

Constitution of the East Midlands Liberal Democrats

ARTICLE 1: NATURE AND OBJECTS

- 1.1. The name of the Regional Party shall be "The East Midland Liberal Democrats".
- 1.2. The area of the Region shall be the counties of Derbyshire, Leicestershire, Lincolnshire, Northamptonshire, Nottinghamshire and Rutland.
- 1.3. The Regional Party is the successor within the Specified Area of the Liberal Party East Midlands Region and the Social Democratic Party.
- 1.4. The objects of the Regional Party shall be:
 - (a) to seek to achieve the objects set forth in the Preamble to the Party Constitution;
 - (b) for that purpose, to secure the election of Members of Parliament and the European Parliament from constituencies in the Region and of members of regional, local and other elected public authorities in the Region;
 - (c) to participate in the formulation of party policy and to play a full part in the democratic processes of the Party;
 - (d) to play a full part in the campaigning activity of the Party at all levels;
 - (e) to assist Local Parties within the Region; and
 - (f) to promote diversity of cultures within the Party and to represent the interests of under-represented groups in the Region.
- 1.5. The Regional Party shall have the power and the duty:
 - (a) to make policy on issues that relate exclusively to the Region at meetings of the Regional Conference;
 - (b) to discuss other policy issues on a consultative basis at such conference;
 - (c) if thought fit by the Regional Executive, to prepare and published a regional manifesto for a General Election, provided that the contents of that manifesto are consistent with that of the Federal Party;
 - (d) to work with other relevant bodies in the Party, including the SAOs, to encourage local parties to co-ordinate campaigning, publicity and policy-making for elections to local authorities and the Westminster and European Elections, and between elections.
 - (e) to promote the political image of the party within the Region;
 - (f) to stimulate and co-ordinate Party activities within the Region and to undertake regional campaigns;
 - (g) to be responsible for European Parliamentary elections within the Region;
 - (h) to develop, maintain and implement a strategic plan for the Region;
 - (i) to make rules for the approval and selection of candidate for Regional Assemblies, which provide for the selection to be by ballot in which members of the Party in the relevant electoral area have the opportunity of voting; and
 - (j) to undertake such other functions as may be appropriate or which the local parties may vest in the Regional Party.

1.6. In furtherance of its objects the Regional Party shall exercise the powers and fulfil the duties conferred upon Regional Parties by the Party Constitution in the manner specified in this constitution, and shall also undertake such other functions as the Local Parties in the Region may vest in the Regional Party.

1.7. In this constitution:

"The Regional Party" means the body governed by this constitution;

"The Region" means the area of the counties of Derbyshire, Leicestershire, Lincolnshire, Northamptonshire, Nottinghamshire and Rutland.

"The Party" means the Liberal Democrats;

"The Party in England" means the Liberal Democrats in England;

"The Party Constitution" means the Federal Constitution of the Party and the Articles of the Party in England;

"Recognised Council Group" means a Council Group on a Local Authority which has been recognised in accordance with the procedures set out in Article 8 of the Articles of the Party in England

All terms defined in the Party Constitution shall have the same meaning in this Constitution.

ARTICLE 2: THE REGIONAL CONFERENCE

2.1. A Regional Conference shall be held not less than twice in each year. Subject to the provisions of this Constitution and of the Party Constitution, the Regional Conference shall be the sovereign representative body of the Regional Party. One meeting of the Regional Conference shall be held in October or November each year and shall also be the Annual General Meeting of the Regional Party.

2.2. The business of the Regional Conference shall be:

- (a) to receive a report from the Chair on the activities of the Regional Party and the Regional Executive and representatives elected by Conference to other bodies since the previous Conference;
- (b) to receive reports from the Parliamentary Parties in the House of Commons, the House of Lords and the European Parliament (the House of Commons and European Parliamentary reports to be given by members representing Westminster and European Constituencies within the Region) and from representatives of the Party serving on the Regional Assembly;
- (c) to make policy on issues which relate exclusively to the Region;
- (d) to discuss and express its views upon other policy issues on a consultative basis; and
- (e) to submit motions and amendments including proposals to amend the Party Constitution to the Federal Conference and to the English Council.

2.3. In addition to the ordinary business of the Regional Conference, the Annual General Meeting shall:

- (a) consider and, if thought fit, approve the accounts of the Regional Party for the previous financial year together with an independent report on those accounts;
- (b) receive a report from the Treasurer on the financial affairs of the Regional Party for the year to date together with an outline budget for the following year;
- (c) appoint for the current financial year (i) Auditors if required by the Political Parties, Elections and Referendums Act 2000 or (ii) a person(s) to produce an independent report on the accounts for the next Annual General Meeting;

- (d) determine for the following year the division of subscription income remitted by the Party in England (as determined under Article 6 of the Party in England) between Local Parties and the Regional Party;
- (d) elect the Officers of the Regional Party, the Ordinary Members of the Regional Executive **elected under Article 4.2.(c) and Article 4.2.(d) of this Constitution**, the Regional Candidates Committee, **and the directly elected members** ;
- (e) elect representatives to the English Council and such other bodies as the Regional Conference may specify.

2.4. The Regional Conference shall adopt Standing Orders for the conduct of Conference. These Standing Orders shall provide for not less than 21 days written notice of the date, time and place of any Conference to be given to all voting members of the Regional Conference and to all Local Parties within the Region.

2.5. The following members of the Regional Party shall be voting members of Regional Conference:

- (a) the Officers of the Regional Party;
- (b) representatives elected by Local Parties;
- (c) representatives of the Specified Associated Organisation representing Youth and Students;
- (d) representatives of Party Groups on principal local authorities within the Region;
- (e) representatives of the Liberal Democrat Group on the Regional Assembly;
- (f) Members of the Parliamentary Parties in the House of Commons and the European Parliament representing constituencies within the Region;
- (g) Members of the House of Lords who are members of the Regional Party.
- (h) prospective Parliamentary and European Parliamentary candidates for constituencies and European constituencies within the Region from the date of their selection until the end of the calendar year in which they stood for election, unless a new prospective candidate is selected for the constituency; and
- (i) The members of the English Council elected by the Region.

