

UKIP PARTY CONSTITUTION

DISCUSSION DRAFT

In this copy the new entries are in blue and the old removed ones in red. Headings which contain changes, other changes which have already been introduced elsewhere and clauses which have just been moved are in green.

This document is the Constitution of the UK Independence Party (UKIP) and is hereinafter referred to as “the Party Constitution” or simply the “Constitution”, and UKIP as “the Party”.

Contents		Page
Part I	Interpretation and definition of terms	4
Part II	Names and Objectives	
	2.1 Names	4
	2.2 Legality	4
	2.3 Objectives	5
Part III	Activities and Organisation of the Party	
	3.1 Activities	7
	3.2 Organisation	8
	3.3 Employment	8
Part IV	Membership	
	4.1 Eligibility	9
	4.2 GDPR	9
	4.3 Exclusion	9
	4.4 Suspension and bringing the Party into disrepute	10
	4.5 Exceptions to ineligibility	11
	4.6 Subscriptions and terms of membership	11
Part V	Party Conference and other Meetings of the Membership	
	5.1 Party Conference	12
	5.2 Annual General Meeting ("AGM")	12
	5.3 Extraordinary General Meetings ("EGM"s)	13

Part VI	The National Executive Committee (“NEC”)	
	6.1 Status	14
	6.2 Duties and responsibilities	14
	6.3 Conduct of meetings	15
	6.4 Composition	15
	6.5 Eligibility	16
	6.6 Elections and terms of office	16
	6.7 Resignations and vacancies	17
	6.8 Suspensions and expulsions	17
	6.9 Authorised groups	18
Part VII	The Leader	
	7.1 Status	18
	7.2 Duties and responsibilities	19
	7.3 Term of office	19
	7.4 Eligibility and election	20
	7.5 No confidence motions	20
	7.6 Deputy leader	21
	7.7 Policy spokesmen	21
Part VIII	The General Secretary	
	8.1 Status	22
	8.2 Duties and responsibilities	22
	8.3 Term of office	22
Part IX	The NEC and Company Chairman	
	9.1 Status and election	23
	9.2 Duties and responsibilities	23
	9.3 Term of office	23
	9.4 Vice-chairman	23
Part X	Returning Officers and remote ballots of the membership	23
Part XI	Other Executive Officers	
	11.1 Party Secretary	24
	11.2 Assistant Secretary	25
	11.3 Party Treasurer	25
	11.4 Chief Accountant	26
	11.5 Head Office Manager and staff	26
	11.6 Campaign Manager	26
	11.7 Press Officer	26
	11.8 Nominating Officer	27
	11.9 Other posts	27
Part XII	Separation of Office	27
Part XIII	Standing and Temporary Committees	
	13.1 Establishment	27

	13.2 Finance Committee	28
	13.3 Disciplinary Committee	28
Part XIV	Discipline	
	14.1 Jurisdiction	28
	14.2 Complaints	28
	14.3 Remedies	29
	14.4 Right of appeal	29
	14.5 Emergency powers	29
Part XV	Candidates for public office	
	15.1 Approved candidates	30
	15.2 Selection	30
	15.3 Duty of disclosure	31
	15.4 Codes of conduct	31
	15.5 Suspension and removal	32
Part XVI	Approval and Amendments to the Constitution	32
Part XVII	The Party Rule Book, aka the Rules of Procedure or Rules	33

PART I - INTERPRETATION OF TERMS

For the avoidance of doubt, throughout this constitution the masculine implies a person of either gender.

- 1.1 “Company” means “United Kingdom Independence Party Limited;
- 1.2 “Articles” means the Articles of Association of the company;
- 1.3 “Clauses” means the parts, clauses and paragraphs in this constitution,
- 1.4 “AGM” means an Annual General Meeting of the Party or company
- 1.5 “EGM” means an Extraordinary General Meeting of the Party or company
- 1.6 “NEC” means the National Executive Committee of the Party
- 1.7 “Rules” means Rules of Procedure made by the NEC under this Constitution
- 1.8 “Branch” means a branch or constituency association of the Party
- 1.9 “PPERA” means the Political Parties, Elections and Referendums Act 2000
- 1.10 “GDPR” means the General Data Protection Regulations applicable in the UK
- 1.11 Where the context so implies, the singular shall include the plural
- 1.12 Headings shall not form part of the meanings of clauses.

PART II NAMES AND OBJECTIVES

Name

2.1.1 The Party exists as a Political Party registered with the UK Electoral Commission under the PPERA. The Party bears the Electoral Commission Registration Number PP85. The registered name of the Party under the PPERA shall be the UK Independence Party (UKIP) (hereinafter referred to as “the Party”).

2.1.2 The Party may also use such other names as may be registered from time to time with the Electoral Commission and may also use informally such other names as may from time to time be appropriate;

Legality

2.2.1 The Party is also established as a not-for-profit company limited by guarantee and not having a share capital [exists as a Limited Liability Company] registered with Companies House (Registration Number: 05090691) in accordance with the Companies Act 2006 and governed by its Memorandum and Articles of Association as most recently filed at Companies House;

2.2.2 All directors shall subscribe on appointment £500 each as their guarantee which shall be returned to them on resignation unless the company is being wound up as insolvent. They may then receive such restitution as may be available equally to all directors after all other creditors have been fully satisfied.

2.2.3 Where any discrepancy arises between the Constitution and the Memorandum and Articles of Association then the Constitution shall prevail, and the Directors shall forthwith file amendments to the former accordingly. However where any discrepancy arises between the Rules of Procedure, including any minutes of the NEC subsequent to most the recent published version of the Rules, and either the Constitution or Memorandum and Articles of Association then the latter shall prevail until such time as they are brought into line;

2.2.4 Members of the NEC entitled to vote at its meetings shall serve as Directors of the Company from the date upon which they are elected or appointed in accordance with this Constitution until the date upon which they cease to be NEC members entitled to a vote. Likewise ex-directors shall no longer have a vote at NEC meetings.

[2.2.3 Elected members of the NEC shall serve as Directors of the Company from the date upon which they are declared elected in accordance with this Constitution and the Rules until the date upon which their successor is elected.]

Objectives

2.3 The Party believes that the United Kingdom of Great Britain and Northern Ireland (hereinafter "The United Kingdom") should only be governed by her own citizens and that its governance shall at all times be conducted first and foremost in the interests of the United Kingdom and its peoples and that the only laws that should apply within the jurisdiction of the United Kingdom are those wholly made by the Parliament of the United Kingdom. To that end it shall be the policy of the Party that the United Kingdom shall cease to be a member of the European Union and shall not thereafter make any Treaty or join any international organisation which involves in any way the surrender of any part of the United Kingdom's sovereignty. The Party further believes that the integrity of the United Kingdom of Great Britain and Northern Ireland (hereinafter "The United Kingdom") should be maintained.

2.3 The objectives of the Party shall include all objects of the company set out in its Memorandum of Association as follows, namely to:

- (i) campaign to preserve the United Kingdom's sovereign independence in accordance with the principles of self-determination of sovereignty as set out in international law following withdrawal from the European Union ("EU") so that the United Kingdom shall be governed by laws made to suit its own needs by its own Parliament which must be directly and solely accountable to the electorate of the United Kingdom;
- (ii) be guided in its activities by the principles of equality under the law, justice after the fact, trial by jury, non-discrimination against any individual or group of persons, freedom of speech and freedom of choice consistent with the national interest, freedom of conscience and worship and all other traditional values of the British people, and seek the support of all persons entitled to British citizenship and resident foreign nationals who share its aims;

- (iii) campaign for a programme of national revival and, to that end, promote a full range of long-term domestic policies at both Parliamentary and local level;
- (iv) work to free individuals, families and businesses alike from excessive government interference in the conduct of their affairs, to seek to return authority and responsible autonomy to all levels of local government consistent with the national interest, and to permit devolution only in so far as it both reflects the settled wishes of the citizens concerned and does not disadvantage citizens living elsewhere within the UK with any dispute to be settled in the courts on the basis of fact;
- (v) take part in all democratic electoral processes within the UK;
- (vi) work together with other democratic parties and organisations for particular purposes consistent with its aims.

