weeks, then the procedure in clause 8.4 below shall be followed.

8.4 Where it appears to a Regional Party that there is a Council Group that fails to meet the definition in clause 8.2 above but which contains one or more members of the Liberal Democrats, the following procedure shall be engaged. The Regional Party, by its internal procedures, shall ascertain the nature of the membership and administration of the relevant Council Group and shall recognise the Council Group if, in the light of those matters and all the circumstances, the Regional Party considers that the Liberal Democrats would not be brought into disrepute thereby. A Region recognising such a group may prohibit it from using solely, as its title, any one or more of the Party's registered names. The position of any Council Group recognised under this clause shall be reviewed by the Region no later than 31<sup>st</sup> July of each year. The Regional Party shall maintain a register of its decisions made under this clause.

8.5 Any Local Party covered by an authority or any Liberal Democrat member of an authority aggrieved by a decision of the Regional Party to recognise or not to recognise a Council Group (or the failure to reach a decision in respect of a Council Group comprising one or more members of the Liberal Democrats) may refer the matter to the English Appeals Panel for a decision on recognition. The English Appeals Panel shall adopt the same test for recognition as that to be applied by a Regional Party under this Article.

8.6 The Regional Party shall maintain up-to-date copies of the Standing Orders of all recognised Council Groups which fall within its geographical area. The Regional Party, by its internal procedures, shall ensure that those Standing Orders,

- (a) are fair and democratic,
  - (b) include a mechanism whereby significant disputes which are likely to bring the Liberal Democrats into disrepute if they remain unresolved can be resolved either by the
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Regional Party or by its appointed delegated body in the first instance.

- 8.7 The English State Party or the relevant Regional Party may decide, by its internal procedures, to de-recognise a formerly recognised Council Group if;
- (a) There is persistent or serious non-adherence on the part of the Council Group either to the Liberal Democrat Federal Party Constitution, the constitution of the Liberal Democrats in England, or its own Standing Orders, or
  - (b) By the actions of the Council Group, events are occurring or about to occur in connection with the affairs of the Council Group which are, or may be, seriously detrimental to the Liberal Democrats.

Such power shall not be exercised without the Council Group being informed of what is proposed and offered a reasonable opportunity to reply or take corrective action. Any member of the Council Group concerned or any Local Party covered by the authority concerned may appeal to the English Appeals Panel against a decision to de-recognise.

- 8.8 Where a member of the Liberal Democrats suspects that matters are occurring that might justify the de-recognition of a Council Group under clause 8.7 above, that member shall report the matter to the relevant Regional Party. The Regional Party, through its own internal procedures, may then take the following action:
- (a) Appoint an investigator, who shall be impartial and neither a member of the authority concerned nor any Local Party within the area covered by the authority, to ascertain the circumstances, take statements from all relevant people, and make out a report to the Regional Party on whether there are grounds for de-recognising the Council Group concerned; and/or
  - (b) Where there appears to be conflict between members of the Council Group or between Liberal Democrat Party members on the authority, appoint a conciliator, who shall be impartial and neither a member of the authority concerned nor any Local Party within the area covered by the authority, to seek to mediate and resolve the conflict and/or,
  - (c) Consider whether to de-recognise the Council Group in accordance with clause 8.7 above.

- 8.9 Where a Council Group is de-recognised under 8.7 above and the relevant Regional Party, by its internal procedures, concludes that the actions of the Council Group have brought the Party into disrepute, then it may specify a time period after which the membership revocation procedure may be initiated against any member of the Liberal Democrats who remains a member of the de-recognised Council Group, in accordance with the procedure **made under Article 22.3 of the Federal Constitution**.. For the purposes of the membership revocation procedure, there shall be a rebuttable presumption that the member concerned has brought the Party into disrepute.

- 8.10 Where a Liberal Democrat Party member joins a Council Group that exists in opposition to a recognised Liberal Democrat Council Group, or a Council Group that has been refused recognition under this Article or serves on an authority without being a member of a recognised Liberal Democrat Council Group where one exists, then the Regional Party or the English State Party shall have the power, through its own internal procedures, to set a time
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period after which the individual concerned shall be liable to the membership revocation procedure in accordance with the **procedures under Article 22.3 of the Federal Constitution**. For the purposes of that procedure, there shall be a rebuttable presumption that the individual concerned has brought the Party into disrepute. The power to set a time limit shall not be exercised without the member concerned being informed of what is proposed and offered a reasonable opportunity to reply.

- 8.11 Where it appears that there is or has been a conflict within a recognised Council Group as a result of which one or more members of that Council Group have resigned membership of the Group, whether or not they have formed another Council Group, then the relevant Regional Party or the English State Party may take the following action:
- (a) Appoint an investigator in accordance with clause 8.8(a) above, and/or,
  - (b) Appoint a conciliator in accordance with clause 8.8(b) above, and/or,
  - (c) Consider whether the recognised Council Group ought to continue to enjoy recognition subject to clause 8.7 above, and/or
  - (d) Consider whether any Council Group formed as a consequence of the dispute meets the definition in clause 8.2 above or ought to be recognised under 8.4 above.
- 8.12 In the event that there are two or more Council Groups of an authority which appear to meet the definition in clause 8.2 above, or which may justify recognition under clause 8.4 above, then the relevant Regional Party or the English State Party, shall have a discretion to recognise one of those Council Groups and not any of the others or, where there are exceptional circumstances, any or all of them. This power shall not be exercised without an investigator having been appointed in accordance with clause 8.8(a) above.
- 8.13 Any member of an authority who joins or seeks to join a recognised Council Group without having been elected with the sanction of a Liberal Democrat Delegated Nominating Officer shall subject themselves to the approval procedure established under Article 3 either before their admission to the relevant Council Group or within a period of ten weeks after it. Should they fail to be approved within that time period, then the relevant Regional Party or the English State Party may take the following action:
- (a) Require the individual to undertake training, or
  - (b) Direct that the individual concerned is not eligible to be a member of the Council Group concerned and set a time period during which their membership of the Council Group must cease. If that membership is continued beyond the end of that time period, it shall amount to a breach of the Constitution and action may be taken under clause 8.7 above.
- 8.14 All recognised Council Groups shall, where practicable and reasonable,
- (a) Provide regular oral or written reports to those Local Parties and Regions covered by the authority concerned as appropriate and work to support their activities,
  - (b) Work to support the activities of any Liberal Democrat Member of Parliament or selected Parliamentary Candidate, Member of the European Parliament or selected European Parliamentary Candidate(s) or any other recognised Council Group on a different authority covering the same or a similar geographical area, through liaison, co-ordination and the exchange of information.
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### ARTICLE 9: Resolution of Conflicts

- 9.1 There shall be an Appeals Panel for England, which shall consist of:
- (a) the current members of the Federal Appeals Panel elected by the English Council under Article 22.1 of the Federal Constitution, one of whom shall be designated as the Chair of the Appeals Panel for England by the English Council; and
  - (b) one person appointed by each Regional Party according to its internal procedures.
- 9.2 Each member of the Panel shall hold office for five years, and shall be eligible for re-appointment: provided that no person shall be entitled to hold office for more than ten years in aggregate. No person shall be eligible for appointment if (and any member shall forthwith vacate office upon becoming) an MP, MEP or prospective parliamentary candidate or a member of the English Council Executive or the English Candidates Committee or an employee of the Party. The body making the original appointment may terminate the appointment because the appointee is no longer able to carry out his or her duties as a member of the Panel on account of ill health or for other good cause. Any casual vacancy on the Panel may be filled by the body making the original appointment for the residue of the term of that appointment.
- 9.3 The Appeals Panel for England shall adjudicate on:
- (a) any dispute over the interpretation of these Articles;
  - (b) any claim that the rights under these Articles of a member or of a Party body have been infringed, provided that no appeal may be brought under this paragraph where there is another appropriate appeal procedure;
  - (c) any dispute between the Liberal Democrats in England and a Regional or Local Party, or between Regional Parties or between Local Parties in different Regions; and
  - (d) any matter expressly so provided by these Articles or by rules made hereunder.