Members entitled to attend in more than one capacity shall not be entitled to vote more than once.

2.6. The representatives of Local Parties shall be elected at the same time, in the same manner and for the same term as Federal Conference Representatives, but on the following scale:

Membership of Local Party	Number of Representatives
10 to 29	3 (non voting)
30 to 50	4
51 to 75	5
76 to 100	6
101 to 150	7
151 to 200	8
201 to 250	9
251 to 300	10
301 to 350	11
351 to 400	12
401 to 450	13

together with one further representative for every 100 members (or part thereof) in excess of **450**.

A Local Party comprising more than one Parliamentary constituency shall be entitled to the higher of (i) the number of representatives which each component constituency with 30 members or more would be entitled to if it formed a separate Local Party or (ii) the number of representatives which that Local Party would be entitled to send if it comprised a single constituency.

- 2.7. The provisions of the Party Constitution relating to cessation of office, election of additional representatives, and election of substitutes shall also apply to Regional Conference representatives.
- 2.8. The representatives of the Specified Associated Organisation for Youth and Students shall be elected by that organisation in accordance with its own procedures on the same scale as Local Parties with regard to its eligible membership within the Region. Eligibility to vote and to be counted as a member shall be on the same basis as for the election of Federal Conference Representatives.
- 2.9. The number of representatives to be elected by the Liberal Democrat Group on each County Council, District Council or Unitary Authority in the Region shall be according to the following scale:
- | | |
|---------------------|-------------------|
| Group of 3 or less | 1 representative |
| Group of 4-6 | 2 representatives |
| Group of 7-10 | 3 representatives |
| Group of 11-15 | 4 representatives |
| Group of 16 or more | 5 representatives |
- 2.10. The representatives elected by the Liberal Democrats Groups on principal local authorities and on the Regional Assembly shall be elected by and from those Groups to serve for the calendar year. No person may participate in any such election who is not a current member of the Party.
- 2.11. Where the number of representatives to be elected by any body at the same time is three or more, not less than one-third or, if one-third is not a whole number, the whole number nearest to but not exceeding one-third ("the Specified Number") shall be men and women respectively, provided that there is at least twice the Specified Number of male and female candidates respectively validly nominated by the close of nominations. **If this required number of male or female candidates is not reached then, as required by Article 4.12.(d) of the Articles of the Party in England and subject to there being sufficient nominations, at least one shall be a man and one shall be a woman.**
- 2.12. All members of the Regional Party who are not voting members of Regional Conference shall be encouraged to attend the Regional Conference as observers, and shall be entitled to speak at the Regional Conference subject to such restrictions as may be appropriate.
- 2.13. Motions for the Regional Conference may be submitted by 2 voting members of Regional Conference, Local Parties, **County Co-ordinating Committees**, Specified Associated Organisations, Liberal Democrat Groups on principal local authorities or by the Regional **Executive**.
- 2.14. Special meetings of the Regional Conference may be summoned on the requisition of:
- (a) the Regional Executive;
 - (b) 10% of the voting members of Regional Conference.
- The requisition must specify the business to be conducted, and no other business shall be taken at the meeting.
- 2.15. The Regional Executive may postpone any meeting of the Regional Conference if it conflicts with a General Election or for other urgent reason.

ARTICLE 3: THE OFFICERS

- 3.1. The Officers of the Regional Party shall be:
- (a) the President
 - (b) the Chair of the Regional Party;
 - (c) the Vice-Chair of the Regional Party;

- (d) the Chair of the Regional Candidates Committee;
- (e) the Secretary; and
- (f) the Treasurer.
- (g) The Conference Secretary
- (h) The Regional Media Co-ordinator
- (i) Policy Officer
- (j) Local Elections Officer
- (k) Training Officer
- (l) Recruitment Officer
- (m) Regional Newsletter Editor

- 3.2. The Chair of the Regional Party shall chair the Regional Conference (save insofar as provision is made in accordance with the Conference Standing Orders for some other person to chair all or part of the Conference), shall chair all meetings of the Regional Executive and shall have a casting vote at such meetings, shall be the Region's representative on the English Council Executive, shall be jointly responsible with the Treasurer for the Region's compliance with the Political Parties, Elections and Referendums Act 2000 and shall be the Region's principal executive officer.
- 3.3. The Vice-Chair of the Regional Party shall deputise for the Chair when required [and when chairing the Regional Executive shall have a casting vote] and shall exercise such other functions as may be prescribed by the Regional Executive.
- 3.4. The Chair of the Regional Candidates Committee shall, together with the Regional Candidates Committee, be responsible for the exercise under the Party Constitution of the Region's functions in connection with the approval and selection of Parliamentary and European Parliamentary Candidates and candidates for Regional Assembly elections and shall be the Region's member on the English Candidates Committee.
- 3.5. The Policy Officer shall be responsible for the development of Regional Party policy and for promoting the involvement of members of the Regional Party in the development of Party policy.
- 3.6. The Conference Secretary subject to the approval of the Executive Committee shall be responsible for arranging the meetings of the Regional Conference, subject to the standing orders of the Regional Conference, and for maintaining a record of its proceedings and decisions taken.
- 3.7. The Secretary shall be responsible for arranging the meetings of the Regional Executive and keeping minutes and for the Region's communications with Local Parties and other bodies within the Party.
- 3.8. The Treasurer shall handle the financial business of the Regional Party in accordance with the provisions of this Constitution and the Political Parties, Elections and Referendums Act 2000, and shall present the annual accounts and outline budget to the Annual General Meeting.
- 3.9. The Regional Media Co-ordinator shall develop good relations with regional media and co-ordinate press activities in the Region
- 3.10. The Policy Officer shall develop the application of national policy to Regional Issues and to co-ordinate Regional input into national policy making.
- 3.11. The Local Elections Officer shall encourage effective preparation, targeting and campaigning for local elections.
- 3.12. The Training Officer shall identify the training needs in the Region and seek means of satisfying those needs.