2.4 In pursuit of these objectives the Party will at all times adhere to the principle of full equality before the law. The Party shall conduct itself and its affairs in such a way that it does not discriminate against or in favour of any person on the grounds of their race, religion, ethnic origin, education, beliefs, sexual orientation, class, social status, sectarianism or any other basis prescribed by law. Further the Party shall at all times adhere to the principles of the rule of law, liberty, democracy and respect for the human rights and the essential, traditional freedoms of the people of the United Kingdom and those under the protection of the United Kingdom.

2.5 The Party is a centre, radical, democratic, libertarian Party which:

- a) aims to achieve balance, openness, honesty, fairness and stability in all matters of public interest;
- b) promotes and encourages those who aspire to improve their personal situation and those who seek to be self-reliant on the basis of equal opportunity for all, and favours the ability of individuals to make decisions in respect of themselves;
- c) respects the interests of each community in a multicultural society consistent with the principles of fairness, freedom and the national interest, and opposes tyranny by the majority, compulsory altruism and compulsory integration subject to no community becoming disproportionately dependent on the state relative to employment opportunity;
- d) seeks to diminish the role of the State whilst maintaining efficient public services and reliable welfare support [providing protection] for those [genuinely] in need,
- e) lowers the burden of taxation on individuals and businesses by limiting the size of the public sector as measured by central government taxation to within 35% of GDP and balancing the fiscal and external current accounts;
- f) ensures proper control over the United Kingdom's borders by maintaining floating price quotas for immigration and seeking to repatriate illegal immigrants and foreign criminals.

- [g) strengthen and guarantee the essential, traditional freedoms and liberties of all people in the United Kingdom - duplication of 2.4 above.]

PART III ACTIVITIES AND ORGANISATION OF THE PARTY

Activities

[3.1 In furtherance of these objectives the Party may undertake the following activities: - see duplication with Objectives 2.3 above

- a) the development of a full range of policies for domestic and foreign affairs;
- b) participation in all democratic electoral processes that take place within the United Kingdom or in such other places where it is lawful for the Party to stand for election, subject always to the proper use of resources belonging to the Party. In particular the Party may stand in all levels of elections to public office from elections to the European Parliament (whilst the UK remains a member of the European Union) down to Parish Council level, including Mayoral elections.

3.2 In addition the Party may participate and campaign in any referendum, including but not limited to national, regional or local referendums.

3.3 The Party shall take up any seat to which it wins election regardless of any policy of the Party which espouses the abolition of such seat or election, subject always to the right of the Leader and the NEC jointly to decide otherwise.

3.4 The Party may co-operate with other like-minded democratic parties, institutions and organisations for any purposes which are wholly consistent with its objectives, whether such be in the United Kingdom or elsewhere for such time and to such extent as the Leader and the NEC may deem necessary and expedient in order to advance the Party's objectives.]

3.1 [3.5] The activities of the Party shall include all activities set out in the company's Memorandum and Articles of Association and in furtherance of its objectives may undertake the following:

- a) raise funds and invite and receive contributions from any legal or natural person whatsoever in such manner and to the extent and limits established by law, including but not limited to: loans, subscriptions, donations, provision of work or materials in kind,
- b) publish, with or without charge, any document it sees fit in any format,
- c) employ and pay people to manage, supervise, organise and carry out the Party's aims, administer the Party and meet the Party's obligations under the law,

- d) purchase, lease or rent such real or personal property deemed necessary to carry out the Party's objectives and to conduct the Party's administration and to make arrangements for the management of any such property acquired,
- e) invest any monies of the Party not immediately required, in accordance with the Trustee Act of 1925,
- f) carry out or refrain from carrying out any lawful act as may be deemed appropriate for the attainment of the Party's objectives and the proper administration of the Party,
- g) enter into contracts for the supply of goods, employment and services,
- h) undertake any or all lawful activities under the Companies Acts and UK law generally.

Organisation

3.2 The NEC may establish, suspend or disband branches or other means of organisation as the NEC may from time to time deem necessary. Such constituency associations, branches or organisations may only be established with the written authority of the NEC **represented by the Party Secretary/[which may delegate such authority to the Party Chairman.]**

Employment

3.3.1 All persons employed as described in Clause 3.1 (c) hereof or who are employed by any person elected to any public body as a UK Independence Party candidate at the time of the coming into force of this Constitution shall certify that they are not a person who comes within the ambit of Clauses 4.3.1 or 4.3.2 below. This requirement shall only apply to those who commence employment on the date of or after the coming into force of this constitution.

3.3.2 It shall be a condition of employment that no person so employed as described in Clause 3.3.1 hereof may be a person who has been excluded from membership by virtue of rules made under Clause 4.3.1 or Clause 4.3.2 below. Such a condition shall expressly form part of their contract of employment. All such employees shall, before taking up employment, acknowledge in writing that they agree to be bound by the terms of this constitution that relate to such employment. This requirement shall only apply to those who commence employment on the date of or after the coming into force of this constitution.

3.3.3 For the avoidance of doubt, it is the purpose of the restrictions against employment of persons who have been excluded from membership by virtue of rules made under Clause 4.3 below to prevent the reputation of the Party from being damaged in any way whatsoever by such persons infiltrating the Party and being associated in any way with the Party. Nothing, however, in this Constitution shall prevent such persons supporting or making donations to the party.

PART IV PARTY MEMBERSHIP

Eligibility

4.1.1 Membership of the Party shall be open to any natural person who shares the objectives and core beliefs of the Party and who agrees to abide by this Constitution and any Rules which may from time to time be made by the Party and who have not been excluded from membership by virtue of rules made under Clause 4.3 below.

4.1.2 Members are considered to be "in good standing" if at any given moment:

- a) their subscriptions are up to date, and
- b) they are not subject to any suspension or exclusion by the Party either from elected office or from standing as a candidate of any sort in any election, and
- c) they are not subject to any form of suspension or restriction as to their membership of the Party,
- d) they have not served any part of a custodial sentence within the past ten years.

4.1.3 Members who are in good standing shall receive a membership card and the Party's newsletter either by post or electronically [and have access to all party websites](#). They shall be entitled to vote in all relevant internal Party elections or ballots, provided that no new member shall be entitled to vote in any such election until 28 days have elapsed from the commencement [or reinstatement of their membership in good standing](#).

GDPR

4.2 [Members in good standing may in accordance with the GDPR rules stipulate that their own contact details as they may specify be made available on demand to any other member in good standing who stipulates the same and to the same extent they may have done so. Members may cancel such consent wholly or in part at any time by contacting the relevant national administrative staff. At all times members, whether in good standing or not, may be contacted by the Leader or his own appointed assistants, by any national executive officer or member of the administrative staff, by elected members of the NEC, or by their own Regional Chairman, Regional Organiser or Branch officers, or candidates for public office in their constituency.](#)

Exclusion

4.3.1 Notwithstanding anything in Clause 4.1 of this Constitution, the NEC may from time to time make Rules of Procedure concerning the refusal of or exclusion from membership of persons or classes of persons, whose admittance to membership of the Party would, in its opinion, be inimical to the interests of the Party. [Such a ban shall remain in force for any period as may be specified not exceeding ten years.](#)

4.3.2 The Party [Secretary/ \[Chairman\]](#) (or, in his absence, his designated deputy) shall, without reservation or qualification, be entitled, subject to the approval of the

NEC, to refuse to admit any person to membership. Where it is deemed appropriate brief reasons will be given to the applicant for any such refusal.

4.3.3 Any person applying for or renewing membership of the Party shall, at the time of applying for or renewing that membership, certify that he is not a person disqualified from membership under Clauses 4.3.1 or 4.3.2 above. Renewal of membership may be treated by the Party as if it was an application for membership for the first time. The Party **Secretary** (or, in his absence, his designated deputy) shall, without reservation or qualification, be entitled, subject to the approval of the NEC, to refuse to renew the membership of any person and may exercise this power without giving reasons for the same, if he deems it appropriate so to do.

