

CONSTITUTION OF THE SCOTTISH NATIONAL PARTY

Name

1. The Party shall be named the Scottish National Party.

Aims

2. The aims of the Party shall be:

(a) Independence for Scotland; that is the restoration of Scottish national sovereignty by restoration of full powers to the Scottish Parliament, so that its authority is limited only by the sovereign power of the Scottish People to bind it with a written constitution and by such agreements as it may freely enter into with other nations or states or international organisations for the purpose of furthering international cooperation, world peace and the protection of the environment.

(b) the furtherance of all Scottish interests.

Policy and Direction

3. The policy and direction of the Party shall be that laid down from time to time in accordance with this Constitution and any Rules made under it.

Membership

4.1 Any person of the age of sixteen or older may apply for membership of the Party. The procedure for applying for membership and renewing membership shall be described in the Membership Rules.

4.2 A person under sixteen may apply to be an Associate Member of the Party. Such Associate Members shall have all the rights and duties of Members, except that they may not vote in any body of the Party or be eligible for election to any position in the Party.

4.3 The following principles shall govern the Membership Rules:

- (a) Members shall endorse the aims of the Party.
- (b) Members shall abide by the Constitution, Rules and Standing Orders of the Party, including the Code of Conduct for Members.
- (c) Members shall abide by the policy and direction of the Party.
- (d) A member may not contest or be a member of any organisation contesting elections in opposition to the Party, or be a member of any organisation deemed to be a Political Party under the Membership Rules.
- (e) A member shall have been accepted into the Party by the appropriate body, as defined in the Membership Rules.
- (f) A member shall pay a subscription to the Party in accordance with the Membership Rules.

4.4 Membership shall cease when the member dies; intimates his or her resignation either to his or her Branch or to the National Executive Committee, or publicly; ceases to pay the membership subscription; is expelled; or in other cases as set out in the Membership Rules.

Branches

5.1 Branches shall be the primary level of organisation for the Party, each being responsible for the Party's activity within a defined geographical area of operation.

5.2 Branches shall consist of not fewer than twenty members.

5.3 The conduct of Branches shall be described by the Branch Rules (Throughout this Constitution "Branch Rules" means rules made by the Party in the manner described in clause 25 for the conduct of Branches).

5.4 Branches may only be established with the approval of the National Executive Committee, by the procedure set out in the Branch Rules.

5.5 The defined geographical areas of Branches may not overlap, and these areas shall be determined and may be adjusted by the National Executive Committee, after consultation with the Constituency Association, in accordance with the Branch Rules.

5.6 To be an official Branch, a Branch shall:

- (a) have the number of members required by 5.2 of this Constitution;
- (b) have paid any levies required by National Council or National Conference decision;
- (c) have been established in accordance with 5.4 and have an area of operation determined in accordance with 5.5 of this Constitution;
- (d) have the necessary arrangements in place to conform with political party registration and the accounting requirements of current legislation;
- (e) have a constitution that conforms with the Branch Rules.

5.7 Branches shall conduct their business in accordance with, and contribute to, the Party's strategic aims and operational objectives, whether determined by National Conference, National Council, the National Executive Committee or by a Constituency Association or Liaison Committee under whose geographic remit and competence the Branch falls.

5.8 Branches shall have authority to conduct their own affairs, subject to the Branch Rules and this Constitution.

5.9 Branches may organise their members into Groups for the purposes of more efficient organisation.

5.10 The Branch Rules shall make general provision for the constitution of Branches.

5.11 The National Executive Committee may delegate any of its powers under clause 5, with regard to Branches, to Constituency Associations or Liaison Committees.

5.12 The National Executive Committee may, on stating reasons and after consultation with the Constituency Association, dissolve any Branch. In this case, provision shall be made in the Membership Rules for transfer of remaining membership to other Branches.

Constituency Associations

6.1 The Branches within each constituency for the Scottish Parliament shall form a Constituency Association, which shall be responsible for:

- (a) co-ordinating the work of the Branches within the constituency;
- (b) co-ordinating the Party's electoral activities and developing the Party within the constituency;

(c) acting as a point of liaison between an elected Member of the Scottish Parliament or Parliament of the United Kingdom and the Party.

6.2 Where there is only one Branch in a Scottish Parliament constituency, that Branch shall also perform the functions of the Constituency Association, and be known as a Constituency Branch.