- 3.13. The Recruitment Officer shall co-ordinate membership recruitment in the Region.
- 3.14. The Regional Newsletter Editor shall collect together stories for inclusion in the Regional Newsletter and shall be responsible for its production.

ARTICLE 4: THE REGIONAL EXECUTIVE

- 4.1. The Regional Executive shall be responsible, subject to the authority of the Regional Conference and in compliance with the Party Constitution and with the Political Parties, Elections and Referendums Act 2000, for directing, co-ordinating and implementing the work of the Regional Party. The Regional Executive shall develop, maintain and implement a strategic plan for the Region.
- 4.2. The members of the Regional Executive shall be:
- (a) the Officers of the Regional Party;
 - ~~(b.) three Ordinary Members from each of the counties of Derbyshire, Leicestershire and Rutland taken together, Lincolnshire, Northamptonshire and Nottinghamshire and one Ordinary Member from each of the Unitary Authority areas of Derby, Leicester and Nottingham to be elected annually by the Regional Conference representatives from the respective areas. Where an Ordinary Member is unable to attend a meeting of the Regional Executive Committee it shall be his or her responsibility to ensure that a substitute attends on his or her behalf. Failure to attend three consecutive meetings at which no substitute attends may bring about automatic exclusion from the Regional Executive Committee.~~
 - (b) Three (3) Ordinary Members from each of the County Coordinating Committees established under Article 10 of this Constitution, one of whom must be the Chair of that body unless he/she is an elected Officer of the Regional Party, to be elected annually by each respective Committee;
 - (c) Three (3) Ordinary Members from each of the geographical Counties of Derbyshire, Leicestershire and Rutland (taken together), Lincolnshire, Northamptonshire and Nottinghamshire for which a County Co-ordinating Committee has not been established under this Constitution, to be elected annually by the Regional Conference representatives from the respective area(s);
 - (d) Two (2) Ordinary Members elected at the time of the Annual General Meeting by the elected representatives of the Specified Associated Organisation for Youth and Students;
 - (e) up to 4 additional members to be co-opted by the Regional Executive. Co-opted members shall have the same rights, including voting rights, as elected members. The power of co-option shall be used, inter alia, to ensure that there is fair representation of under represented communities in the Region, taking into account race, religion, age, disability, gender or sexual orientation and that this would create a composition of the Executive that reflects the community within the Region.
- 4.3. The Officers and the Ordinary Members shall be elected annually by the voting members of the Regional Conference at the Annual General Meeting.
- 4.4. A Candidate for election as an Officer of the Regional Party or Ordinary Member of the Regional Executive must be a member of the Regional Party at the date when nominations close, but need not be an elected voting representative to the Regional Conference.
- 4.5. No person may hold more than one office, or be both an Officer and an Ordinary Member of the Regional Executive. Elections for Officers shall be counted in the order listed in Article 3.1 of this constitution, and for Ordinary Members after Officers. Any votes cast for candidates already elected to office shall be transferred to the voter's subsequent preferences.
- 4.6. The term of office of the Officers and all other members of the Regional Executive shall be from 1st January following their election until the following 31st December. They shall be eligible for re-election, save that the Chair of the Regional Party shall not serve more than three consecutive terms and shall then not be eligible for election as Chair or Vice Chair for a period of two years.

- 4.7. The Regional Executive shall fill any vacancy occurring among the Officers or Ordinary Members, **with the exception of the Ordinary Members elected by County Co-ordinating Committees under Article 4.2.(b).** A vacancy in the Chair of the Regional Party shall be filled from amongst the Regional Officers if any one of them is willing to accept the post, and if not from amongst the Ordinary Members of the Regional Executive. Any other vacancy may be filled from any member of the Regional Party.
- 4.8. Within seven days of the conclusion of the elections, the Returning Officer shall send a list of the names and addresses of all Officers to the Chair of the Party in England and to the Chief Executive of the Federal Party. The Secretary shall send details of any later change of Officers to the Chair of the Party in England and to the Chief Executive of the Federal Party within seven days of such changes occurring
- 4.9. The Regional Executive shall meet at least 6 times a year. The Secretary shall give at least 7 days notice of meetings to all members of the Regional Executive, specifying in the notice the business to be transacted at the meeting. The agenda for each ordinary meeting of the Regional Executive shall include reports from each Regional Officer and from each sub-committee of the Regional Executive and shall include a report from the Region's representatives on the English Council, English Council Executive and English Candidates Committee.
- 4.10. A special meeting of the Regional Executive shall be convened by the Secretary at the request of the Chair of the Regional Party or one-third of the members of the Regional Executive, to deal with the business specified in the notice of requisition.
- 4.11. One third of the voting members of the Regional Executive shall form a quorum. A meeting may continue without a quorum if no member present objects.
- 4.12. The Regional Executive shall have power to make, and from time to time revise, Standing Orders for the conduct of its business.
- 4.13. In urgent circumstances the Officers may act on behalf of the Regional Executive. They shall report on such actions to the next meeting of the Regional Executive.
- 4.14. The Regional Executive may appoint and dismiss employees of the Regional Party, who shall be appointed on terms not less favourable than those agreed by the Joint Employment Council. The Regional Party shall join the Joint Employment Council and shall agree that it shall constitute a negotiating forum between management and staff.
- 4.15. The Regional Executive shall appoint a member of the Regional Party who is eligible to be a member of the Federal Appeals Panel and is not and has not within the preceding year been a member of the Regional Executive or of the Regional Candidates Committee to be a member of the Appeals Panel for England. This appointment shall be subject to the ratification of the next Regional Conference.