4.3.4 Any person to whom membership is refused under either Clause 4.3.1 or 4.3.2 above may appeal against that decision within 28 days of notification thereof being sent to him. Such an appeal shall then be heard within a reasonable time by a panel composed either of the **Chairman** and two elected members of the NEC or, at the discretion of the Party **Secretary**, by the **Chairman** and two persons independent of the Party; provided, in the case of an application to renew membership, that such right of appeal shall only extend to those who were members "in good standing" at the time of the application for membership or renewal of membership as the case may be. The Appeal panel shall give an opportunity to both the **Chairman** and the Appellant to be heard. The Appeal Panel, in its discretion, may at the conclusion of the appeal publish the reasons for its decision, but is not bound to do so.

Suspension and bringing the Party into disrepute

4.4 If, after becoming a member of the Party, a member

- a) joins another political party (whether registered with the Electoral Commission or not) or any organisation membership of which the NEC has declared to be incompatible with membership of the Party; or
- b) without the authority of the NEC, sets up or has set up or has aided and abetted the setting up of another political party, whether registered with the Electoral Commission or not; or
- c) is later found already to be a member or former member of another political party or organisation membership of which the NEC has declared to be incompatible with membership of the Party; or
- d) stands against a UKIP candidate in any election **without the written permission of his Branch Chairman as regards local elections or Regional Chairman or any voting member of the NEC as regards national elections;** or
- e) **deliberately publishes in a manner that could be interpreted as party policy opinions which are specifically incompatible with this constitution or any statement which results in significant consequential loss to the Party either financially or in terms of loss of members or electoral support. This does not apply to private conversations or debates within the party, even if 'leaked' by someone else, or to proposals for changes to the constitution, or**

- f) contravenes any of the Rules of Procedure which specifically define an action as being deemed to bring the party into disrepute, or
- g) is found to be a person who has been expelled from the Party,

the Party Secretary shall suspend sub judice [revoke] their membership forthwith and refer the matter to the Disciplinary Committee which may then confirm the suspension, hand out a lesser sentence or quash the complaint. Any person whose membership is suspended [revoked] or is otherwise disciplined under this Clause may appeal against that decision in accordance with the procedures set out in Part XIV hereof [within 28 days of notification thereof being sent to him. Such an appeal shall then be heard within a reasonable time by a panel composed either of the Party Secretary and two elected members of the NEC or, at the discretion of the Party Secretary, by the Party Secretary and two persons independent of the Party].

Exceptions to ineligibility

4.5.1 In exceptional circumstances the Party Leader may, with the agreement of the NEC, cause to be admitted to membership any applicant who would otherwise be prohibited from membership.

4.5.2 Persons not otherwise eligible for membership (other than those subject to exclusion under Clause 4.3 hereof) under the provisions of this constitution may, at the discretion of the Party Leader, in consultation with the NEC, be admitted to Associate Membership of the Party. The NEC may make rules as to the rights and duties of Associate Members.

4.5.3 The NEC may from time to time make such rules as it deems appropriate concerning the employment by the Party and/or those elected to public office of persons falling within the ambit of Clause 4.3 above.

4.5.4 Upon being employed, all employees must sign a certificate that they are not a person who falls within the ambit of Clause 4.3 above.

Subscriptions and terms of membership

4.6.1 The NEC shall from time to time set such periodic [annual] subscription fees as it deems appropriate and may define and set differential subscriptions for different categories of membership as it may from time to time deem appropriate.

4.6.2 By entering into membership the Member agrees that at all times he will abide by the terms of this Constitution and the Rules of the Party. Any member who is in breach of this constitution or the rules made thereunder may be subject to the disciplinary procedures set out in Part XIV and any Rules of the Party made under this Constitution.

4.6.3 Members of the Party are deemed by their entry into membership to agree not to do or omit to do any act (as the case may be), the commission or omission of which brings the Party into disrepute as defined under Clause 4.4 above or damages or is intended to damage the Party's interests as so defined [either:

- brings the Party into disrepute; or
- is intended to damage the Party's interests; or

- damages the Party's interests; or
- breaches any other disciplinary rule which the NEC may from time to time deem appropriate to make].

4.6.4 Any member including suspended members whose monthly or annual subscription has not been received by the party within 28 days of the end of the month in which their membership subscription ran out, or 14 days of having received a reminder, which shall include a reminder of the provisions of this clause, shall be regarded as no longer being in good standing and be notified to that effect. If later they make good all outstanding fees they shall be reinstated as before after 28 days of receipt and their membership shall be regarded as uninterrupted. If they have still not made good all outstanding fees after 18 months from the first date of non-payment they shall be regarded as having resigned from the Party. [Any member whose annual subscription has not been received by the party within 14 days of the end of the month in which their membership subscription ran out shall be regarded as having resigned their membership.]

4.6.5 The NEC may from time to time as it deems appropriate make rules concerning affiliation to the Party by other organisations. Such affiliated bodies shall not enjoy any voting rights under the Constitution.

PART V

PARTY CONFERENCE AND OTHER MEETINGS OF THE MEMBERSHIP

Conference

5.1.1 The Party shall hold a full Party Conference annually at such place and at such date and time as the NEC may determine. The Annual Conference shall be open to Party members "in good standing", associate members and guests, and shall be called giving at least 42 days clear notice. Its business shall include the consideration of motions on Party policy and strategy, in accordance with the Rules of Procedure, and incorporate the Party's AGM.

5.1.2 Motions carried shall only have advisory force and will be listed for discussion by the NEC within 3 months of the motion having been carried. The Leader shall have a veto over policy proposals.

5.1.3 The NEC may also summon other special conferences or EGMs for specific purposes in accordance with the provisions of this constitution which will be open to all Party members "in good standing".

Annual General Meetings ("AGM"s) [Business Meeting]

5.2.1 An AGM shall be held during and as part of the annual Party Conference under its main agenda. Only Party members "in good standing" and who produce a valid membership card may attend [participate and vote at] the AGM. A separate AGM of the company may be held at the discretion of the directors but shall not be necessary if all requirements of company law are fulfilled at the Party AGM.

5.2.2 The AGM will be open only to Party members "in good standing". Its business shall be:

- a) to receive reports from the Party's leaders and officers,
- b) to receive and note the Party's accounts, [which by virtue of Article 2.2.2 hereof are required under company law.]
- c) to receive and note the report of the auditors,
- d) to answer any non-policy questions submitted to the Party Secretary by any member in good standing in writing at least 21 days before the date of the meeting.

5.2.3 All motions at the AGM may be passed by a simple majority of those voting.

Extraordinary General Meetings ("EGM"s)

5.3.1 All other meetings of the full membership shall be EGMs. The Party Secretary shall call an EGM, giving members a minimum of 28 days' notice, if requested to do so by application in writing from at least twenty per cent (20%) of the Party's duly registered and properly constituted branches, drawn from at least four regions, or by the Leader with the approval of a simple majority of those voting at a meeting of the NEC.

5.3.2 [For the purposes of this Article, "constituency association" and "branch" shall bear the meaning ascribed to them under the Rules of the Party.] For the purposes of this clause, a constituency association or branch is deemed to be duly registered only if it has been registered by the Party HQ (following approval by the NEC) for not less than six months before the date of application.

5.3.3 Each such application shall also set out the business to be dealt with at the EGM and the agenda of any such EGM shall be restricted to that business and to matters arising. It shall include a common written statement, signed by the respective branch chairman as the case may be, certifying that the application was supported by a majority of members attending a properly convened Extraordinary General Meeting of the branch. It shall not be necessary for those names to be submitted.

5.3.4 Branch or constituency association EGMs must be chaired by a chairman who is independent of that branch, and who is a Branch Chairman in good standing elsewhere within the Party or any more senior officer of the Party.

5.3.5 Each such application shall further be accompanied by a payment to UKIP Head Office account for such sum as shall be determined by the NEC from time to time, drawn against the branch bank account, or other such account as may normally be used by the branch, as a contribution towards the cost of the meeting. These charges shall reflect whether the meeting is physical or remote.

5.3.6 National EGMs may be either physical or remote (postal/electronic) as may be requested. If the latter only single motions shall be permitted, but a series may be held under one call with the result of each announced before the next is conducted. Fourteen days' notice shall be required between such ballots.

5.3.7 Upon receipt of an application or petition which complies with and is valid in accordance with this clause, the Party Secretary shall call in accordance with Clause 5.3.1 hereof an Extraordinary General Meeting of the Party to be held within three months of such receipt. For remote meetings he shall appoint a Returning Officer, and for physical meetings a Chairman.