6.3 A Constituency Association shall have responsibility for an election to the United Kingdom Parliament constituency or to a local authority, where the boundaries of either or both of these are coterminous with the boundary of the Scottish Parliament constituency.

6.4 The Constituency Association shall be composed of delegates from all the Branches within the constituency. Branches shall be allocated a number of delegates in accordance with the Constituency Association Rules.

6.5 Immediately a Scottish Parliament election is called all funds held by Branches shall become the property of their Constituency Association for the purpose of contesting the election.

6.6 Meetings and conduct of Constituency Associations shall be governed by the Constituency Association Rules, but Constituency Associations must meet annually for a General Meeting to elect office bearers.

6.7 Each Constituency Association shall pay to the Party such affiliation fees and levies as may be required by National Council or National Conference.

6.8 Each Constituency Association shall have the necessary arrangements in place to conform with the registration and accounting requirements of current legislation.

6.9 The National Executive Committee may, on stating reasons, dissolve any Constituency Association. In this event, the National Executive Committee shall make interim provision for performance of the responsibilities of the Constituency Association set out in 6.1 until a new Constituency Association can be created.

Organisation of Liaison Committees

7.1 The National Executive Committee shall set up and maintain an organisational framework under which Liaison Committees are responsible for the strategic direction and operational co-ordination of Branches in respect of election campaigning for either or both of local government and parliamentary elections, other than for election to Scottish Parliament constituencies, and for other matters specified in the Liaison Committee Rules.

7.2 The organisational framework must:

- (a) ensure that there is a committee structure to cover every electoral area in Scotland which the Party wishes to contest, as decided by the National Executive Committee;
- (b) be drawn up and maintained in accordance with the Rules on Organisational Performance and Development;
- (c) recognise parliamentary and local government boundaries and, in so doing, enable branches to co-operate in forming Liaison Committees, which may have responsibility for more than one electoral level where appropriate, e.g. elections to a local authority and the Parliament of the United Kingdom;
- (d) recognise that Constituency Associations may incorporate powers of a Liaison Committee for a different electoral level, with the approval of the National Executive Committee.

7.3 A Liaison Committee shall be formed by delegates of Branches operating within a geographical boundary for specific election and other purposes, as approved by the National Executive Committee. Where there is only one Branch in a Liaison Committee's area of responsibility, that branch shall perform the functions of such Liaison Committee. A Liaison Committee shall be governed and conduct its business in accordance with the Liaison Committee Rules for the level of governance and purposes appropriate to its area of responsibility.

Responsibilities of Liaison Committees

8.1 Where a Liaison Committee has been formed, it may be responsible for any or all of:

- (a) co-ordinating the work of branches within its area;
- (b) co-ordinating the party's electoral activities for a particular election;
- (c) ensuring that the Party's electoral activities in a particular election comply with legislation and regulations, especially concerning political party registration and accounting;
- (d) ensuring that the agreed campaign strategy of the Liaison Committee is in accordance with any national strategy determined by the National Executive Committee;
- (e) ensuring that respective rules on candidate selection procedures are adhered to at all times;

8.2 A Liaison Committee for a local government area shall have the responsibility for producing a local election manifesto, subject to approval of the National Executive Committee or an authorised official with delegated authority of the National Executive Committee.

8.3 Where a Liaison Committee has responsibility for contesting elections, it shall have the power to levy funds from Branches for the purpose of covering its administration costs, and for the purpose of contesting elections.

8.4 The National Executive Committee may, on stating reasons, dissolve any Liaison Committee. In this event, the National Executive Committee shall make interim provision for performance of the responsibilities of the Liaison Committee, as set out in 8.1, until either a new Liaison Committee is formed or the powers of the Liaison Committee are transferred to another body.

National Conference

9.1 National Conference of the Party shall be the supreme governing body of the Party, and shall be responsible, in particular, for:

- (a) determining the Party's policy;
- (b) annually electing such of the National Executive Committee as is provided in clauses 14 and 15 below and holding the National Executive Committee to account;
- (c) annually electing fifteen members of National Council, who shall not also be members of the National Executive Committee;
- (d) receiving written reports from National Office Bearers, groups of Scottish National Party Members of the Scottish Parliament, European Parliament, Parliament of the United Kingdom and Association of National Councillors, as set out in National Conference Standing Orders;

(e) receiving written reports from the Affiliated Organisations as set out in National Conference Standing Orders.