**Subsequent to the adoption of Article 22 of the Federal Constitution appeals relating to disciplinary matters shall not fall within the remit of the English Appeals Panel and shall be dealt with according to Articles 3 and 22 of the Federal Constitution.**

- 9.4 The members of the Panel to hear a particular case shall be selected by the Chair, who shall if appropriate consult with the applicant, subject to the following provisos:
- (a) the Chair alone may determine any dispute over the interpretation of these Articles (other than a dispute over the respective powers of the Liberal Democrats in England and a Regional Party);
  - (b) the Chair shall select a chair for each Panel, who shall (other than in exceptional circumstances) be one of those holding office under Article 9.1 (a)
  - (c) at least three members (at least one of whom shall be a man and at least one a woman) shall hear any other case;
  - (d) the members hearing a dispute under Article 7 shall if practicable include a former parliamentary or European parliamentary candidate; and
  - (e) no member shall be from the same Region as the appellant or have any direct knowledge of the matters in dispute.
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- 95 The Panel shall make and publish rules for its own procedures, which shall include:
- (a) the initial processing of an appeal, including:
    - (i) a power to the Chair to determine whether or not an appeal is valid;
    - (ii) a power to the Chair to order a mediation process;
    - (iii) an indicative timetable, and a power to the Chair to impose deadlines (and so that any appeal must, unless the Chair extends this deadline in exceptional circumstances, be concluded within three months of being lodged, and may be dismissed if the appellant does not co-operate with the related timetable); and
    - (iv) an obligation on the EAP to identify the parties to an appeal hearing, and to notify all of them sufficiently in advance to enable them to submit documentary evidence and provide witnesses; and
  - (b) the conduct of an appeal.
- 96 Any decision of the Panel shall, subject to any right of appeal under the Federal Constitution, be final and binding on all concerned. The Panel shall publish any decisions which, in the opinion of the Chair, are likely to be of value as a precedent.
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## English Council Standing Orders

### 1. Meetings

1.1 The Council shall hold two Ordinary Meetings a year. One meeting, the Annual General Meeting of the Party in England, shall be held in October or November. Both shall be held at a date and place agreed by the Council.

1.2 A Special Meeting of the Council shall be held if the Council or the Executive so decides or if requested by any 30 members of the Council.

1.3 A meeting may be cancelled by the Executive in exceptional circumstances.

### 2. Agendas, Motions and Amendments

2.1 The Agenda of every Ordinary Meeting shall include:

- (a) a report by the Chair on the activities of the Executive and of the Party in England's representatives on the Federal Board and other Federal and Joint State Committees since the last Ordinary Meeting
- (b) any Motions duly submitted on matters falling within the functions of the Council

2.2 The Agenda of the Annual General Meeting shall also include:

- (a) a financial report by the Treasurer and the presentation of the audited accounts of the Party in England for the preceding year
- (b) the appointment of the auditors
- (c) the presentation of a budget for the following year
- (d) the determination of the amount of membership income to be remitted to the Regional Parties
- (e) the determination of service fees to be paid to Local Parties for recruitment and collection of renewal subscriptions

2.3 The Agenda for a Special Meeting of the Council shall be limited to the business specified in the resolution or request convening the meeting.

2.4 Motions (including Constitutional Amendments) and amendments may be submitted to the Council by the Executive, the English Candidates Committee, any Local Party, any Region, or any 3 Council members.

2.5 Motions shall be submitted not later than 6 weeks before the meeting but Constitutional Amendments shall be submitted not later than 9 weeks before the meeting.

2.6 Amendments, Motions on matters arising since the Deadline in 2.5 and Motions on matters arising from Reports circulated with the Preliminary Agenda shall be submitted not later than 3 weeks before the meeting.

2.7 Emergency Motions shall be submitted not later than 24 hours before the meeting. They must relate to a specific recent development which occurred after the deadline in 2.6, and they must be brief.

2.8 The Executive may composite similar motions or amendments and may treat any severable part of a motion or amendment as a separate motion or amendment. They shall exercise these powers only after consultation with a representative of the

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movers of the motion/amendment.

2.9 If time does not permit the debate of all motions/amendments, the Executive shall determine an order of priority for allocating time.

### 3. Notices

3.1 A calling notice with the minutes of the preceding meeting shall be circulated not less than 12 weeks before the meeting, informing members of its date, venue and deadline.

3.2 A Preliminary Agenda and any motions submitted shall be sent to all Council members and Regions not less than 5 weeks before the meeting.

3.3 A Final Agenda with written reports and all motions and amendments shall be sent to all Council members and all Regions not less than 2 weeks before the meeting.

### 4. Membership and attendance at Council Meetings

4.1 Membership of the Council shall be determined in accordance with Article 5.1 of the Constitution according to membership of the Party as at the preceding 30<sup>th</sup> September.

4.2 Subject to the availability of space, any member of the Party in England may attend any meeting of the Council and, at the discretion of the Chair, speak. Where the Council meets at a Federal Conference, details of its meeting and of this provision shall be published in the Final Agenda of the Federal Conference.

### 5. Amendments to the Constitution

5.1 Before any amendment to the Constitution, or any proposal that the Party in England agrees to an alteration to the relative powers and functions of the Federal Party and the State Parties, is debated it must have been notified to all Local and Regional Parties at least 8 weeks in advance and it shall only take effect if adopted by at least a two-thirds majority of those present and voting at a meeting of the Council.

### 6. Suspension of Standing Orders

6.1 A motion to suspend standing orders shall be debated forthwith if five members of the Council rise from their seats and so request. One speech supporting the suspension and one against shall be taken before a vote which will require only a simple majority of those present and voting to suspend standing orders for the duration of that item of business only.

### 7. Amendments of Standing Orders

7.1 These Standing Orders may be amended by a two-thirds majority at any meeting of the Council, but no such amendments shall come into force until immediately after the meeting at which it was passed.

### 8. Elections

8.1 The elections of the Chair, members of the Executive elected by and from the Council and the representatives of the Party in England to any committee or other body established by or under the Federal Constitution including any Joint State Committee, shall take place annually in the autumn. The persons thus elected shall hold office from 1<sup>st</sup> January after election for the ensuing calendar year. The Party in England's representatives on G8 shall be elected annually in the mailings for the summer meeting

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of the Council. The persons thus elected shall hold office from the date of their election until the election of their successors.

8.2 The Committee Election Regulations made by the Federal Executive and approved by the Federal Conference shall apply to such elections save that the Returning Officer shall be the Chair of the Appeals Panel for England. Nominations for election may be submitted by any Local Party, any Regional Party, or any two Council members. The Returning Officer shall draw up and publish the timetable for the elections. The timetable for the autumn elections shall follow as closely as possible the timetable for the Federal Committee elections.

### **9. Youth and Student SAO**

9.1 Where these Standing Orders refer to a Region, they include the Specified Associated Organisation representing Youth and Students in England, which Organisation shall be treated for all purposes under these Standing Orders as if it were a Region.

### **10. Interpretation**

10.1 Subject to the Constitution, the Executive shall be responsible for organising meetings of the Council, and they may give directions on any matter on which the Constitution and these Standing Orders are silent. During meetings of the Council, such discretion shall be vested in the Chair.

### **11. Council membership list**

11.1 The English Council shall publish, electronically, a list of all members of the Council with contact details, but this list shall not include the details of any member who has asked for their details to be omitted.

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## Membership Rules

(as revised by English Council, December 2016)

### 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

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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 reregister 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
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the earlier, subject to acceptance by their Local Party.

### 4.2 Membership will be due for renewal:

- (a) for new members on the anniversary of the date of their first payment. For members before joining 8/12/18, the Existing renewal dates will be treated as the date of their anniversary
- (b) for renewing members of the Party, one year after the date on which their annual membership payment was last received.

### 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.

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- 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 Article 3.7 of the Constitution of the Federal Party or Article 2.6 of the Constitution of the Liberal Democrats in England 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,
  - (iv) they have unlawfully discriminated against, bullied, or harassed another person,
  - (v) they have committed an act of serious violence or an act which resulted in serious damage to property in connection with the business of the Party,
  - (vi) they have committed a serious misuse of the property or name of the Party.
- 7.3 The Disciplinary Procedure may be initiated by any of the following Party bodies:
- (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.

Where the events giving rise to the instigation of the Disciplinary Procedure did not occur in whole or in part within a period of one calendar year ending with the decision of the relevant Party Body to instigate the Disciplinary Procedure, the permission of the English Appeals Panel must be sought before any further action is taken. Such permission shall be given only if the Appeals Panel considers that there are exceptional circumstances relating either to the case or the nature of the delay that justify action being taken.