5.3.8 At a physical National EGM more than one motion may be considered where they are related or consequential. The National EGM chairman may order such motions as he thinks logical and disallow any motion which cannot comply with this requirement, such as those that are contradictory or have become redundant. He shall read out all motions as they come to be debated including any motions as modified by earlier motions.

PART VI THE NATIONAL EXECUTIVE COMMITTEE (NEC)

Status

6.1.1 There shall be established a committee known as the National Executive Committee (hereinafter “the NEC”) which shall function as the principal management and administrative authority of both the Party and the company in accordance with Clause 2.2 above.

6.1.2 The NEC may from time to time make rules concerning the organisation of such party structures which are not provided for in this Constitution provided they are not incompatible with it.

Duties and Responsibilities

6.2.1 The duties, powers and responsibilities of the NEC are [shall include (but are not limited to)]:

- a) ensuring that the Party works towards the achievement of the objectives set out in Part II of this constitution, and conduct its affairs in an efficient and judicious manner,
- b) managing the Party's funds, structure and employees and other activities in accordance with Parts III and V hereof,
- c) advising the Party Leader on political matters subject to a veto by him,
- d) approving the Party's policies and manifestos by way of a veto over individual policies,
- e) managing and conducting the Party's membership and disciplinary procedures in accordance with Parts IV and XIV hereof respectively,
- f) conducting leadership elections in accordance with the requirements of Part VII hereof whilst delegating all policy matters to the Leader,
- g) the appointment of all officers of the Party in accordance with Parts VIII to XIII and the selection of candidates for public office in accordance with Part XV hereof,

- h) ensuring that the Constitution of the Party always conforms to the laws of the United Kingdom and managing amendments thereto in accordance with Part XVI hereof,
- i) making or amending from time to time such Rules of Procedure as it deems appropriate for the efficient conduct and administration of the Party and for the discharge of its responsibilities under this Clause and under company law for the efficient running of the Party and the attainment of its objectives in accordance with Part XVII hereof.

6.2.2 The NEC may not exceed these powers unless it is to comply with the laws and changes to the laws of the United Kingdom.

6.2.3 No decision of the NEC shall be legally valid unless it is fully and properly minuted and the minutes subsequently approved at its next meeting. No decisions of its appointed officers shall be legally valid if they exceed the limits to their authority as may be laid down in the Rules of Procedure from time to time unless they are fully approved and minuted at the next NEC meeting and the minutes subsequently approved. NEC minutes shall be made available to the membership on a party website.

Conduct of meetings

6.3.1 The NEC shall meet at least six times a year. Meetings shall be chaired by the Chairman or, in the Chairman's absence, by the Vice Chairman, or, in the absence of both, by a member of the NEC appointed by the NEC for that meeting only, which appointment shall be duly minuted.

6.3.2 Seven voting members of the NEC including the Chairman or, in the Chairman's absence, the Vice Chairman, or such NEC member appointed for that meeting as Chairman, shall constitute a quorum.

6.3.3 The agenda, papers and minutes of the previous meeting shall be assembled by the Party Secretary and sent out to each member of the NEC at least one week prior to the meeting. The Party Secretary shall be responsible for producing and filing the minutes of each meeting and for consulting with both the Leader and General Secretary to ensure the agenda includes all matters they may require. After approval and/or correction at the subsequent meeting the Party Secretary will ensure that the minutes are posted to a party website and file them for at least ten years or otherwise in accordance with the requirements of company law [partly moved up from Rules].

6.3.4 Any five or more voting members of the NEC may requisition an Emergency Meeting of the committee by notifying the Party Secretary in writing signed by each of them to summon one as soon as practicable. The document calling for such a meeting shall set out the business to be discussed and any motions to be put at that meeting. The agenda for the emergency meeting shall comprise this business and matters arising and no other.

Composition

6.4.1 The NEC shall [normally] be composed of the following voting members :

- a) 12 members elected to the NEC or those co-opted to replace any who resign or are lawfully removed. Insofar as the Party supports up to twelve regions, members shall be allocated on a mutually agreed basis to represent a region each,
- b) the Party Leader (who may be an elected member),
- c) the Party General Secretary (who may be an elected member),
- d) two members who shall be selected and appointed in accordance with rules made by the NEC from time to time from among Party members elected to public office.

6.4.2 The NEC shall elect a Chairman from one of its elected members other than the Leader or General Secretary, or appoint some other party member in good standing who is not otherwise an executive officer of the party, who shall have a casting vote if he is not a voting member or otherwise a second casting vote, and who shall also act as Company Chairman on the same basis,

6.4.3 The NEC shall appoint a Party Treasurer and a Party Secretary from among full Party members "in good standing", each of whom may be a voting member of the NEC as defined in Clause 6.4.1 above. In the event that either the Party Treasurer or the Party Secretary is not a voting member of the NEC then he:

- a) shall become an ex-officio member of the NEC,
- b) may take part in all its deliberations and meetings,
- c) may not vote on any matter.

6.4.4 The NEC may from time to time appoint further non-voting ex-officio members as it deems necessary for the efficient running of the NEC.

Eligibility

6.5.1 Only paid-up members of the Party "in good standing" continuously for the past two years shall be eligible for election to and/or membership of the NEC. They must also be an officer at branch level or above or have been a UKIP candidate for public office or otherwise comply with such requirements as may be stipulated in the Rules of Procedure from time to time. Such rules may not be changed for any given election after that election has been called.

6.5.2 Notwithstanding anything in Clause 6.5.1 hereof, any person who is:

- a) a paid employee of the Party; or
- b) one of the Party's elected representatives who receive in respect of their elected position emoluments commensurate with full-time employment; or
- c) a self-employed contractor providing services either to the Party or to any of the elected representatives of the Party

shall not be eligible for election to the NEC and upon becoming such shall resign from the NEC.

6.5.3 Notwithstanding anything in Clause 6.5.2 hereof a paid-up member “in good standing” who provides paid professional advice or supplies goods or services on a casual basis to the Party or the Party's elected representatives from time to time shall not be excluded from membership of the NEC. Any dispute as to the status of any member under this Article shall be conclusively determined by the NEC.

6.5.4 If at any time the party membership of a serving NEC member shall be suspended, that member shall automatically be suspended from the NEC and he shall not be entitled to resume his place on the NEC until such time as the suspension of his party membership is ended. If at any time the party membership of a serving NEC member shall be revoked, that member shall automatically be expelled from the NEC without the need for the NEC to take any further action.

Elections and term of office

6.6.1 Members of the NEC shall be elected for a term not exceeding 3 years and shall be eligible for re-election at the completion of each 3-year term. In exceptional circumstances the NEC may extend the periods of office of retiring members for a period not exceeding six months.

6.6.2 Elections to the NEC shall be conducted annually [by a Returning Officer appointed by the Party Secretary in accordance with Part X hereof who shall conduct the election in accordance with rules in force at the date of his appointment. The Returning Officer shall call the election specifying](#) the number of vacancies, the latest date for the receipt of nominations and the conditions for valid nomination both in the issue of the Party newsletter penultimate to the election [and by way of electronic mail. The election may be conducted using electronic voting supported by way of a postal ballot of all members without electronic communication.](#)

6.6.3 The election shall take place on the basis of the first past the post system. Each eligible Party member may cast a number of votes up to, but not exceeding, the number of vacancies and all votes shall be of equal value.

6.6.4 In the event of an NEC election with more than four vacancies, successful candidates other than the top four shall be elected for terms of two years or one year to preserve the three-year electoral cycle, but these terms of office may be extended to not more than 3 years should further NEC vacancies occur. [\[Electoral cycle ¶6.25\]](#)

Resignation and vacancies

6.7.1 The resignation of a member of the NEC shall either be evidenced in writing, signed by the resigning member and sent or given to the Party Secretary, or given orally. If given orally, the Party Secretary shall write to the resigning member inviting him to confirm or withdraw his resignation and if the former give the reasons for it. These shall be minuted at the next NEC meeting.

6.7.2 The resigning member shall reply to such invitation within fourteen days of posting of the letter or transmission by email. In the absence of a reply from the resigning member within that time he shall forthwith be deemed to have resigned from the NEC.