9.2 National Conference of the Party shall be composed of:

- (a) delegates from each Branch; each Branch having two delegates for the first twenty members in the branch and one additional delegate for each additional twenty members, or part thereof, in the Branch;
- (b) Four delegates from each Constituency Association;
- (c) members of the National Executive Committee;
- (d) fifteen elected members of National Council;
- (e) each Scottish National Party Member of the Scottish Parliament during his or her period as such;
- (f) each Scottish National Party Member of the Parliament of the United Kingdom during his or her period as such;
- (g) each Scottish National Party Member of the European Parliament during his or her period as such;
- (h) two Scottish National Party councillors from each local authority where twenty-five per cent of the councillors in the local authority, or six councillors (whichever figure is lower), are Scottish National Party councillors;
- (i) one SNP Councillor from each local authority not covered under 9.2 (h);
- (j) a number of delegates from each Affiliated Organisation, calculated by applying 9.2(a) to the Affiliated Organisation as if it were a Branch, though no Affiliated Organisation may have more than 15 delegates nor less than 6 delegates, and all such delegates must be members of the Party and 16 years of age or over. Only members of an Affiliated Organisation who are also members of the SNP will be used in calculating delegate entitlement, although a minimum of 6 delegates will apply in any case.

9.3 National Conference shall meet at least once a year. National Conference, National Council or the National Executive Committee shall call a National Conference.

9.4 The quorum for National Conference shall be one third of those entitled to vote.

9.5 National Conference may delegate such powers and give such directions as it thinks fit to other bodies of the Party.

9.6 The conduct of National Conference shall be governed by National Conference Standing Orders and by the Rules on the Conduct and Procedure of National Conference.

9.7 All elections for office or committee places conducted at National Conference shall be by the single transferable voting system.

National Council

10.1 National Council shall be the governing body of the Party between National Conferences, and its decisions shall be binding on the Party and all members, unless and until rescinded or modified by a National Conference.

10.2 National Council shall be composed of:

- (a) two delegates from each Branch;
- (b) two delegates from each Constituency Association;
- (c) the members of the National Executive Committee;
- (d) six delegates from each Affiliated Organisation, though all such delegates must be members of the Party and 16 years of age or older;
- (e) fifteen members elected by National Conference;
- (f) any five of the Scottish National Party Members of the Scottish Parliament during their period as such, to be appointed by the Scottish National Party Members of the Scottish Parliament in accordance with the Scottish Parliament Group Standing Orders;
- (g) any two of the Scottish National Party Members of the Parliament of the United Kingdom during their period as such, to be appointed by the Scottish National Party Members of the Parliament of the United Kingdom in accordance with the Parliament of the United Kingdom Group Standing Orders;
- (h) any one of the Scottish National Party members of the European Parliament during his or her period as such, to be appointed by the Scottish National Party Members of the European Parliament in accordance with the European Parliament Group Standing Orders;
- (i) six Scottish National Party members of Scottish local authorities, who shall be chosen by the Association of Nationalist Councillors.

10.3 National Council shall meet at least twice a year.

10.4 The conduct of National Council shall be governed by National Council Standing Orders and by the Rules on the Conduct and Procedure of National Council.

10.5 The National Council shall have a quorum of 150.

The Standing Orders and Agenda Committee

11.1 The agenda for National Conference and National Council shall be the responsibility of the Standing Orders and Agenda Committee.

11.2 The Standing Orders and Agenda Committee shall, in compiling the agenda for National Conference, act in accordance with the National Conference Standing Orders and with the Rules on the Conduct and Procedure of National Conference, and, in compiling the agenda for National Council, act in accordance with the National Council Standing Orders and with the Rules on the Conduct and Procedure of National Council.

11.3 The Standing Orders and Agenda Committee shall comprise:

- (a) the National Secretary as Convener;
- (b) four members elected annually by the National Executive Committee from among their own number;
- (c) six ordinary members, who shall not be members of the National Executive Committee, elected annually by National Conference.