Where the procedure is not being conducted by the English Party, the Party body must inform a nominated officer of the English Party. The English Party, in accordance with its internal procedures, may take over the conduct of a Disciplinary Procedure being conducted by a Local Party, Regional Party or the Youth and Student S.A.O. and may conduct those proceedings itself or assign them to the relevant Local Party, a Regional Party or another State Party.

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7.4 The Party body acting under Article 7.3 shall cause the following matters to be reduced to writing either before the Disciplinary Procedure is initiated or within a reasonable time thereafter:

- (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 Article 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 allegation(s),
- (iv) details of persons who can substantiate the allegation(s)

The resulting document shall be forwarded to the subject of the Disciplinary Procedure, copied to Membership Services and, where the Party body undertaking the procedure is a Local Party, to the relevant Regional Party. The subject of the Disciplinary Procedure 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 subject of the Disciplinary Procedure 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 subject of the Disciplinary Procedure 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.

During the course of the Disciplinary Procedure, the subject of the Disciplinary Procedure may only resign from the Party with the consent of the Party body acting under Article 7.3.

7.6 The relevant Party body may appoint an investigator or investigators in accordance with its internal procedures. If there are multiple investigators, a lead investigator must be identified. All appointed investigators must be independent, must certify that they have no conflict of interest and must not be a member of the same Local Party as the subject of the Disciplinary Procedure,

- (i) The investigator(s) shall be responsible for gathering written statements from all of those who are able to substantiate or undermine the allegation(s), and shall conduct interviews in person when they consider it appropriate; the investigator shall notify those who give witness statements that those statements will be disclosed for the purposes of the Disciplinary Procedure,
  - (ii) The investigator(s) shall then evaluate the strength of the evidence and consider whether there are any disciplinary allegation that can be proven to the appropriate standard,
  - (iii) The investigator(s) shall send a report to the Chair of the Party body pursuing the Disciplinary Procedure. That shall normally be done within four weeks of appointment, but that period may be extended by the Party body conducting the procedure. No extension shall be agreed where the time limit in 7.9(i) is
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## THE CONSTITUTIONS OF THE LIBERAL DEMOCRATS

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likely to be breached as a result, unless the Appeals Panel for England first agrees an extension in accordance with its procedures,

- (iv) That report shall either comprise a list of disciplinary allegations against the individual concerned, together with a list of persons who can substantiate them, a copy of all of the written statements gathered during the course of the investigation an analysis of the facts of the case and details of the sanction sought, or it shall indicate that, in the view of the investigator(s), there is insufficient evidence to proceed and set out the reasons why.
- (v) Where the investigator(s) reports that that there is sufficient evidence to proceed, the lead investigator shall be responsible for presenting the complaint at any subsequent Disciplinary Meeting and for ensuring the calling 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.
- (vi) Where no action is taken, the subject of the Disciplinary Procedure shall be informed of such.

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 disciplinary allegation(s) and act in the role of investigator for the purposes of the Disciplinary Procedure.

7.8 When the grounds cited in any of the disciplinary allegations include those specified under Article 2.6 (c) or (d) of the Constitution, 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, or where the circumstances under 7.2 (i) or (ii) above are made out, 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 written document under 7.4 above, the disciplinary allegation(s), 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 a disciplinary allegation are those specified under Article 2.6

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## THE LIBERAL DEMOCRATS IN ENGLAND

(a), (b) or (d) of the Constitution, the Disciplinary Procedure may proceed as follows:

- (i) A date shall be set for a Disciplinary Meeting which shall be not more than fourteen weeks from the initiation of the Disciplinary Procedure, 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 Executive or Local Parties Committee (or other body prescribed by the constitution of the body 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 Youth and Student SAO, or the Regional Parties Committee, where the procedure is being conducted by the English State Party, save that the Regional Parties Committee may nominate at least five members of the English Party, none of whom have a conflict of interest, in its place,
  - (iii) The written document under 7.4 above, the disciplinary allegation(s), copies of any written statements obtained and details of the Disciplinary Meeting shall be provided to the subject of the Disciplinary Procedure and to all members of the Disciplinary Meeting not later than four weeks before the date of that meeting. The subject of the Disciplinary Procedure shall also be informed of their right to representation, right to speak, and right of appeal in the event of any of the disciplinary allegations being found proved. 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 subject of the Disciplinary Procedure has not been given notice shall be introduced at the meeting unless it be by agreement,
  - (v) The Disciplinary Meeting may proceed notwithstanding the absence of the subject of the Disciplinary Procedure providing that the requisite notice of the Disciplinary Meeting and the required information under these Rules has been given,
  - (vi) The Disciplinary Meeting shall be conducted as follows:
    - (a) Each disciplinary allegation shall be introduced by the investigator,
    - (b) The investigator shall then ask each witness to give their account following which the subject of the Disciplinary Procedure, or their representative, may ask questions along with members of the Disciplinary Meeting; witnesses shall not be present in the room whilst other witnesses are giving evidence
    - (c) The subject of the Disciplinary Procedure may then give their account and be asked questions by the investigator and/or members of the Disciplinary Meeting,
    - (d) The subject of the Disciplinary Procedure may then call any witness that they wish. The witnesses may be questioned by the investigator and/or members of the Disciplinary Meeting, Once witnesses have given their evidence they must leave the room.
    - (e) The investigator and the subject of the Disciplinary Procedure or their representative may then make any closing statement that they wish,
    - (f) The subject of the Disciplinary Procedure, and their representative and the investigator shall leave the room and the members of the Disciplinary Meeting shall discuss the matter,
    - (g) At no stage of the Disciplinary Meeting shall there shall be any comment made that is not relevant to the disciplinary allegations in issue,
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## THE CONSTITUTIONS OF THE LIBERAL DEMOCRATS

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- (h) The members of the Disciplinary Meeting shall then, by secret ballot, vote on whether the disciplinary allegations have been made out on the balance of probabilities. Each disciplinary allegation shall be voted upon separately and decided by a simple majority. The outcome of the meeting must be reduced to writing,
- (i) The individual concerned and Membership Services shall be informed of the outcome of the meeting in writing.

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

- (i) Revoke the membership of the subject of the Disciplinary Procedure,
- (ii) Barring the subject of the Disciplinary Procedure 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,
- (iii) Barring the subject of the Disciplinary Procedure 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,
- (iv) Barring the subject of the Disciplinary Procedure from having access to data from Membership Services either permanently, for a specified period, or until satisfactory training has been undertaken,
- (v) Reprimanding the subject of the Disciplinary Procedure.

The Disciplinary Meeting may defer the imposition of any of the above sanctions for a specified period and set out one or more conditions which, if satisfied by the subject of the Disciplinary Procedure shall result in the sanction(s) concerned not being imposed.

The subject of the Disciplinary Procedure, 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 Disciplinary Meeting when the outcome was decided or notified to the prospective appellant whichever is later, then that appeal right shall cease.

7.12 Documentation prepared for the purposes of a Disciplinary Procedure shall not be circulated any more widely than is necessary for the preparation of those proceedings, or for any appeal, or for the giving and receiving of legal advice or the taking of legal proceedings.

## **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.

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## THE LIBERAL DEMOCRATS IN ENGLAND

### **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 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 shall be eligible to vote in any such election if they 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

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**THE CONSTITUTIONS OF THE LIBERAL DEMOCRATS**  
**Appendix C - Model Constitution for Local Parties**

CONSTITUTION OF THE (...) LIBERAL DEMOCRATS

**1. Name and Area**

- 1.1 The name of the body governed by this Constitution shall be “The (...) Liberal Democrats”.
- 1.2 The area of the Local Party shall be (...).

**2. Definitions**

- 2.1 In this Constitution:

“the Local Party” means the (...) Liberal Democrats;  
“the Party Constitution” means the Constitutions of the Federal Party and of the Liberal Democrats in England;  
“the Party” means the Liberal Democrats;  
“the Regional Party” means the (...) Region Liberal Democrats;  
“the Constituency/(ies)” means the Parliamentary Constituency/(ies) of (...);  
“Conference Representatives” means members of the Local Party elected to be its representatives at Federal and/or Regional Conferences;  
“Party’s Youth and Student Organisation” means the Specified Associated Organisation representing youth and students;  
“Majority” at any meeting means majority of those present and voting; and  
“Executive Committee” means the executive committee of the Local Party.