ARTICLE 5: COMMITTEES OF THE REGIONAL EXECUTIVE

- 5.1. The Regional Executive shall establish such sub-committees or working groups as it shall consider appropriate from time to time to carry out the work of the Regional Party, and may assign special responsibilities to any of its members, including duties which would otherwise pertain to one of the Officers. The Regional Executive may also delegate authority to **County Co-ordinating Committees, or to** committees jointly constituted with other regions for particular purposes. No committee, sub-committee, working group or individual member shall take action on behalf of the Regional Executive beyond their terms of appointment. All committees of the Regional Executive, sub-committees and working groups shall report on their activities to the Regional Executive.
- 5.2. The Regional Executive shall appoint a chair (who shall be a member of the Regional Executive) and the members of all sub-committees of the Regional Executive. All members of all committees, sub-committees and working groups and all the Region's representatives on committees jointly constituted with other regions shall, save as expressly provided to the contrary in this Constitution, be members of the Regional Party.
- 5.3. There shall be a Regional Conference Committee which shall be chaired by the Regional Conference Secretary. The other members of the Conference Committee shall be:
- (a) The Policy Officer

- (b) The Training Officer
- (c) One (1) member appointed by the Regional Executive
- (d) Three (3) members elected annually by Regional Conference
- (e) Two members from the County in which the next Conference is to be held

5.4 The Regional Executive shall also oversee:

- (a) the stimulation and co-ordination of campaigning and publicity activities within the Region;
- (b) the undertaking of regional campaigns and the superintendence of elections to principal local authorities covering more than one Local Party;
- (c) the management of Regional Election campaigns for the European Parliament and the Regional Assembly
- (d) the encouragement of Local Parties to co-ordinate campaigning for Parliamentary and local elections and between elections;
- (e) the promotion of the political image of the Party within the Region;
- (f) providing and co-ordinating assistance to Local Parties for Parliamentary and local elections;
- (g) training prospective candidates and other members in the Region, except training functions which fall within the terms of reference of the Candidates Committee; and
- (h) liaison in respect of these matters with appropriate Associated Organisations and Specified Associated Organisations.
- (i) ensuring the compliance of the Regional Party with the Political Parties, Elections and Referendums Act 2000;
- (j) the planning and administration of the budget and finances of the Regional Party;
- (k) consideration of the accounts of the Regional Party;
- (l) the estimates of income and expenditure;
- (m) the raising of funds for the purposes of the Regional Party in accordance with the fundraising and data protection policies of the Party;
- (n) negotiations with the English Council Executive on the proportion of subscription income to be remitted to the Regional Party;
- (o) the preparation and submission to the Federal Conference Committee of business motions for the Federal Conference;
- (p) the appointment, dismissal and terms and conditions of staff;
- (q) the general administration of the Regional Party including the activities of its staff; and
- (r) the provision and maintenance of office accommodation and equipment.

ARTICLE 6: LOCAL PARTIES AND MEMBERSHIP

- 6.1. There shall be a Local Parties' Committee of the Regional Party which shall comprise the Chair or Vice Chair of the Regional Party and not more than 6 other members elected by the Regional Executive at least half of whom shall be members of the Regional Executive and at least one of whom shall be a member of

the Regional Candidates Committee.

6.2. The Local Parties' Committee of the Regional Party shall exercise the Region's powers and duties under the Party Constitution in relation to the adherence of Local Parties to the Party Constitution and to their own respective constitutions, and the compliance of such constitutions and any proposed amendments with the requirements of the Party Constitution **and in relation to any question concerning the recognition of Council Groups as set out by Article 7 below.** In particular, it shall be responsible for:

- (a) ensuring the adherence of Local Parties to the Political Parties, Elections and Referendums Act 2000, the Party Constitution, and to their own respective constitutions;
- (b) reviewing any proposed new constitution for a Local Party or any proposed amendment to its existing constitution to ensure that they comply with the requirements of the Party Constitution;
- (c) investigating the affairs of any Local Party if there is reason to believe that the Local Party is not adhering to the Political Parties, Elections and Referendums Act 2000, the Party Constitution or its own constitution; or that events in connection with the affairs of the Local Party which are or may be seriously detrimental to the Party have taken place or are about to take place; or if requested by the Local Party itself to carry out such an investigation;
- (d) implementing any recommendations resulting from such an investigation;
- (e) **monitoring the joint arrangements made by the relevant Local Parties for the approval and selection of candidates for local authority elections and imposing and/or appointing a Party member to administer the procedures for the approval and/or selection of local authority elections where the relevant Local Party or Local Parties have not adopted, or having adopted have not followed, a procedure for the approval and/or selection of candidates that is in accordance with the provisions of the Party Constitution;**
- (f) the exercise of the powers of the Regional Party in constituencies where no Local Party is recognised or where the Local Party has been suspended;
- (g) determining disputes as to proposed combinations of constituencies to form a Local Party; and
- (h) **determining whether to exempt all or any parish or town councils in the Region from the requirements for the approval of candidates;**
- (i) the exercise of the powers of the Region under Article 2 of the Articles of the Party in England (Membership).
- (j) **the exercise of the powers of the Region under Article 8 of the Articles of the Party in England (Councillors and Recognised Council Groups) including determining whether the requirement for the recognition of Council groups shall apply to all or any parish or town councils in the Region.**

6.3. **Where there appears to be any conflict affecting a Local Party or a Council Group, the Local Parties Committee may appoint a conciliator, who shall be impartial and neither a member of the relevant Local Party or authority (as the case may be) nor any Local Party within the area covered by the authority, to seek to mediate and resolve the conflict. Any person who has acted as such a conciliator shall not play any part in any later investigation or formal decision regarding the relevant dispute.**

6.4. For the purposes of any such investigation, Local Parties' Committee shall appoint one or more persons (who must be members of the Party but not necessarily of the Regional Party) to act as investigators. No such person shall be a member of the Local Party concerned. At least one of such persons shall be a member of the Regional Executive and of the Local Parties Committee, and any such member shall take no part in any subsequent proceedings of the Executive or of the Local Parties Committee relating to action to be taken in consequence of the investigation. The investigators shall have such access as they require to the books and records of the Local Party concerned. The Local Party concerned shall be informed of any allegations against it and given a reasonable opportunity to reply or to take corrective action.