National Assembly

12.1 National Assembly shall:

- (a) provide a forum for members of the Party from all parts of Scotland to exchange ideas for attaining the aims of the Party;
- (b) consider, review and debate Party policy;
- (c) perform such other functions as may be delegated to it by National Council or National Conference;

12.2 Any member of the Party shall be entitled to attend National Assembly.

12.3 The conduct of National Assembly shall be governed by National Assembly Standing Orders.

Association of Nationalist Councillors

13.1 Every Scottish National Party member who is currently a member of the SNP Group of a Scottish local authority shall be deemed to be a member of the Association of Nationalist Councillors.

13.2 The proceedings and role of the Association of Nationalist Councillors shall be described in the Rules of the Association of Nationalist Councillors.

National Executive Committee

14.1 The National Executive Committee shall have responsibility for:

- (a) the strategic management and political direction of the Party;
- (b) ensuring the decisions of National Conference and National Council are implemented;
- (c) oversight and interpretation of policy between meetings of National Conference and National Council;
- (d) coordinating and monitoring the work of all Office Bearers elected by National Conference;
- (e) organising and directing national campaigns;
- (f) employment and direction of staff;
- (g) ownership of the Party's assets and management of the Party's financial affairs;
- (h) any other matters expressly delegated to it by National Council or National Conference.

14.2 The National Executive Committee shall be composed of:

- (a) the National Office Bearers;
- (b) two ordinary members, elected annually at National Conference, nomination for which shall be open only to Members of the Scottish, United Kingdom or European Parliaments;
- (c) six ordinary members elected annually at National Conference, nomination for which shall not be open to members of the Scottish, United Kingdom or European Parliaments;
- (d) a member of each of the Party's groups in the Scottish Parliament, European Parliament and Parliament of the United Kingdom, selected by each Parliamentary group in accordance with its Standing Orders;

- (e) a member elected by the Association of Nationalist Councillors;
- (f) a member elected by Young Scots for Independence;
- (g) a member elected by the Federation of Student Nationalists
- (h) a member elected by the Scottish National Party Trade Union Group.

14.3 The members of the National Executive Committee must be members of the Party.

14.4 The conduct of the National Executive Committee shall be governed by National Executive Committee Standing Orders.

National Office Bearers

15.1 The following shall be National Office Bearers:

- (a) the President,
- (b) the Leader,
- (c) the Depute Leader,
- (d) the National Treasurer,
- (e) the National Secretary,
- (f) the Business Convener,
- (g) the Organisation Convener,
- (h) the Local Government Convener.
- (i) the Political Education Convener,
- (j) the National Women's and Equalities Convener

15.2 The National Office Bearers, with the exception of the Leader, the Depute Leader, and the Business Convener, shall be elected annually at National Conference in accordance with the National Conference Standing Orders and the Rules on Conduct and Procedure of National Conference.

15.3 The National Office Bearers shall perform functions as set out in the National Office Bearers' Job Descriptions.

15.4 The following specific provision shall apply to the position of President:

- (a) The President shall be an honorary position of the Party, elected in recognition of distinguished service to the Party.

15.5. The following specific provisions shall apply to the position of Leader:

- (a) The Leader shall be the registered leader of the Party.
- (b) If the Leader is a Member of the Scottish Parliament, he or she shall be the leader of the Parliamentary group.

15.6 The following specific provisions shall apply to the position of Depute Leader:

(a) The Depute Leader shall be next in seniority to the Leader.

(b) Should the office of Leader for any reason fall vacant, the Depute Leader shall act as Leader until such time as a new Leader can be elected.

(c) If the Depute Leader is a Member of the Scottish Parliament, he or she shall be the deputy leader of the Parliamentary Group if the Leader is also a Member of the Scottish Parliament but shall be the leader of the Parliamentary Group if the Leader is not also a Member of the Scottish Parliament.

15.7 The following specific provisions shall apply to both the Leader and Depute Leader:

(a) The Leader and Depute Leader shall be elected annually in a vote of all members of the Party conducted in accordance with the Leadership Election Rules.

(b) A candidate for Leader or Depute Leader must have the nominations of at least a hundred members, who must be drawn from at least twenty Branches.

(c) Subject to their agreement, the incumbent Leader and Depute Leader shall automatically be deemed nominated for re-election.

(d) Where only one candidate is nominated for Leader or Depute Leader, it shall not be necessary to hold an election as required by 15.7(a).