**3. Objects**

- 3.1 The objects of the Local Party shall be:
- (a) be the successor within its area to the (...) Liberal Association and to the (...) SDP Area Party; and
  - (b) to promote and support the values and objects of the Party in its area and in particular through its members:
    - (i) to secure the election of Liberal Democrats as Members of Parliament, UK Members of the European Parliament, members of regional, local and other elected public authorities and other public office;
    - (ii) to admit and actively recruit new members to the Party, and encourage existing members to renew their membership;
    - (iii) to participate in the formulation of the policy of the Party;
    - (iv) to be recognised as a Local Party; to play a full role in the democratic processes of the Party; and to send representatives, in accordance with the constitutions of the bodies concerned, to Party bodies;
    - (v) to play a full part in the campaigning activities of the Party at all levels;
    - (vi) to campaign and work with local people to achieve the objectives set out in the Preamble to the Party Constitution;
    - (vii) to help all local people, without regard to party or any other factor, to secure their rights and to protect them against oppression; and
    - (viii) to promote diversity of cultures within the Party and to represent the interests of under-represented groups in the locality.
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**4. Membership**

- 4.1 The Local Party shall administer membership in accordance with the Membership Rules of the Liberal Democrats in England.
- 4.2 All persons shall be eligible to join the Local Party if they agree with the fundamental values and objectives of the Party; and
- (a) they live, work or study within the area of the Local Party, or
  - (b) if not eligible under Section 4.2 (a) they acquire membership with the consent of the Local Party Executive Committee, or
  - (c) they are an MP, MEP, prospective Westminster or European parliamentary candidate or member of a local authority for a seat wholly or partly within the area of the Local Party.
- 4.3 Eligible persons shall become members of the Local Party:
- (a) on enrolment through the Local Party; or
  - (b) on enrolment through the Party's Youth and Student Organisation giving an address within the Constituency; or
  - (c) if already members of the Party, on re-registration as a member of the Local Party.

Members of the Local Party who are also members of the Party's Youth and Student Organisation may be restrained under the Party Constitution from exercising certain rights as members of the Local Party if they exercise equivalent rights as members of the Youth and Student Organisation.

- 4.4
- (a) An applicant shall become a member on acceptance by the enrolling body, payment of the requisite subscription and registration on the register kept by the Party in England.
  - (b) An application shall be deemed accepted if not rejected in accordance with the Membership Rules.
  - (c) Initial membership shall run for one year from the quarter day (last day of March, June, September or December) following commencement.
  - (d) Members whose subscriptions are due shall receive notices of meetings and elections for a further 3 months.
  - (e) Members who do not renew their subscriptions before the end of the 3 months period must reapply for membership.
- 4.5 The Executive Committee may refuse membership to, or revoke the membership of, any person, on the grounds provided by the Party Constitution, using the procedure defined in the Membership Rules of the Liberal Democrats in England.
- 4.6 A member of the Local Party who ceases to be eligible under Section 4.2 (a) may retain membership of the Local Party with the consent of the Executive Committee.

**5. Officers and Executive Committee**

- 5.1 The Officers of the Local Party shall be the Chair, [Vice-Chair,] Secretary, Data Officer, Membership Development Officer and Treasurer. Their duties shall include:
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## THE CONSTITUTIONS OF THE LIBERAL DEMOCRATS

- (a) The Chair - to chair all General and Executive Committee Meetings [;in the event of a tied vote the Chair shall have an additional casting vote]; to be jointly responsible with the Treasurer for the Local Party's compliance with the Political Parties, Elections and Referendums Act 2000;
- (b) The Vice-Chair - to chair General and Executive Committee Meetings if the Chair is unable to do so;
- (c) The Secretary - to handle the Local Party's correspondence; to maintain minutes of meetings;
- (d) The Treasurer - to handle the Local Party's financial business and present financial reports to General Meetings; to be jointly responsible with the Chair for the Local Party's compliance with the Political Parties, Elections and Referendums Act 2000; (e) The Data Officer - to:
  - (i) receive all notices of application for membership and refer them to the Executive Committee for acceptance;
  - (ii) maintain a membership register and provide Branch and Local Party Officers with lists of members as necessary under this Constitution; (iii) hold and maintain the EARS/campaigning data of the local party; and (iv) ensure compliance with data protection legislation.
- (f) The Membership Development Officer - to:
  - (i) organise and run membership recruitment and renewal campaigns
  - (ii) ensure that the Local Party has a wide a range of social and political activities to facilitate member retention

The Secretary shall not later than 2<sup>nd</sup> January and within seven days after any subsequent change notify the names and addresses of all Officers to the Regional Party and to the Chief Executive of the Federal Party

5.2 There may be an Honorary President to be elected by the Annual General Meeting.

5.3 The general and financial business of the Local Party shall be controlled and carried on by the Executive Committee, subject to the decisions of General Meetings and in compliance with the Political Parties, Elections and Referendums Act 2000. The Executive Committee shall consist of:

- (a) The Officers;
  - [(b) (...)] Ordinary Members to be elected annually in the same manner as the Officers; [(c) Representatives from each Branch within the Constituency, on a scale of (...) per Ward contained within the Branch, and (...) representatives of members in parts of the Constituency without Branches;]
  - (d) The Party's Member of Parliament for the Constituency, and the prospective Parliamentary Candidate;
  - (e) (...) representatives of the Party's members from the (...) County Council representing electoral divisions within the Constituency, elected by and from such members;
  - (f) (...) representatives of the Party's members from the (...) [District]/[Borough] /[Unitary] Council(s) representing wards within the Constituency, elected by and from such members;
  - (g) (...) representatives elected by and from each local Branch of the Party's Youth and Student Organisation;
  - [(h) The Local Party's Agent or Organiser.]
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## THE LIBERAL DEMOCRATS IN ENGLAND

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- 5.4 The Executive Committee may co-opt up to (...) additional members, for a term expiring not later than the next following AGM. The power of co-option shall be used, inter alia, to ensure if possible that no more than two-thirds of the Executive Committee (other than under Sections 5.3 (d) - (h)), are of the same sex, and that there is fair representation of under represented communities in the locality, taking into account race, religion, age, disability, gender or sexual orientation and that this would create a composition of the Executive that reflects the community the local Party serves.
- 5.5 [The Honorary President is entitled to attend all meetings of the Executive Committee.] Conference Representatives who are not members of the Executive Committee shall be entitled to attend any meeting of the Committee at which business relating to the Conferences is discussed. Meetings of the Executive Committee shall be open to members of the Local Party as space permits.
- 5.6 The Executive Committee may fill any vacancy occurring among the Officers or the Ordinary Members. Any vacancy in the Chair shall be filled from amongst the existing Executive Committee members. The Secretary shall within seven days notify any change of Officers to the Regional Party and to the Chief Executive of the Federal Party.
- [5.7 The Executive Committee may assign special responsibilities to any of its members, including duties which would otherwise pertain to one of the Officers.] [The Executive shall designate an officer to deputise for the Chair if necessary if the Chair is ever unavailable.]
- 5.8 The Officers shall convene a meeting of the Executive Committee within one month after taking office. The Executive Committee shall meet at least quarterly and not less than four times in a year. The Secretary shall give at least 7 days notice of meetings to all members of the Executive Committee. One-third of its members shall form a quorum. [A meeting may continue without a quorum if no member present objects.]
- 5.9 The Executive Committee may appoint sub-committees for any specified purpose. No subcommittee or Executive Committee member may take action on behalf of the Executive Committee beyond their terms of appointment. All sub-committees shall report on their activities to the Executive Committee and may include persons who are not members of the Executive Committee and may delegate authority to take actions on their behalf. [The Executive Committee may also delegate authority to committees jointly constituted with other local parties for particular purposes.]
- 5.10 In urgent circumstances the Officers may act on behalf of the Executive Committee. They shall report on such actions to the next meeting of the Executive Committee.
- 6. Election of Officers, Executive Committee and Conference Representatives**
- 6.1 The Officers, Ordinary Members and Conference Representatives shall be elected by and from members of the Local Party at the time of the Annual General Meeting, provided that, with the prior agreement of the Regional Party, a member of the Party who is not a member of the Local Party may be elected to the office of Treasurer. If an election is contested, there shall be a ballot [in which all Local Party members are sent ballot papers].
- 6.2 The term of office of Officers, Ordinary Members and Conference Representatives shall be from the 1<sup>st</sup> January following their election until the following 31<sup>st</sup> December. They shall be
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## THE CONSTITUTIONS OF THE LIBERAL DEMOCRATS

eligible for re-election, save that the Chair shall not serve for more than three consecutive terms, and shall not be eligible for re-election as Chair for two terms after leaving Office.