6.5. The Local Parties Committee shall receive a report on any investigation under this Article and shall be responsible for the implementation, so far as may be thought fit, of any recommendations resulting from

the investigation and for such purpose the Regional Party may act on behalf of and in the name of the Local Party (or any organ thereof).

- 6.6. The Regional Party may suspend a Local Party if the Local Parties Committee is satisfied that the Local Party is not adhering to the Political Parties, Elections and Referendums Act 2000 or to the Party (or its own) Constitution or that events in connection with the affairs of the Local Party which are or may be seriously detrimental to the Party have taken place or are likely to take place if preventative action is not taken.
- 6.7. The Regional Party may order a specified Local Party Officer vacate his or her post if it is satisfied that the officer concerned is not adhering to the Political Parties, Elections and Referendums Act 2000, to the Party Constitution, or to the Local Party's Constitution, or that by their actions, events are occurring or about to occur in connection with the affairs of the Local Party which are or may be seriously detrimental to the Party. Such a power shall not be exercised without the Local Party and the affected Local Party Officer being informed of what is proposed and offered a reasonable opportunity to reply or to take corrective action.
- 6.8. Where the Region has directed a Local Party officer to vacate office the Local Parties Committee shall either direct that there is to be a by-election for that post, in which case the previous incumbent would be ineligible to stand and the Local Parties Committee shall nominate a Returning Officer, or it may appoint a suitably qualified member of the Party (but not necessarily the Local Party) to the role.
- 6.9. There shall be a right of appeal to the Appeals Panel for England against the suspension of a Local Party or the ordering of a Local Party Officer to vacate his or her post on the ground that the suspension was unreasonable. The Local Parties Committee may direct that the suspension shall take effect pending the appeal.
- 6.10. The Regional Party, through the Local Parties' Committee, shall have the following powers and responsibilities with regard to any constituency where no Local Party has been recognised, or the Local Party has been suspended under the Party Constitution:
- (a) to exercise the functions of the Local Party under the Party Constitution
 - (b) to ensure, in consultation with local members, that a prospective candidate is in place for any Parliamentary Election, unless the Local Parties Committee is satisfied that this is not appropriate for the time being;
 - (c) to take such steps as may be appropriate, in consultation with local members, to organise the fighting of local authority elections;
 - (d) to act as an enrolling body for new members under the Party Constitution;
 - (e) to summon and supervise meetings of members to form a Local Party or reconstitute a Local Party as soon as possible;
 - (f) to hold and manage the assets of the Local Party for the benefit of the members of the Local Party or of any Local Party to be formed in place of the Local Party; and
 - (g) to rule on disputes and give directions under the Party Constitution as to proposed combinations of constituencies. Members in any constituency in the proposed combination shall have the right to appeal to the English Council.
- 6.11. The Local Parties Committee on behalf of the Region may in accordance with the Party Constitution and the Membership Rules made under it revoke the membership of any member of the Party in the Region on one or more of the following grounds:
- (a) material disagreement, evidenced by conduct, with the fundamental values and objectives of the Party;
 - (b) conduct which has brought, or is likely to bring, the Party into disrepute;
 - (c) standing against the candidate of the Party in any election to public office;

(d) membership of or support for another political party in Great Britain.

6.12. In the event that one or more of the grounds for membership revocation are established under Article 6.7 above, the Local Parties Committee on behalf of the Region may, in accordance with the Party Constitution and the Membership Rules made under it, impose any one or more of the following sanctions;

(a) Barring the individual concerned from holding or standing for election to any specified Party office or role either permanently, for a specified period, or until satisfactory training has been undertaken by the individual concerned;

(b) Barring the individual concerned from holding or seeking to be elected to any or any specified public office on behalf of the Party either permanently, for a specified period, or until satisfactory training has been undertaken by the individual concerned;

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

(d) Reprimanding the individual concerned.

6.13. The member shall be notified of the reasons why revocation is to be considered. Where the Local Parties Committee is considering the revocation of membership of any person, it may in accordance with the Party Constitution and the Membership Rules made under it suspend membership if there are urgent reasons for doing so or if sub-paragraph (c) above applies.

6.14. The decision of the Regional Party whether or not to agree to the admission or re-admission to membership of a person whose membership has been refused or revoked shall be made by the Local Parties Committee.

6.15. The Regional Party shall not use the information contained in the Register of members except for the proper purposes of the Party and shall comply with the Party's rules in relation to the Party's Data Protection Act registration.

6.16. The Local Parties Committee shall report on its activities to the Regional Executive, but it shall not be open to the Regional Executive to vary or reverse decisions taken by the Local Parties Committee on matters delegated by this Constitution to the Local Parties Committee."

ARTICLE 7: COUNCILLORS AND RECOGNISED COUNCIL GROUPS

7.1. The Local Parties Committee shall be responsible for the recognition of Council Groups, subject to this Constitution and the Party Constitution, in exercise of the powers of the Region under Article 8 of the Articles of the Party in England. The Local Parties Committee may resolve that this Article, or specific sections of it, shall not apply to any parish or town council or shall apply only to designated ones.

7.2. A Council Group of an authority:

(a) wholly comprising members of the Liberal Democrats who are elected to the authority after being sanctioned as Liberal Democrat candidates by a Delegated Nominated Officer and properly approved as such under Article 3 or admitted to membership in accordance with Article 8.13. of the Articles of the Party in England; and

(b) operating according to written Standing Orders which are in conformity with the constitutions of the Liberal Democrats, and which include the requirement that all group offices shall be filled by open and democratic election by the members of the group,

shall be deemed to be recognised by the Regional Party subject to the provisions of Article 8.12.. of the Articles of the Party in England. The Local Parties Committee shall maintain a register of such groups and satisfy itself as soon as practicable, and in any event no later than 31st July of each year, that each group appearing on the register continues to confirm to the definition in this clause.