15.8 The following specific provisions shall apply to the position of Business Convener:

(a) The Business Convener shall chair the National Executive Committee, National Conference and National Council or shall nominate a person from the National Executive Committee to do so in his or her stead, and shall oversee operational matters of the Party including membership, campaign co-ordination and internal affairs.

(b) The Leader shall appoint the Business Convener annually from the membership of the National Executive Committee, with the approval of National Council.

15.10 If a National Office Bearer's post falls vacant before its term, the vacancy shall be filled by National Council in accordance with National Council Standing Orders.

15.11 The National Office Bearers shall not receive remuneration for their work.

Members' Associations

16.1 Members of the Party wishing to cater for a specific interest may apply to the National Conference for recognition as a Members' Association.

16.2 A Members' Association must have a constitution and rules that conform to the Members' Association Rules.

16.3 The status of Members' Associations shall be reviewed annually at National Conference.

16.4 National Conference or National Council, on the motion of the National Executive Committee, may resolve to dissolve any Members' Association.

Affiliated Organisations

17.1 Any organisation that agrees with the aims of the Party as set out in clause 2, and wishing to associate itself with the Party, may apply to National Conference for recognition as an Affiliated Organisation of the Party.

17.2 An Affiliated Organisation must have a constitution and rules that conform to the Affiliated Organisation Rules.

17.3 The status of Affiliated Organisations shall be reviewed annually at National Conference.

17.4 National Conference or National Council, on the motion of the National Executive Committee, may resolve to disaffiliate any Affiliated Organisation.

Vetting of candidates

18.1 The National Executive Committee shall be responsible for drawing up a list of approved candidates for elections contested by the Party.

18.2 The National Executive Committee may delegate its duty in 18.1 to another body or bodies established for the purpose in accordance with the Vetting and Selection Rules.

Nomination of candidates

19. In any election where the Party may enter several candidates for a single ward, constituency or region, the National Executive Committee may decide the maximum number of candidates, or may delegate this function to an appropriate body of the Party.

Selection of Parliamentary Candidates

20.1 Except where 20.2 applies, candidates for elections to the Scottish Parliament, Parliament of the United Kingdom, and European Parliament shall be chosen, and where necessary ranked, by election amongst all the members resident within the respective constituency or electoral area, from the list of approved candidates and in accordance with the Vetting and Selection Rules.

20.2 Any selection of a parliamentary candidate made within two calendar months of the actual or reasonably anticipated date of a general election to the Scottish, United Kingdom or European Parliament shall be made by the National Secretary and Business Convener acting jointly, and where selection entails placement on a party list, the candidate will be placed below all candidates already placed on the list, in accordance with the Vetting and Selection Rules.

20.3 The National Executive Committee will specify arrangements for approving the selection of parliamentary candidates who are unopposed in constituencies."

20.4 The Vetting and Selection Rules will specify processes for ensuring a balanced list of candidates, particularly in regard to gender.

20.5 In the event of a Parliamentary by-election, special provision shall be made by the Vetting and Selection Rules.

20.6 The National Executive Committee, or such other body as may be specified by Vetting and Selection Rules, shall have responsibility for conducting the election and ranking of candidates as set out in this clause.

20.7 The decision of the National Executive Committee on contesting any election or by-election and on the selection of any candidate, shall be final.

Selection of Local Government Candidates

21.1 Local Government candidates shall be chosen by election amongst all the members resident within the respective ward from the list of approved candidates, subject to provisions in the Vetting and Selection Rules, which allow for specific arrangements to be made for: -

- i) uncontested selections
- ii) other exceptional circumstances

21.2 The deselection of any local government candidate shall be conducted in accordance with the Vetting and Selection Rules.

Code of Conduct

22.1 The National Executive Committee shall draw up and maintain a Code of Conduct for members, which shall set out minimum standards of behaviour expected from members towards each other and in representing the Party externally.

22.2 The Code of Conduct shall conform to the principles laid down in this Constitution.

22.3 The Code of Conduct shall be submitted to the National Council or Conference for amendment and/or adoption.

Discipline

23.1 A Disciplinary Committee shall be established in order to hear complaints and take disciplinary action, where it considers necessary, against members of the Party.

23.2 The Disciplinary Committee shall be elected annually by National Conference, though no member of the National Executive Committee or Appeals Committee may be a member of the Disciplinary Committee.