- 6.3 Nominations for election shall be invited in the notice summoning the AGM, and shall close at the AGM, but not before the reception of the Chair's, Treasurer's and Conference Representatives' reports. They must be proposed and seconded, and except in the case of nominations made at the AGM shall be in writing signed by the proposer, seconder and candidate.
- 6.4 Where elections are contested, ballot papers shall be distributed [to all members of the Local Party within 7 days]/[at the AGM], and must be returned to the Returning Officer [within 21 days after]/[at] the AGM.
- 6.5 No person may be elected to hold more than one Office, or may be elected to be both an Officer and an Ordinary Member. Elections for Officers shall be counted in the order listed in Section 5.1 and for Ordinary Members after Officers. Any votes cast for candidates already elected to Office shall be transferred according to the voters' subsequent preferences.
- 6.6 The Local Party's Federal and Regional Conference Representatives shall be elected as provided by the Party's Constitution. A representative shall cease to hold office upon ceasing to be a member of the Local Party or on failing to attend any meeting of the Conference without giving notice (so far as practicable) of inability to attend or without reasonable cause, unless the Executive Committee determines otherwise.
- 6.7 All contested elections under this constitution shall be by secret ballot by the Single Transferable Vote method in accordance with election rules made under the Party Constitution.
- 6.8 The Executive Committee shall appoint some disinterested person to act as Returning Officer. The Returning Officer shall be responsible for the receipt of nominations and for the preparation and distribution of ballot papers, their receipt and counting on return, and the declaration of the results.
- 6.9 Accidental failure to despatch notice of the AGM or a ballot paper in due time or at all to a person entitled to vote shall not invalidate an election or be treated as an irregularity, unless a substantial number of persons entitled to vote have not received notices or ballot papers at all or have received them too late to make it practicable to attend the meeting or return the ballot paper in due time by first-class post.
- 6.10 An unsuccessful candidate who alleges that there has been or may have been an irregularity in the election may within one calendar month after the declaration of the result ask for an investigation by the Regional Party in accordance with the Party Constitution. Subject to any order made after such an investigation, no irregularity shall invalidate an election.
- 6.11 The Returning Officer may extend the time for distribution and return of ballot papers where there are special circumstances making it necessary to do so.

## 7. General Meetings

- 7.1 The Annual General Meeting shall be on a day appointed by the Executive Committee, between 1<sup>st</sup> October and 30<sup>th</sup> November. The Executive Committee may postpone the
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## THE LIBERAL DEMOCRATS IN ENGLAND

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### AGM

if it would conflict with a Parliamentary Election in the Constituency, or for other urgent reason.

7.2 The business of the AGM shall include:

- (a) to receive a report from the Chair on the activities of the Local Party and the Executive Committee since the previous AGM;
- (b) to consider and, if thought fit, approve the accounts of the Local Party for the previous financial year together with an independent report on those accounts, and to receive a report from the Treasurer including an outline budget for the following year;
- (c) to appoint for the current Financial Year (i) Auditors if required by the Political Parties, Elections and Referendums Act 2000 or (ii) a person(s) to produce an independent report on the accounts for a General Meeting;
- (d) to receive reports from the Conference Representatives on the proceedings of the Federal and Regional Conferences since the previous AGM;
- (e) to receive reports from each Liberal Democrat Council group on which Local Party members serve;
- (f) to transact any other business specified by the Constitution, or directed by the Executive Committee;
- (g) to consider any motion which has been submitted by any member of the Local Party to the Secretary in time for circulation with the notice of the AGM;
- (h) [to receive nominations for the election of]/[to elect] Officers, Ordinary Members of the Executive Committee and Conference Representatives.

7.3 The Secretary shall give all members at least 21 days written notice of the time and place of the AGM. Such notice shall specify all business to be conducted at the meeting.

7.4 The AGM may by a two-thirds majority agree to consider urgent or important business which has arisen since notice of the AGM was given.

7.5 A special General Meeting may be convened by the Officers, or by the Executive Committee; and shall, on receipt of a requisition signed by at least twenty members of the Local Party (or one-fifth of the membership if less), be convened by the Secretary so as to be held within 28 days from the receipt of such requisition. At least 14 days written notice shall be given to all members. The meeting shall only consider business stated in the notice convening it. Failure to convene a validly requisitioned meeting within 14 days shall permit the meeting to be convened on behalf of (and at the expense of) the Local Party by any of the original requisitioners. In an emergency, the Officers may convene a meeting giving such notice as they consider sufficient in the circumstances.

7.6 20 members (or one-fifth of the membership if less), shall form a quorum at any General Meeting. A quorum is not required to receive reports and accounts. [A meeting may continue without a quorum if no member present objects except as provided for in Section 11.1.]

7.7 Notice and minutes of all Annual and Special General Meetings shall be sent to the secretary of the Regional Party.

7.8 Minutes shall be maintained of all proceedings of all General Meetings. Minutes shall also be kept of any meetings of the Executive Committee. In the absence of an Executive

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Committee member charged with the duty, the Meeting shall appoint a member to take minutes.

### [8. Local Branches

8.1 The Executive Committee may authorise the setting up of Branches covering defined areas of the Local Party, provided that no branch shall be formed with less than 10 members. The objects of a Branch shall be to further the objects of the Local Party in the area covered by the Branch. The Branch shall be subject to the ultimate authority of the Local Party.

8.2 The members of the Branch shall be:

- (a) All members of the Local Party whose Registered Membership Address (as defined in the Membership Rules of the Liberal Democrats in England) is within the Branch area, unless they have opted to be a member of another Branch;
- (b) Any councillor who represents a ward or division falling wholly or partially within the Branch area and who opts to be a member of the Branch;
- (c) Other members of the Local Party who wish to be members, if the Branch's Committee and the Local Party Executive Committee agree.

No person who is not a member of the Local Party may be a member of the Branch. No person may be a member of more than one Branch.

8.3 A Branch shall not be entitled to require a subscription from its members, but the Executive Committee of the Local Party may agree to remit part of its subscription income to a Branch. A Branch shall not incur any debts for which the Local Party shall be responsible.

8.4 Each Branch shall be governed by a constitution which shall provide for:

- (a) a Committee which shall include Officers and Ordinary Members, and may include ex-officio and co-opted members;
- (b) rules for election of Officers, Ordinary Members of the Branch Committee and representatives to the Local Party Executive Committee;
- (c) rules for the calling and conduct of an Annual General Meeting and other General Meetings of the members;
- (d) the names and addresses of the Officers, Ordinary Members and representatives to be notified to, and minutes of General and Committee Meetings to be supplied to the Secretary of the Local Party.

The Constitution shall be in the form of the Model Constitution for Branches appended to this Constitution. A branch may adopt a constitution which is not wholly in the model form but any such constitution, or any changes to it, shall not take effect until the Executive Committee of the Local Party accepts its conformity with the Party Constitution and with this Constitution.

[8.5 The finances of the Branch shall be held by the Treasurer of the Local Party [as part of the funds of the Local Party] and subject to section 10 of the constitution.]

[8.5 (a) The Officers of the Branch shall include a Treasurer. The Branch's accounting period shall be the same as that of the Local Party.

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## THE LIBERAL DEMOCRATS IN ENGLAND

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- (b) The Branch Treasurer shall keep, maintain for six years, and pass to his or her successor accounting records which shall be available for inspection in accordance with the Political Parties, Elections and Referendums Act 2000.
- (c) The Branch Treasurer shall ensure that no donation of over £200 is accepted except from a permissible donor and shall keep records and submit donations reports to the Treasurer of the Local Party.
- (d) The Branch Treasurer shall annually produce accounts which shall be approved by the Branch Committee and shall be sent to the Treasurer of the Local Party by a date to be specified by the Treasurer of the Local Party.
- (e) The Branch Treasurer shall submit the accounts of the Branch together with an independent report to [the Annual General Meeting]/[a General Meeting to be held not later than (...)].
- (f) The Branch shall maintain one or more bank or other appropriate accounts in the name of the Branch for which the mandate for withdrawal shall require the signature of at least two Officers who shall not come solely from members of any one family. The Branch may maintain further accounts for the deposit of money not required for the time being, requiring the same signatures.]