7.3. The Local Parties Committee will follow the procedure in Article 7.4. below if it appears to the Local Parties Committee that:

- (a) there is a Council Group that has been recognised under Article 7.2. above but no longer meets the relevant definition, and has not done so for a period of ten weeks; or
- (b) there is a Council Group that fails to meet the definition in Article 7.2. but which contains one or more members of the Liberal Democrats.

7.4. When the procedure in this Article applies to a Council Group, the Local Parties Committee shall ascertain the nature of the membership and administration of the relevant Council Group and shall recognise the Council Group if, in the light of those matters and all the circumstances, the Committee considers that the Liberal Democrats would not be brought into disrepute thereby. The Local Parties Committee may prohibit any Council Group recognised under this Article from using solely, as its title, any one or more of the Party's registered names. The Local Parties Committee shall maintain a register of its decisions made under this Article, and the position of any Council Group recognised under this Article shall be reviewed by the Committee no later than 31st July of each year.

7.5. Any Local Party covered by an authority or any Liberal Democrat member of an authority aggrieved by a decision of the Regional Party to recognise or not recognise a Council Group (or the failure to reach a decision in respect of a Council Group comprising one or more members of the Liberal Democrats) may refer the matter to the English Appeals Panel for a decision on recognition under Article 8.5. of the Articles of the Party of England.

7.6. The Local Parties Committee shall maintain up-to-date copies of the Standing Orders of all recognised Council Groups within the Region. The Local Parties Committee shall review those Standing Orders and ensure that they:

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

7.7. The Regional Party, through the Local Parties Committee, may de-recognise a formerly recognised Council Group if the Committee is satisfied that:

- (a) There is persistent or serious non-adherence on the part of the Council Group either to the Liberal Democrat Federal Party Constitution, the constitution of the Liberal Democrats in England, or its own Standing Orders; or
- (b) By the actions of the Council Group, events are occurring or about to occur in connection with the affairs of the Council Group which are, or may be, seriously detrimental to the Liberal Democrats.

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

7.8. Where either:

- (a) A member of the Liberal Democrats suspects that matters are occurring that might justify the derecognition of a Council Group under Article 7.7. of this Constitution, and reports to the matter to the Regional Party under Article 8.8. of the Articles of the Party in England; or
- (b) It appears to the Local Parties Committee that there has been a conflict within a recognised Council Group as a result of which one or member members of that Council Group have resigned membership of the Group, whether or not they have formed another Council Group,

Then the Regional Party, through the Local Parties Committee, may take the following action:

- (i) Appoint an investigator, who shall be impartial and neither a member of the local authority concerned nor any Local Party within the area covered by the authority, to ascertain the circumstances, take statements from all relevant people, and make out a report to the Local Parties Committee on whether there are grounds for de-recognising the Council Group concerned; and/or

- (ii) Where there appears to be conflict between members of the Council Group or between Liberal Democrat Party members on the authority, appoint a conciliator, who shall be impartial and neither a member of the authority concerned nor any Local Party within the area covered by the authority, to seek to mediate and resolve the conflict; and/or
- (iii) Consider whether to de-recognise the Council Group in accordance with Article 7.7. above; and/or
- (iv) In the case of paragraph (b) above, consider whether any Council Group formed as a consequence of the dispute meets the definition in Article 7.2. above or ought to be recognised under Article 7.4. above.

7.9. Where a Liberal Democrat Party member:

- (a) Remains a member of a Council Group that has been de-recognised under Article 7.7. above and the Local Parties Committee concludes that the actions of the Council Group have brought the Party into disrepute;
- (b) Joins a Council Group that exists in opposition to a recognised Liberal Democrat Council Group;
- (c) Joins a Council Group that has been refused recognition under this Constitution or the Party Constitution; or
- (d) Serves on an authority without being a member of a recognised Liberal Democrat Council Group where one exists;

Then the Regional Party, through the Local Parties Committee, shall have the power to set a time period after which the membership revocation procedure may be initiated against them, in accordance with the procedure in the Membership Rules. For the purposes of the membership revocation procedure, there shall be a rebuttable presumption that the member concerned has brought the Party into disrepute.

7.10. In the event that there are two or more Council Groups of an authority which appear to meet the definition in Article 7.2. above, or which may justify recognition under Article 7.4. above, then the Local Parties Committee shall, on behalf of the Regional Party, have a discretion to recognise one of those Council Groups and not any of the others or, where there are exceptional circumstances, any or all of them. This power shall not be exercised without an investigator having been appointed in accordance with Article 7.8.(i) above.

7.11. Any member of an authority who joins or seeks to join a recognised Council Group without having been elected with the sanction of a Liberal Democrat Delegated Nominating Officer shall subject to themselves to the approval procedure established under Article 3 of the Articles of the Party in England either before their admission to the relevant Council Group or within a period of ten weeks after it. Should they fail to be approved within that time period then the Local Parties Committee may take the following action:

- (a) Require the individual to undertake training; or
- (b) Direct that the individual concerned is not eligible to be a member of the Council Group concerned and set a time period during which their membership of the Council Group must cease. If that membership is continued beyond the end of that time period, it shall amount to a breach of the Constitution and action may be taken under Article 7.7. above.

ARTICLE 8: PARLIAMENTARY AND REGIONAL ASSEMBLY CANDIDATES

8.1. There shall be a Candidates Committee of the Regional Party which shall comprise:

- (a) the Chair of the Regional Candidates Committee (who shall be an Officer of the Region elected in accordance with Articles 3 and 4 of this Constitution); and
- (b) five (5) other members from each of the geographical counties of Derbyshire, Leicestershire and Rutland (taken together), Lincolnshire, Northamptonshire and Nottingham, to be elected annually by the Regional Conference representatives from their respective areas.

