



# UK Independence Party

## Rules of Procedure

(Party Rulebook)

As approved by the National Executive Committee 06/02/2012; amended 11/06/2012, 02/07/2012, 01/10/2012, 03/12/12, 04/03/13 and 13/05/13.

Rules made in accordance with Articles 1.4, 2.2.3, 4.1.1, 4.2.1, 4.4.2, 4.4.3, 4.6, 4.9, 5.1, 5.5, 5.7, 5.8, 6.2(g), 6.3(d), 6.6.1, 6.12, 6.23.4, 6.26.1, 6.26.2, 7.6, 10.3.2, 11.1, 11.6, 11.8, 12.1.1, 12.4, and 12.8(b) of the Party Constitution of the UK Independence Party (UKIP) and having regard to Article 14.2 of the Party Constitution of the UK Independence Party (UKIP).

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## **A: Preamble**

A.1 The 'Rules of Procedure' is the Rule Book of the UK Independence Party (UK I P) – hereinafter referred to as 'the Party'.

A.2 These Rules of Procedure should be read in conjunction with the Party Constitution, which, in the event of a clash, shall always take precedence.

A.3 These rules came into effect following approval by the UK Independence Party National Executive Committee on 6<sup>th</sup> February 2012 and last amendment on 4<sup>th</sup> March 2013. They replace all previous versions.

A.4 Except where otherwise stated, these Rules may be amended by a simple majority vote of the National Executive Committee.

A.5 These rules are made in accordance with Articles 1.4, 2.2.3, 4.1.1, 4.2.1, 4.4.2, 4.4.3, 4.6, 4.9, 5.1, 5.5, 5.7, 5.8, 6.2(g), 6.3(d), 6.6.1, 6.12, 6.23.4, 6.26.1, 6.26.2, 7.6, 10.3.2, 11.1, 11.6, 11.8, 12.1.1, 12.4, and 12.8(b) of the Party Constitution of the UK Independence Party (UK I P) and have regard to Article 14.2 of the Party Constitution of the UK Independence Party (UK I P).

A.6 The Rules of Procedure shall be made available electronically to members through the members' forum online.

A.7 Any member shall be sent a written copy of the Rules of Procedure upon request to the Party's administrative Head Office.

A.8 The Party may make an appropriate administrative charge not exceeding £3 for written copies of the Rules of Procedure to cover the economic cost of printing, packaging, posting and staff time.

A.9 For the avoidance of doubt, throughout the Rules of Procedure the masculine implies a person of either gender.

A.10 In the event of internal inconsistency within these Rules of Procedure, the National Executive Committee (or the Party Chairman, Party Secretary, Party Director or General Secretary acting with the NEC's authorisation) shall determine which Rule has precedence.

# Rules governing Party meetings

## **B: Branch and Constituency Association Rules**

### Status and Authority

B.1.1 The basic units of the Party are the Constituency Associations and Branches, established under Article 3.6 of the Constitution of the UK Independence Party. They shall uphold the principles of the Constitution and are responsible to the National Executive Committee via the Party Chairman or his delegate who will normally be the Regional Organiser.

B.1.2 A Constituency Organisation or Branch may exist only if authorised by the National Executive Committee. No Constituency Association or Branch may be established without the written consent of the Party Chairman, on behalf of the NEC.

B.1.3 A Constituency Association consists of one entire parliamentary constituency and it shall bear that name.

B.1.4 A Branch consists of more than one parliamentary constituency and shall include the parliamentary constituencies concerned in their entirety. It shall have an appropriate geographical name. The NEC may at its discretion permit the formation of branches from geographical areas other than Parliamentary constituencies.

B.1.5 The primary functions of Constituency Associations and Branches are to select and support candidates for parliamentary and local elections, to assist in European Election campaigns, recruit new members, raise funds and generally to promote the Party and its policies.

B.1.6.1 In accordance with the party's aim to have Constituency Associations in all parliamentary constituencies, branches covering more than one constituency are encouraged to split when branch membership becomes sufficiently large.

B.1.6.2 A branch wishing to split must have the approval of the Branch Committee and the Regional Organiser, and must also have the written consent of the Party Chairman, on behalf of the NEC. Where a County Committee exists, it must be kept informed of the change.

B.1.7 Branches shall co-operate with any Regional Committee and County Committee covering their area.

B.1.8 Constituency Associations and Branches shall both be managed under these rules and both are hereinafter referred to as Branches.