6.7.3 Should a vacancy occur between elections, the NEC may invite the next candidate with the most votes from the immediately preceding NEC election to fill the vacancy until the next annual elections when the position shall be filled by election, subject always to the willingness of the invitee to serve. Members joining the NEC in this way shall have the same rights as elected members.

Suspension or expulsion from the NEC

6.8.1 The NEC may expel a member of the NEC from the committee. A member of the NEC may only be so expelled if a resolution to that effect is proposed and duly seconded and passed by not less than two-thirds of the voting members present. The quorum for such a proceeding shall be nine voting members of the NEC excluding the Chairman or acting Chairman.

6.8.2 The following shall be grounds for expulsion or suspension from the NEC:

- a) Conduct which in the opinion of the NEC has caused or is likely to cause the Party or its leadership to be brought into disrepute [as defined under clause 4.4 above](#),
- b) Seriously breaching NEC or Party confidentiality,
- c) Persistent failure to attend NEC meetings without good cause,
- d) Unbecoming conduct in the course of NEC meetings,
- e) Conduct which in the opinion of the NEC amounts to the abuse or harassment or bullying of a fellow member of the NEC or an employee of the party whether paid or unpaid.

6.8.3 The member against whom such a motion is proposed shall be given no less than seven days' notice in writing of the meeting. He shall be entitled to attend, to address and vote at the meeting. He may make written representations to the meeting. He may also question any member or other witness whose evidence is considered by the NEC as being relevant to the issue on the same basis as any other party and may call witnesses on his own behalf on the same basis as obtained during the case against him.

6.8.4 If the member against whom such a motion is proposed cannot attend the meeting, he must be given a reasonable opportunity to attend on a subsequent occasion. Provided that he has been given reasonable notice of such rearranged meeting, the NEC may proceed to deal with the matter in his absence if the NEC is of the opinion that, in all the circumstances, it would be fair, reasonable and just to do so and that he has had reasonable opportunity to attend.

Authorised groups

6.9.1 From time to time groups of members or groups of constituency associations or branches may establish special interest and cross-party groups in furtherance of the aims of the Party. These groups shall have responsibility for administering their own financial and other affairs in accordance with the procedures set down in the rules for any branch. [Each group must submit a statement of its objects and intended](#)

activities to the Party Secretary, which, unless it is disallowed by the NEC, he shall post onto a party website.

6.9.2 The NEC may disallow the formation of such special interest groups if they contravene the law, the objects or terms of this constitution or the Rules of Procedure at that time. [6.26.2 The NEC may from time to time permit the formation of groups within the Party known as Special Interest Groups and may, as it deems appropriate, make rules concerning such groups; subject always to the requirement that no such group may exist or operate within the Party save with the express written consent of the NEC.]

PART VII THE PARTY LEADER

Status

7.1.1 Under the Political Parties, Elections and Referendums Act 2000 all registered parties must appoint a Party Leader. The Party Leader shall give political direction to the Party and shall be responsible for the development of the Party's policies in consultation with the NEC. The NEC may veto any policy that has been distributed with the agenda for the meeting if a two-thirds majority of members present vote to do so.

7.1.2 The Leader's position shall be honorary unless otherwise proposed by the General Secretary and approved by the Finance Committee and NEC. Reasonable documented expenses may be refunded within a budget determined by the Finance Committee.

7.1.3 The Party Leader may not commit the party to contracts or expenditure greater than £2,500 in value without the approval of the Finance Committee, or greater than £5,000 or to any litigation without the approval of the NEC, or such other limits as may be determined by the NEC from time to time, and subject to observing any budgetary limitations placed upon him.

Duties and responsibilities

7.2 The Party Leader shall:

- a) be a full voting member of the NEC and have the right to be a full member of all sub-committees and working groups set up by the NEC;
- b) subject to the approval of the NEC, appoint a **General Secretary**; in the event of a refusal to approve the appointment, the Party Leader may request that the matter be referred to an EGM of the party;
- c) make or approve national statements of the Party's policies and the manner of their communication; and
- d) make such other political appointments as he thinks fit [with the agreement of the NEC.] and may, at his discretion, form such advisory groups as he deems

appropriate to advise him on any matter pertinent to the exercise of his functions, and will inform the NEC of the membership of such groups.

Term of office

7.3 The Leader's term of office shall run for four years. This term may be extended for such time as may be deemed necessary upon the NEC passing a motion by a two-thirds majority to enable the Leader to stay in post in order to fight an imminent General Election but in such event the period of extension shall be for no more than one year. The Party Leader may be elected for successive terms.

Eligibility and election

7.4.1 **The Leader must be a member of the Party in good standing and** a leadership election shall be called:

- a) in the event of the Party Leader's death, incapacity or resignation, or
- b) on the passing of a vote of no confidence in the Party Leader by the NEC if this is endorsed by an EGM of the Party, or
- c) upon the Party Leader's completion of his term of office.

Such election shall be held within 90 days of the completion of the Leader's term of office.

7.4.2 The NEC may from time to time as it deems appropriate make rules for the eligibility of candidates and the calling and conduct of elections for the post of Party Leader. **For each such election the NEC will appoint a Returning Officer who will conduct proceedings in accordance with the Rules of Procedure in force at the time of his appointment.**

7.4.3 **If the NEC chooses to vet the candidates for the leadership before an election the following procedures shall apply:**

- a) **An assessor shall be appointed who is independent both of the candidates and of the NEC. He may be the same person as the Returning Officer if the latter is so independent, but need not be.**
- b) **Where a candidate fails vetting he may either withdraw, appeal to the Party Secretary in accordance with the disciplinary procedures set out under Part XIV herein, or insist on standing with the vetting assessment published for members to decide for themselves.**

7.4.4 A Party Leader shall communicate his decision to resign in writing to the Party Secretary, who must then summon an emergency meeting of the NEC within 28 days.

7.4.5 If there is only one valid nomination for the post of Party Leader the candidate so nominated shall be declared elected as Party Leader without the need for a ballot. Any contested election for the leadership shall be decided by a simple majority of the votes cast. Those eligible to vote shall be members "in good standing" of the Party

on the date when the election is called, subject always to the restrictions on voting set out in Clause 4.1.2 above.

7.4.6 When a vacancy in the leadership occurs due to the Party Leader's death, incapacity, resignation or removal following a vote of no confidence, the procedure for a leadership election shall be initiated by the Party Secretary [appointing a Returning Officer for that election only](#).

7.4.7 [Elections for the post of Party Leader shall be conducted by the Returning Officer in accordance with the provisions of Part X hereof.](#)

No confidence motions

7.5.1 A motion of no confidence in the Party Leader may be proposed before the NEC. In order for it to pass, no less than nine members of the NEC shall vote in favour of the motion. The Chairman shall have a casting vote in the normal way.

7.5.2 The Party Leader shall be given no less than seven days' notice in writing of the meeting. He shall be entitled to attend, to address and vote at the meeting. He may make written representations to the meeting. He may question any member or other witness whose evidence is considered by the NEC as being relevant to the issue on the same basis as any other party and may call witnesses on his own behalf on the same basis as obtained during the case against him.

7.5.3 If the Party Leader cannot attend the meeting, he must be given a reasonable opportunity to attend on a subsequent occasion to take place within ten days. Provided that he has been given reasonable notice of such rearranged meeting, the NEC may proceed to deal with the matter in his absence if the NEC is of the opinion that, in all the circumstances, it would be fair, reasonable and just to do so and that he has had reasonable opportunity to attend.

7.5.4 In the event of a motion of no confidence in the Party Leader being passed by the NEC, the Party Secretary shall call an EGM of members of the Party, such EGM to be held within 28 days of the passing of the motion. The NEC may from time to time make Rules as to the conduct of such an EGM. The EGM shall have as its only business a motion to endorse or to reject the vote of no confidence in the Leader by the NEC.

7.5.5 In the event that:

- a) the EGM convened under Clause 7.5.4 rejects the vote of no confidence in the Party Leader; or
- b) the Party Leader stands for and is re-elected as Party Leader at an election following a vote of no confidence in him by the NEC,

elections shall be held in respect of each of the elected seats on the NEC, with the result being declared no more than three months from the date of the refusal of the EGM to endorse the NEC's vote of no confidence or the date of Party Leader's re-election as the case may be. Until such time as those elections are held the NEC elected members shall remain in office until their successors are elected.