- 8.2. The Regional Candidates Committee may co-opt up to 2 additional members and shall use its power of co-option to ensure that the members of the Candidates Committee include at least one member who has contested a Parliamentary or European Parliamentary election on behalf of the Party within the previous ten years, at least one member who is an approved Parliamentary Candidates assessor and at least one member who is an accredited returning officer for parliamentary selections.
- 8.3. The Candidates Committee shall exercise the Region's powers and duties under the Party Constitution in relation to the approval and selection of candidates for Parliamentary and Regional Assembly elections.
- 8.4. The Candidates Committee shall, if English Candidates Committee has delegated this function to Regions, determine applications to the Region for inclusion in the Lists of Approved Candidates for Parliamentary and European Parliamentary elections and in any event shall exercise all the functions of the Regional Party relating to the approval of Parliamentary candidates.
- 8.5. Any applicant to the Region whose application is refused may request to be reassessed and/or may appeal under the Party Constitution.
- 8.6. The Candidates Committee shall maintain a list of approved candidates for Regional Assembly elections. It shall determine and publish procedures to be followed by persons wishing to be included in such list and shall determine applications to the Region for inclusion in such List.
- 8.7. The Candidates Committee may remove any person from the Lists of Approved Candidates for Parliamentary, European Parliamentary or Regional Assembly elections subject to the appeal procedure set out in the Party Constitution. No person shall be removed from any List without being notified of the grounds upon which the Committee is considering such removal and being given
- a) a reasonable time within which to reply and make representations in writing; and
 - b) a right upon request to a personal hearing before the Committee.
- 8.8. The Regional Candidates Chair shall appoint Returning Officers for the selection of prospective Parliamentary candidates and shall decide whether a selection should proceed where sufficient applicants of each sex are not forthcoming or withdraw following the composition of the short-list. The Candidates Committee shall undertake all other functions of the Region under the rules for the selection and adoption of prospective Parliamentary candidates. In particular, the Candidates Committee shall decide, in case of disagreement, whether a new selection should be held as a result of boundary changes substantially affecting a constituency.
- 8.9. The Candidates Committee shall appoint the Selection Committee for the selection of prospective European Parliamentary candidates for the Region.
- 8.10. The Candidates Committee shall prepare for approval by the Regional Executive rules for the approval and selection of candidates for the Regional Assembly. Such rules shall provide for the selection to be by a ballot in which all members of the Party in the relevant electoral area have the opportunity of voting.
- 8.11. The Candidates Committee may make recommendations to Local Parties within the Region for procedures to be followed for the approval and selection of candidates for local government elections, and shall exercise any functions in respect of such approvals and selections which Local Parties wish to delegate to the Candidates Committee.
- 8.12. The Candidates Committee shall be responsible for the provision of training to members of the Regional Party who are, or who wish to become, members of assessment panels, returning officers or prospective Parliamentary, European Parliamentary or Regional Assembly elections; and for encouraging both men and women, and members of ethnic minorities, to apply for inclusion in the Lists and for selection.
- 8.13. The Candidates Committee shall report on its activities to the Regional Executive and to the Regional Conference, but it shall not be open to the Regional Executive or Conference to vary or reverse decisions taken by the Candidates Committee on matters delegated by this Constitution to the Candidates Committee.

ARTICLE 9 COUNTY CO-ORDINATING COMMITTEES

- 9.1. There shall be County Co-ordinating Committees established for each of the geographical counties of Derbyshire, Leicestershire and Rutland (taken together), Lincolnshire, Northamptonshire and Nottinghamshire. The areas of these committees shall include all Unitary Authorities that exist within their traditional county boundaries and which fall within the area of the Regional Party.
- 9.2. The objects of a County Co-ordinating Committee shall include:
- (a) To further the objects of the Party and the Regional Party in its County;
 - (b) To exercise those powers delegated to it by the Regional Executive; and to
 - (c) To exercise those powers delegated to it by Local Party(s) within its area.
- 9.3. A County Co-ordinating Committee shall not be entitled to require a subscription from its members, but the Regional Executive may agree to remit part of its income to a Committee. A County Co-ordinating Committee shall not incur any debts for which the Regional Party shall be responsible.
- 9.4. A County Co-ordinating Committee may raise funds for its own activities, subject to compliance with any directions of the Regional Executive or the Local Parties Committee, and subject to the Political Parties, Elections and Referendums Act 2000 and the fundraising and data protection policies of the Party.
- 9.5. Each County Co-ordinating Committee shall be governed by a constitution which shall provide for:
- (a) A Committee which shall include a Chair, other Officers and Ordinary Members, and may include ex officio and co-opted members;
 - (b) Rules for the election of Officers and Ordinary Members of the Committee;
 - (c) Rules for the election of the Ordinary Members of the Regional Executive to which the Committee is entitled under Article 4.2.(b), one of whom must be the Chair of the Committee unless he/she is an elected Officer of the Regional Party.;
 - (d) Rules for the calling and conduct of an Annual General Meeting and other General Meetings, which may be of all members or on a representative basis, on the request of members or representatives of Local Parties within the County;
 - (e) The names and addresses of the Officers to be notified to, and minutes of General and Committee Meetings to be supplied to the Regional Secretary.

The constitution of any County Co-ordinating Committee must comply with this Constitution and with the Party Constitution. The adoption of, and amendments to, the constitution of any Committee shall be subject to the approval of the Local Parties Committee.

- 9.6. Where a County Co-ordinating Committee is subject to reporting requirements under the Political Parties, Elections and Referendums Act 2000, the administrative arrangements for that Committee shall include:
- (a) The Officers of the County Co-ordinating Committee shall include a Treasurer. The Committee's accounting period shall be the same as that of the Regional Party;
 - (b) The Committee Treasurer shall keep, maintain for six years, and pass to his or her successor accounting records which shall be available for inspection in accordance with the Political Parties, Elections and Referendums Act 2000;
 - (c) The Committee Treasurer shall ensure that no donation of over £500 is accepted except from a permissible donor and shall keep records and submit donations reports to the Treasurer of the Regional Party;
 - (d) The Committee Treasurer shall annually produce accounts which shall be approved by the Committee and shall be sent to the Treasurer of the Regional Party by a date to be specified by the Treasurer of the Regional Party;
 - (e) The Committee Treasurer shall submit the accounts of the Committee together with an independent report to the Annual General Meeting.