23.3 The National Secretary shall have the power to suspend a member he or she believes has contravened the requirements of Clause 4 of the Constitution. This suspension will be for a temporary or specified period, and the case will be referred immediately to the Disciplinary Committee for consideration in terms of 23.4.

23.4 The Disciplinary Committee may, on the proposal of the National Secretary, take disciplinary measures against a member of the Party on the grounds that the member no longer complies with the requirements of clause 4 of this Constitution, that the member has contravened the Constitution or Rules or has breached the Party's Code of Conduct.

23.5 The Disciplinary Committee shall function in accordance with the Disciplinary Rules.

23.6 The Disciplinary Rules shall set out the disciplinary measures which may be taken against members, but these shall include the power to admonish, suspend for a specified period or expel a member from the Party.

23.7 Any member disciplined shall have a right of appeal to the Appeals Committee, as described in the Disciplinary Rules.

Appeals Committee

24.1 An Appeals Committee shall be established with responsibility for hearing Appeals referred to it, as described in the Disciplinary Rules.

24.2 The Appeals Committee shall be elected annually by National Conference, though no member of the National Executive Committee or Disciplinary Committee may be a member of the Appeals Committee.

24.3 The Appeals Committee shall function in accordance with the Disciplinary Rules.

Financial Provisions

25.1 The National Executive shall have full control over all monies, funds, property, investments and securities of whatever kind and description belonging to the Party.

25.2 The National Executive shall have the power to borrow money on behalf of the Party, and to continue existing borrowing, where it is necessary to do so in order to finance the Party's activities.

25.3 A Financial Scheme shall set out how the Party will regulate its financial affairs for the purpose of compliance with current legislation.

25.4 The financial affairs of all bodies mentioned in this Constitution must comply with the Financial Scheme.

25.5 No body within the Party shall enter into commercial borrowing unless prior agreement has been reached with the National Treasurer.

25.6 The National Secretary may deny any body mentioned in the Constitution which has a debt to the Party its entitlement to send delegates to National Conference and National Council until the debt is cleared.

25.7 If a body within the Party goes out of existence or is dissolved, all assets, at the option of the National Treasurer, shall become property of the Party.

25.8 National Conference or National Council shall determine the standard rate or rates of membership subscriptions, and all rates so determined shall remain in force until National Conference or National Council shall determine otherwise.

Rules and Standing Orders

26.1 The National Executive Committee shall draw up and maintain Rules and Standing Orders covering the following:

- (a) the conduct of all bodies referred to in this Constitution;
- (b) selection of candidates to stand at any election in the name of the Party;
- (c) conduct of the Party's elected members and groups at all levels of government;
- (d) conduct required of members, and party discipline;
- (e) job descriptions for Party Office Bearers and any other roles it may consider necessary;
- (f) any other aspect of the Party's activity which it considers necessary or appropriate.

26.2 All such Rules and Standing Orders shall be based on the principles laid down in this Constitution.

26.3 All such Rules and Standing Orders shall be submitted to the National Council or Conference for amendment and/or adoption.

26.4 National Conference Standing Orders shall be laid down and changed only by National Conference, in its role as the highest authority of the Party, as laid down in 9.1 of this Constitution.

26.5 All of the above sets of Rules and Standing Orders in 26.1 above may be amended by simple majority of those present and voting in the approving body.

26.6 All Rules and Standing Orders referred to above shall have the same status as if they were incorporated in this Constitution, and will be binding on the structures and procedures of the party to which they refer. The only feature of them that differs from the main body of the Constitution is the process for drafting and amendment.

26.7 In the event of any conflict between such Standing Orders or Rules and this Constitution, the Constitution shall prevail.

Amending the Constitution

27 This Constitution may not be changed, except by a vote of at least two-thirds of the delegates present and voting at National Conference.

Interpretation

28.1 Should any question arise regarding the interpretation of the Constitution, Rules or Standing Orders of the Party, the convener of the meeting shall adjudicate on the question and his or her adjudication shall be final, unless a motion is passed requiring the person to vacate the Chair.

28.2 Where such a question arises between meetings, the National Secretary shall have the final say on the interpretation of the Constitution, Rules and Standing Orders.

28.3 All such adjudications shall be reported to the National Executive, which may propose action to clarify the matter.