Deputy Leader

7.6.1 The Party Leader may from time to time appoint a member of the Party “in good standing” to be Deputy Leader. The Deputy Leader shall carry out such duties as the Party Leader shall assign to him. In the event of the incapacity or unavailability of the Party Leader, the Deputy Leader shall [not] assume the constitutional powers and duties of the Party Leader unless the NEC votes by a two-thirds majority that he should not do so.

7.6.2 Where a vacancy in the Party Leadership occurs unexpectedly or the NEC has voted to deny the Deputy Leader the Leader’s powers, the NEC shall within fourteen days appoint an Interim Leader to lead the Party until a Leadership election takes place. Such Interim Leader shall have all the powers of the Party Leader under this Constitution as if he had been elected to that post.

Policy Spokesmen

7.7.1 The Party Leader may from time to time appoint any member of the Party “in good standing” to be a policy spokesman. There shall be no limit to the number of policy spokesmen he appoints, and the spokesmen shall have full authority to discuss party policy within their respective remits in the public domain.

7.7.2 If a policy spokesman is suspended from being a member “in good standing” then he shall immediately be relieved of his responsibilities as a policy spokesman.

PART VIII

THE PARTY GENERAL SECRETARY [PARTY CHAIRMAN]

Status and appointment

8.1.1 A General Secretary shall be appointed by the Leader under Clause 7.2 (b) who shall be a voting ex officio member of the NEC if not already an elected member of it. The General Secretary may, notwithstanding his ex officio membership of the NEC, be a full time employee of the Party or serve in an honorary capacity and must be a member of the Party in good standing.

8.1.2 The General Secretary may not commit the party to specific contracts or expenditure greater than £2,500 in value without the approval of the Finance Committee, or greater than £5,000 or to any litigation without the approval of the NEC, or such other limits as may be determined by the NEC from time to time, and subject to observing any budgetary limitations placed upon him.

Duties and responsibilities

8.2.1 The General Secretary shall have overall responsibility for the administration and direction of the Party organisation. He shall be responsible for ensuring that all efforts are made to have an active and properly constituted organisation of the Party in every constituency, financially able to support a parliamentary election campaign.

8.2.2 The General Secretary may make and be responsible for all executive and other administrative appointments as he sees fit and may recommend to the NEC the creation of paid administrative posts at remuneration levels and with budgets approved by the Finance Committee. The General Secretary shall, from time to time, report to the NEC on Party, branch and constituency activity or ensure that a report is made by an appointed Party officer, as appropriate, on such activity.

Term of Office

8.3.1 The General Secretary shall be appointed by the Leader for the same term of office as his own, or for a shorter period, and may be reappointed by any Leader for a further term.

8.3.2 The General Secretary shall be subject to the same disciplinary procedures as any other member and may be suspended accordingly. He may also be removed for non-performance of his duties or other loss of confidence by no less than nine members of the NEC voting in favour of such a motion. Any salary may also be reviewed in the same manner subject to the prior approval of the Finance Committee. The Chairman shall have a casting vote in the normal way.

PART IX

NEC and COMPANY [PARTY] CHAIRMAN

Status and election

9.1.1 A Chairman elected under Clause 6.4.2 shall be an ex officio member of the NEC and a non-executive director of the company if not already a voting member of it and an executive director. In both capacities he shall have a casting vote if he is non-executive and a second casting vote if he is executive.

9.1.2 The Chairman shall not have specific contractual or expenditure authority but may spend within a budget approved by the Finance Committee.

Duties and responsibilities

9.2 The Chairman shall chair meetings of the NEC, Annual Conference, AGMs of both Party and Company and such Extraordinary General Meetings as may be called.

Term of Office

9.3 The Chairman shall be elected for a term of three years or for such outstanding period as his membership of the NEC may permit. He may stand for re-election any number of times subject to the requirements of company law ruling at the time.

Vice-Chairman

9.4 The Chairman may, with the agreement of the [Party Leader and of the] NEC, appoint a Vice Chairman from amongst the voting members of the NEC who shall, in the absence of the Chairman, chair the NEC. The Vice Chairman may act generally in the place of the Chairman if the Chairman is absent for any period over two weeks

or is incapacitated through illness or is otherwise unable to undertake the duties of Chairman. The Chairman may from time to time delegate to the Vice Chairman such duties as he sees fit. A Vice Chairman acting in the place of the Chairman shall have only the same voting powers as the Chairman.

PART X

RETURNING OFFICERS AND REMOTE BALLOTS OF THE MEMBERSHIP

10.1 A Returning Officer shall be appointed by the Party Secretary for all ballots of the membership, including leadership and NEC elections and EGMs, for the duration of each election where no physical meeting is called. The Returning Officer shall conduct each election in accordance with Rules in force at the time of his appointment.

10.2 All such ballots shall be conducted using a combination of electronic and postal means, the former being by way of a secure website for the purpose and the latter where the members have not registered to use the website within 14 days of the election, or such other secure means as may become available and approved by the NEC from time to time. Members without email addresses must always be able to vote by post.

10.3 A minimum of 28 days' notice shall be given by email to all members who have it irrespective of whether they also receive postal notice. Notices shall remind members that they need to receive a code by email to register to vote electronically by a certain time or in accordance with such other security procedures as the NEC may have already approved in the Rules of Procedure.

10.4 Where EGMs involve multiple motions then the Returning Officer shall conduct all ballots separately in a logical order, announcing the result of each before moving on to the next. He may disallow motions that cannot comply with this requirement, such as those that are contradictory or have become redundant.

PART XI

OTHER EXECUTIVE OFFICERS

Party Secretary

11.1.1 A Party Secretary appointed in accordance with Clause 6.4.3 above shall be responsible for ensuring that the administrative and other arrangements of the Party comply with all legal requirements placed upon it by statute other than those relating to finance.

11.1.2 The Party Secretary's term of office shall be two years which may be renewed; he may be removed before the end of his term by not less than a two-thirds majority vote of the NEC.

11.1.3 The Party Secretary's position shall be honorary unless otherwise proposed by the General Secretary and approved by the NEC. Reasonable documented expenses may be refunded within a budget determined by the Finance Committee.

11.1.4 The Party Secretary may not commit the party to contracts or expenditure greater than £2,500 in value without the approval of the Finance Committee, or greater than £5,000 or to any litigation without the approval of the NEC, and subject to observing any budgetary limitations placed upon him.

11.1.5 The Party Secretary shall:

- a) act as Secretary to the NEC and to the Company
- b) formally convene meetings of the NEC and its sub-committees and of the company and notify members thereof giving at least seven days' notice together with the agenda, prior meeting minutes and any papers submitted for consideration,
- c)
 - (i) maintain accurate records and minutes of meetings and decisions of the NEC and its sub-committees, ensuring that full minutes are kept and approved for all meetings whether regular or irregular and for ensuring that all NEC decisions are fully documented therein and ensure that Minutes and records are appropriately signed.
 - (ii) minute irregular meetings as reported to him if not present himself which may be incorporated into the minutes of the subsequent regular meeting. The relevant dates of such meetings and the decisions taken must be clearly noted together with the presence of those members who were party to it, but may be recorded separately if more convenient with a simple reference in the subsequent regular meeting minutes.
 - (iii) ensure decisions of the NEC to amend the Rules of Procedure shall be referenced as a cumulative addendum to all regular NEC meeting minutes until such time as those amendments are incorporated and published into a new version of the Rules, and make available for distribution such rules and other decisions made by the NEC;
- d) create and maintain appropriate administrative records with appropriate backup and archiving;
- e) maintain records of membership of the NEC and its sub-committees.

11.1.6 The Party Secretary shall appoint **Returning Officers** for NEC and Leadership elections as well as other remote ballots of the membership for the duration of each such election. The Returning Officers shall be fully responsible for the conduct of each election in accordance with the Rules of Procedure in force at the time of their appointment as set out in Part X hereof.

11.1.7 The Party Secretary shall establish and chair a Disciplinary Committee subject to and in accordance with Rules made by the NEC concerning disciplinary procedures,

Assistant Secretary

11.2 The Party Secretary may, subject to the approval of the NEC, appoint an Assistant Secretary to assist with the tasks described above.