8.6 The Branch may appoint a substitute representative to the Executive Committee to fill a casual vacancy, or if a representative is unable to attend a particular meeting.

8.7 A Branch may dissolve itself by a two-thirds majority at a General Meeting; or be dissolved or suspended by the Executive Committee on the grounds that:

- (a) it is no longer functioning or able to hold such a meeting;
- (b) there have been serious irregularities in the conduct of the affairs of the Branch;
- (c) the affairs of the Branch have not been conducted in compliance with the Political Parties, Elections and Referendums Act 2000 and with its Constitution, this Constitution and the Party Constitution;
- (d) the membership of the Branch has fallen below 10; or
- (e) the affairs of the Branch are being conducted in a manner contrary to the interests of the Local Party as a whole.

If a Branch is dissolved or suspended, any member of the Branch may request the Regional Party to conduct an investigation. The Local Party shall not dissolve a Branch until the Branch has been given an opportunity to hold its own General Meeting.

8.8 The funds of a Branch shall, upon dissolution, be applied in paying its debts, and any surplus shall be added to the funds of the Local Party.]

### 9. Candidates for and Elections to Public Office

9.1 When it is necessary to select a Prospective Parliamentary Candidate, the procedure shall be as provided by the Party Constitution. The Executive Committee may appoint a subcommittee to carry out its duties under this procedure. [The electoral college shall comprise [members within the relevant constituency only]/[all Local Party members].]

9.2 The Executive Committee shall seek to ensure that, so far as practicable, all seats within the Constituency on Principal Local Authorities are contested by members of the Party, unless the Executive Committee is satisfied that it is in the best interests of the Party in any case not to do so.

9.3 When it is necessary to select one or more local government candidates for an electoral

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area, the [Local Party]/[Branch or if there is no Branch, the Local Party] shall hold a [General Meeting at]/[postal ballot in] which all members [who are resident in the electoral area concerned]/[of the Local Party]/[of the Branch] may vote, and may select any member from a list of approved candidates maintained by the Executive Committee, or may select any other member conditionally upon subsequent approval by the Executive Committee. The timetable and procedure for selection shall be agreed by the Branch Committee and the Executive Committee, or where there is no Branch by the Executive Committee.

- [9.4 In any electoral area, in which the eligible electorate for voting in the selection does not exceed 10, the electorate shall be expanded to constitute the members living in the electoral area plus the Branch Committee or, if there is no Branch, the Executive Committee.]
- 9.5 In any case in which time does not permit the holding of a [General Meeting]/[postal ballot] the [Branch Committee, or if there is no Branch the Executive Committee]/[the Executive Committee] may select the candidate.
- 9.6 Where a Principal Local Authority covers more than one constituency the Executive Committees of the Local Parties concerned may agree to form appropriate joint arrangements to co-ordinate candidate approval and selection, campaigning and publicity and be responsible for the formulation of policy on that Authority.
- [9.7 In any parish or town council elections, the committee of the relevant Branch, or if there is no Branch the Executive Committee shall vary the provisions of Sections 9.2 to 9.5 above as appropriate.]
- 9.8 A Delegated Nominating Officer will be appointed by the Party's Nominating Officer. The Delegated Nominating Officer shall act in accordance with the Rules made by the Party for Delegated Nominating Officers.
- 9.9 When a Parliamentary Election takes place, the activities of the Local Party shall be suspended except as necessary to comply with the Political Parties, Elections and Referendums Act 2000 and such power vested in an Agent to act on its behalf as necessary for the conduct of the Election.
- 9.10 The membership of any member of the Local Party who stands at any public election as candidate or agent in opposition to a properly nominated candidate of the Party shall automatically and immediately be suspended and, subject to any appeal, shall be revoked.
- 9.11 Any candidate for election to public office standing as a representative of the Party must be a current member of the Party.

### **10. Finance**

- 10.1 The Local party's accounting period shall be annual, ending on 31<sup>st</sup> December each year.
- 10.2 The Treasurer shall keep, maintain for six years, and pass to his or her successor accounting records which shall be available for inspection in accordance with the Political Parties, Elections and Referendums Act 2000.
- 10.3 The Treasurer shall ensure that no donation of over £200 is accepted except from a permissible donor and shall keep records and submit donations reports to the Executive
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Committee and to Chief Executive of the Federal Party.

- 10.4 The Treasurer shall annually produce accounts which shall be approved by the Executive Committee and if required by the Political Parties, Elections & Referendums Act 2000 shall be audited and submitted to the Electoral Commission.
- 10.5 The Treasurer shall submit the accounts of the Local Party together with an independent report to a General Meeting [which shall be held not later than (...) in each year].
- 10.6 A copy of the annual accounts shall be sent to the Treasurer of the Regional Party and to the Chief Executive of the Federal Party.
- 10.7 The Local Party shall maintain one or more bank or other appropriate accounts in the name of the Local Party for which the mandate for withdrawal shall require the signature of at least two Officers who shall not come solely from members of any one family. The Local Party may maintain further accounts for the deposit of money not required for the time being, requiring the same signatures.
- 10.8 If the Local Party fails by 15<sup>th</sup> January to notify the Chief Executive of the Federal Party of the appointment of a Chair and a Treasurer the Local Party shall automatically be suspended.

### **11. Constitution and Interpretation**

- 11.1 Amendments may only be made by a two-thirds majority at a quorate General Meeting. No amendment shall be made which conflicts with the Constitution of the Party or of the Regional Party. Any amendment to this Constitution shall be subject to approval by the Regional Party.
  - 11.2 Details of any proposed amendment shall be sent to all members with the notice of the General Meeting.
  - 11.3 If the Model Constitution for Local Parties (England) is amended, any provision of this constitution shall be deemed to be correspondingly amended, unless the Local Party resolves in accordance with 11.1 above at a quorate General Meeting held within 6 months of receiving notice of the amendment not to accept it.
  - 11.4 One copy of the Constitution shall be deposited with the Secretary of the Regional Party; and one shall be kept with the minute book of the Local Party. Any member shall be provided with a copy of the Constitution on request.
  - 11.5 In the event of any question of interpretation arising, or any question on which this Constitution is silent, the Executive Committee shall have power to act according to its interpretation of the Constitution, or at its discretion, subject to Article 8 of the Constitution of the Liberal Democrats in England and Article 14 of the Constitution of the Federal Party.
  - 11.6 No word or construction in this Constitution shall be taken to imply any discrimination whatsoever with regard to sex, race, colour, creed, age, disability, sexual orientation or any other ground other than political belief or practice.
  - 11.7 In the event of the dissolution or suspension of the Local Party, the assets of the Local Party shall vest in the Regional Party on trust for the future reconstitution of the Local Party, unless explicitly provided otherwise by a General Meeting in the event of dissolution pursuant upon boundary changes and subject to the agreement of the
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# THE CONSTITUTIONS OF THE LIBERAL DEMOCRATS

Regional Party.



## Notes on this Model Constitution

This model constitution is recommended to Local Parties in England, to be adapted as necessary to suit local circumstances.

The symbol (...) indicates a suitable value to be fixed by the Local Party. Defaults are defined below.

Words and sections in square brackets [...] are optional and Local Parties may choose to include or omit them, subject to the requirements detailed below. By default they are all included (with the first alternatives in Sections 6.4, 7.2(h), 8.5, 8.5(e), 9.1, 9.3 and 9.5), except the words in square brackets in 10.5 are not included).

If amended, the document adopted should be forwarded to the Regional Party to confirm that it conforms with the Party Constitution. There are some sections, indicated below, where variation is likely to conflict with the Party Constitution.

### 1,2. Name and Definitions

The name should be taken from the constituency, and may optionally include the word "Constituency" or "Local".

A Local Party covering more than one constituency will wish to choose a suitable form for its name, to define the several constituencies. Changes throughout this constitution are necessary to reflect such a Local Party's multi-constituency structure.

Otherwise the definitions should not be changed.

### 3. Objects

Should not be subtracted from, but Local Parties might wish to add additional objects, for instance the provision of social facilities for members.

### 4. Membership

Should not generally be changed. The powers of the Executive Committee might be reduced or transferred to General Meetings.