- (f) The Committee shall maintain one or more bank or other appropriate accounts in the name of the Committee for which the mandate for withdrawal shall require the signature of at least two Officers who shall not come solely from members of any one family. The Committee may maintain further accounts for the deposit of money not required for the time being, requiring the same signatures.

9.7. A County Co-ordinating Committee may dissolve itself by a two thirds majority at a General Meeting or be dissolved or suspended by the Local Parties Committee on the grounds that:

- (a) It is no longer functioning or able to hold such a meeting;
- (b) There have been serious irregularities in the conduct of the affairs of the Committee;
- (c) The affairs of the Committee have not been conducted in compliance with the Political Parties, Elections and Referendums Act 2000 or with its Constitution, this Constitution or the Party Constitution;
- (d) The affairs of the Committee are being conducted in a manner contrary to the interests of the Party as a whole.

The Regional Party shall not dissolve or suspend a Committee under Article 14.7(a) until the Committee has been given a reasonable opportunity to reply or take corrective action.

9.8. There shall be a right of appeal to the Appeals Panel for England against the suspension or dissolution of a County Co-ordinating Committee on the ground that the suspension was unreasonable. The Local Parties Committee may direct that the suspension shall take effect pending the appeal.

9.9. The funds of a County Co-ordinating Committee shall, upon dissolution, be applied in paying its debts, and any surplus shall be held and managed by the Regional Party.

ARTICLE 10: POLICY

The Regional Executive shall be responsible for:

- a. the preparation and submission to the Federal Conference Committee of policy motions for the Federal Conference;
- b. the expression of the initial views of the Regional Party on topical issues;
- c. the preparation of a regional manifesto for Parliamentary Elections;
- d. the preparation of a manifesto for elections to the Regional Assembly;
- e. liaison with other regional parties on policy issues affecting the Region and such other regions;
- f. assisting Party Groups on principal local authorities with policy development by such Groups and liaison on policy issues between principal local authorities within the Region;
- g. stimulating and co-ordinating the policy-making activities of Local Parties;
- h. encouraging the participation by members of the Regional Party in the development and making of Party Policy.

ARTICLE 11: FINANCE

11.1. The Region's accounting period shall be annual, ending on 31st December each year.

11.2. The Treasurer shall keep, maintain for six years, and pass to his or her successor accounting records which shall be available for inspection in accordance with the Political Parties, Elections and Referendums Act 2000.

11.3. The Treasurer shall ensure that no donation of over £500 is accepted except from a permissible donor and shall keep records and submit donations reports to the Finance and Administration Committee and to

Chief Executive of the Federal Party.

- 11.4. The Treasurer shall annually produce accounts, which shall be approved by the Regional Executive, and if required by the Political Parties, Elections & Referendums Act 2000 shall be audited and submitted to the Electoral Commission.
- 11.5. The Treasurer shall submit the accounts of the Regional Party together with an independent report to the Annual General Meeting.
- 11.6. A copy of the annual accounts shall be sent to the Treasurer of the Party in England and to the Chief Executive of the Federal Party.
- 11.7. The Regional Party shall maintain one or more bank or other appropriate accounts in the name of the Regional Party for which the mandate for withdrawal shall require the signature of at least two Officers who shall not come solely from members of any one family. The Regional Party may maintain further accounts for the deposit of money not required for the time being, requiring the same signatures.
- 11.8. The Regional Executive shall make arrangements in accordance with the Party's fundraising and data protection policies for the raising of funds to meet any expenditure of the Regional Party in excess of the proportion of subscription income to be remitted by the Party in England, and may also raise funds for distribution to Local Parties in the Region. For this purpose the Regional Executive may appoint a Fundraising Sub-Committee with appropriate membership and terms of reference. The Regional Executive may, subject to compliance with the Data Protection Act, authorise the Fundraising Sub-Committee to use the list of members in the Region for fundraising purposes.

ARTICLE 12: ELECTIONS

- 12.1. All contested elections under the provisions of this constitution shall be by secret ballot and by the Single Transferable Vote method in accordance with election rules made under the Party Constitution.
- 12.2. Where the Regional Party is entitled to representation on any other body (other than the English Council) the Regional Conference shall determine whether the representatives are to be elected by the Regional Conference or by the Regional Executive.
- 12.3. The elections of Officers, Ordinary Members of the Regional Executive, members of the Regional Candidates Committee and Regional Conference Committee and the members of the English Council and members on other bodies to be elected by the Regional Conference shall take place at the time of the Annual General Meeting in accordance with rules agreed and published by the Regional Executive.
- 12.4. Whenever three or more persons are being elected, not less than one-third or, if one-third is not a whole number, the whole number nearest to but not exceeding one-third ("the Specified Number") shall be men and women respectively, provided that there is at least twice the Specified Number of male and female candidates respectively validly nominated by the close of nominations.
- 12.5. An unsuccessful candidate who alleges that there has been or may have been an irregularity in the election may within one month after the declaration of the result appeal to the Appeals Panel for England. Subject to any order made on such an appeal, no irregularity shall invalidate an election.

ARTICLE 13: AMENDMENT AND INTERPRETATION

- 13.1. Amendments to this constitution, including any amendment by which the Region seeks recognition as a State Party for the purposes of the Party Constitution, may be made only by the vote of at least two-thirds of those voting on a motion for amendment at a meeting of the Regional Conference. No amendment shall be made which conflicts with the Party Constitution. Motions for amendment shall be submitted to the Secretary of the Regional Conference in time for circulation with the notice convening the meeting.
- 13.2. In the event of any question of interpretation arising, or any question on which this constitution is silent, the Regional Executive shall have power to act according to its interpretation of the constitution, or at its discretion, without prejudice to the provisions of the Party Constitution relating to the resolution of conflicts.

Amended by Regional Conference on 19th February 2005

| **Revised draft by Chris Nelson on 17th October 2010**