Party Treasurer

11.3.1 A Party Treasurer appointed in accordance with Clause 6.4.3 above is required under the Political Parties, Elections and Referendums Act 2000 and the name of the Party Treasurer must be registered with the UK Electoral Commission.

11.3.2 The Party Treasurer's term of office shall be two years, which may be renewed; he may be removed before the end of his term by not less than a two-thirds majority vote of the NEC.

11.3.3 The Party Treasurer's position shall be honorary unless otherwise proposed by the General Secretary and approved by the NEC. Reasonable documented expenses or a small per diem allowance when appropriate may be approved and refunded as determined by the Finance Committee.

11.3.4 The Party Treasurer may not commit the party to contracts or expenditure greater than £5,000 in value or to any litigation without the approval of the NEC, or such other limits as may be determined by the NEC from time to time.

11.3.5 The Party Treasurer shall establish and chair a Finance Committee to be responsible for managing UKIP's general (non-campaign specific) finances and reporting these to the NEC. The Party Treasurer will prepare annual accounts and present them at the AGM. The Party Treasurer will be responsible for complying with all statutes and requirements of the Electoral Commission and Company Law applicable to financial reporting and probity.

11.3.6 The Party Treasurer shall be responsible for maintaining accurate databases of membership and for safeguarding such databases within the terms of data protection legislation as permitted under Clause 4.2 hereof.

Chief Accountant [Deputy Treasurers]

11.4 The Party Treasurer may appoint a Chief Accountant to assist with the tasks described above within the annual budget approved by the Finance Committee. The Chief Accountant shall report to the Head Office Manager on their employment and all administrative matters.

Head Office Manager and staff

11.5 Administrative staff may be recruited by a Head Office Manager appointed by the General Secretary in accordance with Clause 8.2 above. The Manager's position may be remunerated at a level proposed by the General Secretary and approved by the Finance Committee and NEC, and he in turn may similarly recruit and manage such support staff as he may deem necessary within an annual budget determined by the Finance Committee.

Campaign Manager

11.6.1 A Campaign Manager may be appointed by the General Secretary in accordance with Clause 8.2 above from members in good standing. The position shall be honorary unless otherwise proposed by the General Secretary and approved by the NEC.

11.6.2 The Campaign Manager shall be entitled to reasonable documented expenses or a small per diem allowance when appropriate may be approved and refunded as determined by the Finance Committee. He may also be allocated a budget by the Finance Committee, but may not commit the party to contracts or expenditure greater than £3,000 in value or to any litigation without the approval of the NEC, or such other limits as may be determined by the NEC from time to time.

11.6.3 The Campaign Manager shall be responsible for the provision of all party national campaign materials and in consultation with the Leader for the design and distribution of all leaflets and other promotional materials other than those generated by branches. He shall assist the Leader and organise campaign events as may be required.

Press Secretary

11.7.1 A Press Secretary may be appointed by the General Secretary in accordance with Clause 8.2 above at a level of remuneration approved by the Finance Committee and NEC. If a Campaign Manager has been appointed then he shall report to that person but otherwise to the General Secretary.

11.7.2 The Press Secretary shall be entitled to reasonable documented expenses or a small per diem allowance when appropriate as may be approved and refunded as determined by the Finance Committee. He may also be allocated a budget by the Finance Committee, but may not otherwise commit the party to specific contracts or expenditure which would exceed that budget or to any litigation.

11.7.3 The Press Secretary shall maintain contacts with all relevant aspects of the press and media and arrange interviews in consultation with the intended party representative for that occasion and with the Campaign Manager. He shall seek to promote the party's profile in all constructive ways including online and with social media in consultation with the Campaign Manager.

Nominating Officer

11.8 The NEC shall also appoint a Nominating Officer, as required by the Political Parties, Elections and Referendums Act 2000, who shall control the registered Party descriptions and emblems and be responsible for the appointment of Deputy Nominating Officers as appropriate. [\[¶ 6.27.3\]](#)

Other posts

11.9.1 The NEC may from time to time create such further posts as it deems necessary for the more efficient exercise of its duties under this Constitution and appoint persons thereto. [\[¶ 6.28\]](#)

11.9.2 The NEC may from time to time invite any person it deems appropriate to attend any NEC meeting in whole or in part. [¶ 6.29]

PART XII SEPARATION OF OFFICE

12 The offices of Party Leader, [Deputy Leader](#), General Secretary, Chairman, Vice-chairman, Party Secretary, [Assistant Secretary](#), Party Treasurer and [any Returning Officer](#) shall each be held by a different individual.

PART XIII STANDING AND TEMPORARY COMMITTEES

Establishment

13.1 The NEC shall establish standing subcommittees for Finance and Discipline [[a Standing Orders Committee and a Policy Committee](#)], and may establish others as necessary for the efficient administration of the Party on a standing or temporary basis. The composition of all subcommittees, the limits of their delegated powers and their operational details shall be in accordance with the party Rule Book.

Finance Committee

13.2 The Finance Committee shall be chaired by the Party Treasurer. Its responsibility shall be to oversee the management of the Party's finances and to appoint auditors and receive their reports.

Disciplinary Committee

13.3.1 The Disciplinary Committee shall be chaired by the Party Secretary and shall comprise in addition either two or four voting members of the NEC. Any appeal panel formed for hearing appeals from disciplinary hearings or membership exclusions shall be composed of an independent Chairman and either two or four other persons independent of the NEC.

13.3.2 The Disciplinary Committee shall have responsibility for conducting and arranging for all matters relating to discipline under this Constitution. The NEC may make rules as to the manner of selection of the panel members of the Disciplinary Committee and of appeal panels.

PART XIV DISCIPLINE

Jurisdiction

14.1.1 The Disciplinary Committee of the NEC shall have jurisdiction over all matters pertaining to party discipline. The NEC may from time to time as it deems

appropriate make Rules for the composition of discipline panels and management of matters of discipline and appeals, for the conduct of hearings and appeals and for the procedure and evidence to be used by the Committee.

14.1.2 All Disciplinary hearings and appeals shall be conducted with proper regard for **the Rules in force at the time of the complaint as well as those of** natural justice to ensure that any member subject to such proceedings receives a fair hearing at each stage of the disciplinary or appeals procedure.

Complaints

14.2.1 Any member “in good standing” may refer the conduct of any other member to the Party Secretary who shall act in accordance with the Rules in force at that time and with the rules of natural justice.

14.2.2 Thereafter the Party Secretary shall likewise act in accordance with those same rules.

Remedies

14.3.1 Upon the conclusion of any Disciplinary Hearing the Disciplinary Committee may:

- a) issue oral **[or written]** advice to the Respondent Member as to future conduct,
- b) give the Respondent Member a written **or emailed** caution as to future behaviour,
- c) suspend the Respondent Member from attending constituency association meetings for a specified period,
- d) suspend the Respondent Member from membership of the Party for a specified period,
- e) suspend the Respondent Member from elected Party office and/or candidature for elective office for a specified period,
- f) expel the Respondent Member from membership **[for a specified period or]** permanently,
- g) take any other reasonable and proportionate action that it deems to be warranted by any particular circumstances,
- h) take no action, or
- i) if the member is elected to public office, remove the Party Whip.

14.3.2 The Discipline Committee shall at all times exercise its powers with proper regard for the principle of proportionality. **Suspensions should not be handed out for first offences except in extreme or public circumstances, and expulsions should not be handed out until a third offence unless similarly serious.** The Party Secretary shall provide a report of all disciplinary hearings and appeals to the NEC upon their conclusion.

Right of appeal

14.4.1 Any member disciplined under Clause 14.3 shall have the right of appeal against such order as is made thereunder. Such appeal shall be dealt with in accordance with the Rules of the Party concerning Discipline.

14.4.2 The NEC may cause any disciplinary panel to be chaired by an Independent Chairman and may appoint such a Chairman who need not be a member of the Party. The NEC shall cause an appeal hearing to be chaired by an Independent Chairman and may appoint such a Chairman who need not be a member of the Party. No person who sat on a disciplinary hearing at first instance may be a member of the appeal panel for the matter at hand.