### 5. Officers and Executive Committee

Every Local Party must have a Chair and a Treasurer, which is a legal requirement under the Political Parties, Elections and Referendums Act. The same person cannot combine the offices of Chair and Treasurer. Each Local Party must also have a Data Officer, in order to operate the Party's membership system satisfactorily. This Model Constitution does not allow for the same person to be elected to more than one office, but small Local Parties (e.g. with less than 100 members) wishing to combine offices may with the agreement of their Region amend the Model. If a Local Party finds it impossible to elect five separate people to fill the offices, it may co-opt one of the officers to do a second job, except that the Chair and Treasurer must be separate people at all times

Local Parties might decide to:

- (a) elect extra officers, e.g. Social Secretary, Press Officer, Equal Opportunities Officer;
  - (b) remove the casting vote of the Chair, or to give the Chair a casting vote only;
  - (c) dispense with the Honorary Office of President.
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## THE CONSTITUTIONS OF THE LIBERAL DEMOCRATS

Local Parties should fix the scale of Branch, direct, Councillor and Youth/Student representation on the Executive Committee on an equitable basis and to accord with local circumstances. Either the number of direct representatives (b), or representatives per Branch (c) must be sufficient to enable fair representation of opinions within the Local Party. A minimum of 6 is recommended in one class. Unless the Local Party has a small number of large wards/branches the larger number would be in class (b).

The default numbers in Section 5.3 are 10 in (b), 1 and 2 in (c), 1 each in (e) and (g) and 3 in (f). The relevant County and District/Borough/Unitary Council names should be inserted in (e) and (f). If the Local Party area covers more than one District/Borough, each Council group may be represented separately or jointly, depending on local circumstances. Section 5.3 (e) may be dispensed with where there is no County Council.

The list of categories of Executive Committee members should not be subtracted from, but may be increased in special circumstances.

If there are Ordinary Members the number of co-opted Members in 5.4 may not be more than the number of Ordinary Members. If there are no Ordinary Members then the Local Party must determine the maximum number of co-opted Members. The default number is ten.

The Executive Committee is required to meet at least quarterly. More frequent (e.g. monthly) meetings may be appropriate. If the Executive Committee only meets quarterly, it might be appropriate to provide for a "Finance and General Purposes Committee", by whatever name is preferred, with specific make-up and powers, to meet more often.

### 6. Elections

Most changes to the provisions for election and holding office would conflict with the Federal Constitution. Elections can be by postal ballot of all members or by the members present at the AGM. The same method of election should be used for Officers, Ordinary Members and Conference Representatives.

Local Parties should appoint a person who is a not candidate, a close relative of a candidate or the proposer or seconder of a candidate ("a disinterested person") as Returning Officer. Local Parties anticipating contested elections may wish to ask their Region to nominate a person from outside the Local Party to act as Returning Officer.

### 7. General Meetings

Most changes would conflict with the Federal Constitution. Provisions could be added, notice periods could be lengthened or a large Local Party might decide to raise the required quorum.

### 8. Local Branches

It is for the Local Party to decide whether it wishes to have any Branch structure. If it does not then the whole of Section 8 together with the references to Branches in Section 9 should be deleted.

If the Local Party wishes to have a Branch structure then the provisions in 8.1 to 8.8 set

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out the necessary constitutional provisions. A Model Constitution for Branches is appended and should be followed, but may be varied by Branches with the agreement of the Local Party Executive.

8.5 contains a number of options for the financial arrangements of Branches. Local Parties should decide which they want to adopt. A Local Party could provide for one version to apply to some branches and another version to others. Either the Local Party may provide for Branch funds to be held by the Local Party Treasurer (first option 8.5) or to be held separately (second option 8.5) in which case the Branch must have a Treasurer and produce accounts. Where the Local Party Treasurer holds Branch funds, they may be held as part of the funds of the Local Party (in which case the words in square brackets are retained). The Branch then has no financial autonomy. Alternatively, the Branch funds may be held by the Local Party Treasurer as a separate account (in which case the words in square brackets in the first version of 8.5 should be deleted). In default the first option applies with the words in square brackets retained.

## **9. Candidates and Elections**

Most changes would conflict with the Federal Constitution. The Party Constitution and rules made by the Joint States Candidates Committee cover Parliamentary Candidate selection. Regional Parties will make rules for the selection of candidates for Regional Government. City/Borough/District Mayors are Local Government elections and Local Party Constitutions should make appropriate provision for the selection of Mayoral Candidates. 9.6 will apply where the Local Government area covers more than one Local Party.

The last sentence of 9.1 only applies to a Local Party covering more than one Constituency. Only one of the electoral college options, before or after the “/”, should then be included.

A Local Party should determine which method to use for local election candidate selection - a General Meeting or a postal ballot\_and whether the selection is to be done by only the members in the relevant electoral area, by all members of the Branch or by all members of the Local Party. 9.3 and 9.4 should then be adapted accordingly. It is automatically provided that the Local Party undertakes the selection where there is no branch. 9.4 provides a minimum number of members for selections by electoral areas. This provision is not needed when selection is by all members of the Local Party or all members of the Branch, when the relevant minimum numbers are specified in other provisions.

9.5 provides for the selection procedure when a selection has to be conducted at short notice, as is often the case for by-elections. The Local Party should decide whether emergency selections are to be by the Branch Committee (where there is one) or by the Local Party Executive.

Section 9.7 should only be deleted if Local Parties find them inappropriate in local circumstances.

## **10. Finance**

Most changes would conflict with the Federal Constitution and with the Political Parties, Elections and Referendums Act 2000.

In 10.5 the Local Party may wish to provide for a Special General Meeting to be held

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## **THE CONSTITUTIONS OF THE LIBERAL DEMOCRATS**

reasonably soon after the financial year-end on 31st December to consider the annual accounts. In that event at the end of this paragraph a date should be inserted, for example 28<sup>th</sup> February or 31<sup>st</sup> March. The reference to the accounts being approved by the AGM in 7.2(b) should then be deleted, but not the references to a Treasurer's report and budget. Where Local Party accounts are required to be submitted to the Electoral Commission and published, where the Local Party's gross income or total expenditure is over £25,000, early approval of the Accounts by a Special General Meeting is recommended.

The officers whose signatures are required to draw money might be specified more precisely in 10.7, especially if extra officers have been created. No bank account should be operated on a single signature or by two members of the same family.

### **11. Constitution and Interpretation**

None of the points in this section should be omitted. Most changes would conflict with the Federal Constitution and rules made to ensure the Party's compliance with the Political Parties, Elections & Referendums Act 2000.

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## Appendix D - Model Constitution for Branches

### Constitution of the "... Branch of the ... Liberal Democrats"

#### 1. Name

1.1 The name of the Branch shall be "... Branch Liberal Democrats."

#### 2. Objectives

2.1 The objects of the Branch shall be to further the objects of the ... Liberal Democrats (the "Local Party") within the area covered by the Branch.

#### 3. Branch area

3.1 The ... Branch area will be that part of the area of the ... Local Party in ... wards of the ... wards.

#### 4. Members

4.1 The members of the Branch shall be:

- (a) All members of the Local Party whose Registered Membership Address (as defined in the English Party Membership Rules) is within the Branch area, unless they have opted to be a member of another Branch;
- (b) Any councillor who represents a ward or division falling wholly or partially within the Branch area and who opts to be a member of the Branch;
- (c) Other members of the Local Party who wish to be members, if the Branch's Executive and the Local Party Executive Committee agree.

4.2 No person who is not a member of the Local Party may be a member of the Branch.

4.3 No person may be a member of more than one Branch.

4.4 The Branch may not levy a membership fee on its members.

#### 5. Officers and Executive

5.1 The Officers of the Branch shall be Chair, Secretary, [Treasurer] and Membership Development Officer, who shall be elected annually.

5.2 The general and financial business of the Branch shall be conducted by a committee (the "Executive"), subject to the decisions of General Meetings. The Executive shall consist of:

- (a) The Officers;
  - (b) ... Ordinary Members, elected annually;
  - (c) ... representatives elected annually by and from the Branch's members on .... County/District/Borough/Unitary/Parish/Town Council representing wards/divisions falling wholly or partially within the Branch area;
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(d) ... representatives elected annually by and from members of the Party's Youth and Student Organisation who are also members of the Branch.

5.3 The Executive may co-opt up to ... additional members, for a term expiring not later than that of the next AGM.

**Note: the number should not exceed the number of ordinary members.**

5.4 The Executive may fill any vacancy occurring among the Officers or Ordinary Members. Any vacancy amongst the Officers shall, if possible, be filled from amongst the other members of the Executive.

5.5 In urgent circumstances, the Officers may act on behalf of the Executive They shall report on all such actions to the next meeting of the Executive.

### 6. Elections of Executive Members and others

6.1 The Officers and Ordinary Members and any representatives to the Local Party's Executive Committee, as provided for in the Local Party's constitution, shall be elected by and from the members of the Branch at the time of the Annual General Meeting by the single transferable vote (STV) and secret ballot [in which all branch members are sent ballot papers].

6.2 The term of office for Officers and Ordinary Members shall be from 1<sup>st</sup> January following their election until the following 31<sup>st</sup> December.

6.3 The [Executive][Local Party] shall appoint a Returning Officer for the election of Officers and Ordinary Members before the issue of notice of the AGM under 7.3. The Returning Officer will make any supplementary rules as they feel fit and are consistent with the Federal and English Party constitutions, the English Party's membership rules and any rules made by the local party.

6.4 Representatives from the party's councillors and the Youth and Student organisation shall be elected according to rules set by the relevant Council Group(s) and the Youth and Student organisation.

6.5 The names and addresses of all Executive members shall be kept by the Secretary and provided to the Secretary of the Local Party within 7 days of their election or of any change in any Officer.

6.6 The Executive may appoint substitute representatives to the Local Party's Executive Committee if there is a casual vacancy or an elected representative is not able to be present at a meeting.

**Note: This should only be included if the Local Party's constitution permits (see 8.4 of the model Local Party Constitution).**

### 7. General meetings

7.1 The Annual General Meeting (AGM) shall be on a day and at a time and place decided by the Executive, not before 1<sup>st</sup> September and not later than 30<sup>th</sup> November. The Executive may postpone an AGM if it would conflict with any public election involving the Branch's area. The Local Party may require the AGM to be held before the AGM of

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the Local Party or before some other particular date.

7.2 The business of the AGM shall be:

- (a) To receive reports from all the Officers on their activities in the last year;
- (b) To receive reports from councillors representing wards or divisions falling wholly or partially within the Branch area (if such people exist);
- [(c) To receive a financial report;]
- [(c) To consider, and if thought fit adopt, the accounts for the previous financial year together with an independent report on those accounts and the budget for the current financial year;]
- (d) [To appoint a person(s) to produce an independent report on the accounts for the current financial year][To confirm or reject the appointment recommended by the Local Party of a person(s) to produce an independent report on the accounts];]
- (e) To consider any motion which has been submitted by any two members of the Branch to the Secretary in time for circulation with the notice of the AGM;
- (f) Any other business specified by the constitution, or directed by the Executive.

7.3 The Secretary shall give all members at least 14 days written notice of the time and place of the AGM.

7.4 A Special General Meeting may be convened by the Officers, the Executive or on receipt of a requisition signed by at least one fifth of the Branch's membership. Such a meeting shall be convened within 28 days of being requested, and with members being given at least 14 days written notice of its time and place. It shall only conduct business stated in the notice calling it.

7.5 Five members shall form the quorum at any General Meeting.

7.6 Notice and minutes of all General Meetings and Executive Meetings shall be kept by the Secretary and copies shall be sent to the Secretary of the Local Party.

## **8. Candidates for public office**

8.1 The Branch shall perform the tasks prescribed by the constitution of the Local Party in connection with the selection of local government candidates for any electoral area within its area, and in conjunction with the appropriate adjoining Branch(es) or the Local Party for any electoral areas lying only partially within the Branch's area.

8.2 The Executive shall seek to ensure, as far as is practicable, that all seats within its area on Principal Local Authorities are contested by members of the Party.

8.3 Where it is necessary to select one or more local government candidates, for either Principal Local Authorities or parish or town councils:

- (a) The Executive shall ensure that any candidate approval process specified by the Local Party is followed;
  - (b) The timetable for the selection shall be agreed by the Executive, in consultation with the Executive of the Local Party;
  - (c) The Branch shall hold a [General Meeting][postal ballot], in which all members who are resident in the electoral area concerned [or of the Branch] may vote. If the eligible electorate does not exceed 10, the electorate shall be expanded to include members of the Branch Executive;
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- (d) The election shall be held by Single Transferable Vote (STV) and secret ballot;
  - (e) The [Executive][Local Party] shall appoint a Returning Officer for the election. The Returning Officer will make any supplementary rules as they feel fit and are consistent with the Local Party constitution, Federal and English Party constitutions, the English Party's Membership rules and any rules made by the Local Party.
  - (f) In any case in which time does not permit the holding of a [meeting]/[postal ballot] the Executive may select the candidate;
  - (g) Any candidate for election to public office standing as a representative of the Party must be a current member of the Party.
- 8.4 For the period of a local government election within its area, the Executive will resolve to suspend the activities of the Branch and to invest an Agent or Agents with the authority to act on its behalf in the conduct of the election campaign.
- 8.5 The suspension of the Local Party due to the holding of an election shall have the effect of also suspending the Branch's activities for the same period.
- 8.6 During the selection of [Mayor, Greater London Authority,] Parliamentary and European candidates, the Branch and its members shall comply with the relevant selection rules.

### 9. Finance

- [9.1 The finances of the Branch shall be held by the Treasurer of the Local Party [as part of the funds of the Local Party] and subject to the constitution of the Local Party.]
- [9.1 The Branch's accounting period shall be the same as that of the Local Party.]
- 9.2 The Treasurer shall keep, maintain for six years, and pass to his or her successor accounting records which shall be available for inspection in accordance with the Political Parties, Elections and Referendums Act 2000.
- 9.3 The Treasurer shall ensure that no donation of over £200 is accepted except from a permissible donor and shall keep records and submit donations reports to the Treasurer of the Local Party.
- 9.4 The Treasurer shall annually produce accounts which shall be approved by the Branch Committee and shall be sent to the Treasurer of the Local Party by a date to be specified by the Treasurer of the Local Party.
- 9.5 The Treasurer shall submit the accounts of the Branch together with an independent report to [the Annual General Meeting][a General Meeting to be held not later than (...)]
- 9.6 The authorised signatories on any branch bank account shall be at least two in number, and shall not come solely from members of any one family.]

**Note: The Local Party Constitution will specify whether the finances of the Branch are to be held as part of the funds of the Local party or separately. If the finances of the Branch are held as part of the funds of the Local Party then no Branch Treasurer is needed (delete in 5.1), the AGM will receive a financial report but not accounts (first option 7.2(c) and delete 7.2(d) and only the first option 9.1 is required (delete second option 9.2 through to 9.6). If the branch holds its own funds independently it must have a Branch Treasurer, the AGM will receive accounts (second option**

7.2(c) and 7.2(d)) and second option 9.1 through to 9.6 are required

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**10. Constitution and interpretation**

- 10.1 Amendments to this constitution may only be made by a two-third majority at a General Meeting. Details of any proposed change shall be sent to all members with the notice of the General Meeting.
- 10.2 Any changes to this constitution shall only come into force after being approved by the Executive Committee of the Local Party. No amendment may be made or approved which would conflict with the Political Parties, Elections and Referendums Act 2000 or with the constitutions of the Local Party, English Party, Federal Party or English Party's Membership Rules.
- 10.3 A copy of this constitution shall be kept by the Secretary and sent to the Local Party Secretary.
- 10.4 In the event of any question on which this Constitution is silent, the Constitution of the Local Party shall be followed. In the event of any question of interpretation arising the Executive shall have the power to act according to its interpretation of the constitution, or, if it does not cover the issue, at its discretion, subject to the duty of the Local Party to ensure the Branch's compliance with the Political Parties, Elections and Referendums Act 2000 and with its Constitution, the Local Party Constitution and the English and Federal Party Constitutions and subject to Article 8 of the Constitution of the Liberal Democrats in England and Article 14 of the Constitution of the Federal Party.
- 10.5 The Branch may choose to dissolve itself by a two-thirds majority at a General Meeting, or may be dissolved following the procedure laid out in the Local Party's constitution. The funds of the Branch shall, if dissolved, be applied first to paying its debts, with any surplus being added to the funds of the Local Party.
- 10.6 The Executive shall perform the same functions as that of a "Branch Committee" under the Local Party's constitution.
- 10.7 The Branch shall be subject to the ultimate authority of the Local Party.
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