14.4.3 In addition to the Rules mentioned in Clause 14.1 the NEC may from time to time as it deems appropriate make rules as to the qualifications required for appointment as an Independent Chairman.

Emergency powers

14.5.1 In cases of exceptional gravity and urgency the **Leader or General Secretary [Party Chairman]** may, of his own motion, exercise any of the powers set out in Clause 14.3.1 except that under 14.3.1 (f) [expulsion] above in respect of any member, with due regard to proportionality as described in Clause 14.3.2. The **Leader or General Secretary** concerned shall, within twenty-four hours of so acting, notify the Party Secretary of his action.

14.5.2 Upon being so notified the Party Secretary shall convene as soon as possible an Emergency Disciplinary Panel composed of himself (or an independent chairman appointed in accordance with the rules made under Clause 14.4) and not more than two voting members of the NEC.

14.5.3 The Emergency Panel may:

- a) confirm the order of the **Leader or General Secretary**, or
- b) confirm the order of the **Leader or General Secretary** but order that the matter be placed before an ordinary Discipline Panel as soon as possible for a full hearing, or
- c) make any order permitted by this Constitution, or
- d) revoke the order of the **Leader or General Secretary** on the grounds that the action was either:
 - (i) inappropriate having regard to the circumstances, or
 - (ii) excessive having regard to all the circumstances, or
 - (iii) not supported by the facts.

In that event the **Leader or General Secretary** may within fourteen days of the findings of the Emergency Disciplinary Panel renew the complaint under the ordinary disciplinary procedure.

14.5.4 It shall be no defence to any allegation laid under this Part that the Party member was ignorant of the Constitution or any Rule made thereunder.

PART XV CANDIDATES

Approved candidates

15.1.1 The Party shall establish lists of approved candidates for elections to public office. The NEC may from time to time make such rules as it deems fit for the establishment of such approved lists. Persons holding elective office shall have no automatic right to reselection or to a place on such approved candidates lists.

15.1.2 Any person who seeks to be placed on such approved candidate lists shall make a written application and, without exception, shall in such application make a full disclosure of any material fact, political or personal (whether or not the material fact arose before or after this constitution came into force), that has or may have a bearing on their suitability for selection as a candidate and shall provide full details in writing of the same to the Party Secretary. The NEC shall issue guidance on disclosure.

Selection

15.2.1 The NEC may from time to time as it deems appropriate make rules concerning all matters relating to the selection, training, nomination, ranking, conduct, removal and organisation of candidates.

15.2.2 All candidates standing on behalf of the Party in any election to public office must be paid-up members of the Party "in good standing" and on the Party's list of approved candidates, held at Head Office.

15.2.3 In the case of a by-election (other than local government by-elections and other by-elections to local public office) the selection of a candidate will be made by the NEC in consultation with the constituency association or branch.

15.2.4 The selection of candidates for local government by-elections and other by-elections to local public office shall be the responsibility of constituency associations or branches. The Party **Secretary** may at any time refer the selection to the NEC.

Duty of disclosure

15.3.1 Once selected, candidates remain, without reservation or qualification, under a continuing duty fully to disclose to the Party **Secretary** any material fact, political or personal (whether or not the material fact arose before or after this constitution came into force) that has or may have a bearing on their suitability to stand as a candidate and shall provide full written details of the same to the Party **Secretary**.

15.3.2 Any failure to disclose such a material fact shall be a matter in respect of which disciplinary proceedings under Part XIV hereof may be initiated against the candidate. The **Party Leader or the General Secretary** shall automatically refer such a matter to the Party Secretary who may then act under Part XIV and the rules made thereunder.

Codes of Conduct

15.4.1 The NEC may from time to time as it deems necessary and appropriate make:

- a) Codes of Conduct for those holding elective office in the Party's name,
- b) Rules defining the nature of the Party Whip, the circumstances in which the Party Whip may be removed and the consequences and the sanctions which may be applied when the Party Whip is removed or the elected member resigns the Party Whip.

15.4.2 It shall be the duty of any member of the Party who is elected to any elective office:

- a) to abide at all times by any such Code of Conduct and the Rules drawn up under this clause,
- b) at all times to behave in a manner becoming to such elective office.

Any breach of such Code of Conduct, Rules or failure to observe Clause 15.4.2 (b) may be treated as a matter falling within Clause 4.4.

15.4.3 The NEC shall refer any breach of any Code of Conduct or Rules made under this Clause to the Disciplinary Committee according to the provisions of Part XIV whereupon those provisions shall be followed as if the matter was an ordinary matter pertaining to discipline.

15.4.4 Notwithstanding any legal waivers, immunities, or dispensations granted by virtue of a candidate's election to public office, the NEC shall have the right to regard all undertakings signed by candidates prior to their election or subsequent to it as morally binding and binding under the Rules of the Party and shall have the right to remove the Party's whip from, deselect, refuse to reselect or to expel from the Party any member who is in breach of any such undertaking, under this clause.

Suspension and removal

15.5.1 The Party **Secretary** may suspend any candidate from the approved list or remove any candidate from a list of candidates to be nominated or having been nominated, if, in his opinion the inclusion and possible election of that candidate will or may damage the reputation or interests of the Party.

15.5.2 The fact of such suspension shall be notified forthwith to (a) the NEC and (b) the candidate.

15.5.3 Thereafter the NEC may proceed to determine whether or not the candidate shall be removed from or restored to the list of approved candidates or remain nominated by the Party.

15.5.4 Once a candidate is finally removed from the list of approved candidates or his nomination is withdrawn according to law, he automatically loses all rights to be the selected candidate and the association, branch or region concerned shall select a new candidate.

15.5.5 A candidate who is removed from the approved candidates list or whose nomination is withdrawn shall have the right to an appeal according to rules made by the NEC pertaining to candidates.

PART XVI

THE CONSTITUTION: APPROVAL AND AMENDMENT

16.1 This amended constitution shall come into force immediately following a declaration of its approval by members voting in a ballot according to the requirements of the constitution in force at that time.

16.2 Amendments to this Constitution may be proposed and made at any time in accordance with this Part. Such amendments shall only come into force after a ballot of the membership has been held in which not less than either a simple majority of those entitled to vote or two-thirds of members voting [two-thirds of members] voted in favour of them.

16.3 Such amendments shall come into force seven days after the result of such an affirmative vote is declared.

16.4 Such a ballot shall be held:

- a) if proposed by the Leader and approved by a simple majority of those voting at the NEC, or
- b) if proposed by any member of the NEC or by the General Secretary [the NEC] and approved by a two-thirds majority of those voting at the NEC, or
- c) at the request of twenty or more properly constituted and duly registered constituency associations or branches which have communicated their proposal for such amendment or amendments in writing to the Party Secretary who may require the constituency associations or branches to fund the cost of the ballot.

16.5 Any constituency association or branch requiring a vote to be taken on a proposed amendment shall file with the Party Secretary a certificate that the majority of members at a properly constituted Extraordinary General Meeting or Annual General Meeting of the constituency association or branch voted in favour of such an amendment in accordance with the provisions of Part V.

16.6 The NEC shall have the right to put separate and distinct elements or clauses amending the Constitution to separate ballots for the approval of a two-thirds majority of members voting [in a postal ballot] or a simple majority of those eligible to vote whichever is achieved first. A period of between 14 and 28 days shall elapse between each such ballot.

16.7 The ballot or ballots shall be called by a Returning Officer appointed by the Party Secretary in accordance with the provisions of Part X.

16.8 The NEC may amend the constitution to conform to changes in the laws of the United Kingdom as may arise from time to time.

PART XVII
PARTY RULE BOOK

17.1 The Party Rulebook, [otherwise known as the Rules of Procedure, or simply the Rules](#), shall be published on the Party’s website and a hard copy shall be available on demand to any member on payment of a fee, to be determined by the NEC from time to time, for printing and postage.

[17.2 Decisions made by the NEC which are fully and properly minuted shall constitute valid changes to the most recently published rules unless they superseded by subsequently published Rules which omit them.](#)

17.2 Any Rules made under this Constitution shall be read in conjunction with it and where the Rules are repugnant to the Constitution, the latter shall prevail.

This Constitution was approved for submission to the membership by the National Executive Committee at its meeting on

.....
Party Secretary