B.1.9 Branch Meetings shall be held in accordance with the 'Standing Orders for the conduct of Internal Party Meetings'.

B.1.10 Officers of all branches and constituency associations shall complete the Party's Data Protection forms and other documentation as required by Head Office to ensure smooth functioning of the Party's internal procedures.

### Membership

B.2.1 All Party members are members of the branch in which they live and shall be entitled to participate in its activities.

B.2.2 The affairs of members who live in a parliamentary constituency with no established branch shall be administered by the Party Chairman or his delegate.

B.2.3 Party members may, on request, become a member of another branch, subject to the agreement of the receiving branch committee.

B.2.4 A Party member may normally serve on only one branch committee at a time.

B.2.5 Where a Branch collects a membership fee from a new member, it shall be entitled to retain the first year's subscriptions only. Where the money is collected nationally, and where membership is renewed, the money shall be kept by the national Party.

### Branch Committees

B.3.1 Branches are responsible for their own actions and financial affairs.

B.3.2.1 A branch committee shall have a minimum of two members and would not normally have more than eight members in total.

B.3.2.2 No former member of a Party or organisation on the proscribed list shall be permitted to hold office on a branch committee, or to hold any other formal office within the Party.

B.3.2.3 No current member of any other Party shall be permitted to hold office on a branch committee, or to hold any other formal office within the Party. The Party Chairman may permit an exception to B.3.2.3 where he believes it to be in the Party's strategic interests to do so.

B.3.3 The three principal branch officers, Chairman, Treasurer and Secretary shall all be committee members. Further officers may be elected to fulfil other posts. If only two members are elected to the committee, they shall be Chairman and Treasurer and one of these shall also be named as Secretary.

B.3.4 The branch officers and other committee members shall be elected at the branch's Annual General Meeting (AGM) by ballot of members attending. Their term of office shall

run from the AGM when elected until the next AGM. The principal officers shall be required to complete and return a Party Officer's Declaration form.

B.3.5 All branch members in good standing and members from other branches in accordance with rules B.2.3 and B.2.4 above are eligible to stand for election to the branch Committee. 'In good standing' is defined under I.8 below.

B.3.6 Members of less than twelve months' standing must be proposed and seconded by those who have been Party members for more than twelve months.

B.3.7 The elected committee shall have the power to co-opt other branch members for specific purposes whose term shall end at the next AGM and whose voting rights shall be determined by the elected committee.

#### Duties of Branch Officers

B.3.8.1 The Chairman has principal responsibility for the direction of the branch and shall normally chair all meetings including the AGM. The Chairman shall normally call meetings of the committee (and meetings of the whole branch as defined in B.4.4) but a simple majority of committee members may call a committee meeting in the event that the Chairman is unable or unwilling to do so.

B.3.8.2 A duly-constituted branch may hold a bank account. The Treasurer shall be responsible for managing the branch finances and bank account. All branches are Accounting Units for the purposes of the Political Parties Elections and Referendums Act 2000 (PPERA2000) and the Treasurer is responsible for compliance, in particular the reporting of donations to Head Office and the preparation and submission of Branch Accounts, according to guidance from the Party Treasurer.

B.3.8.3 Bank accounts should have at least three signatories, with any two signatories being required to draw upon branch funds. Signatories to the bank account should normally be Committee members. Accounts with just two signatories shall be permitted only in extremis, or when there are just two members on a Committee. Branches may permit electronic banking to be undertaken by a sole named individual but shall ensure that appropriate financial reports are received at each meeting.

B.3.8.4 The Secretary shall normally be responsible for the general administration of the Committee, including taking minutes of meetings, maintaining a record of the branch's party members and advising Head Office of changes. The secretary shall also advise Head Office of any changes to the officers and the branch registration details and is responsible for compliance with E.14 of these Rules of Procedure.

B.3.9 Only members who are branch officers, or who have the express permission of the Committee, shall be authorised to represent the local party or make use of party logos.

Unauthorised use of the party name or logo may be considered to be bringing the party into public disrepute and therefore grounds for disciplinary action.

B.3.10 In the event that a branch officer resigns or is otherwise unable to continue in the role, a permanent replacement may only be selected by a general meeting of the branch with 21 days' notice. An acting replacement may be chosen by the branch committee to continue with the role until the following AGM.

B.3.11 Upon disbandment of any Branch, the financial reserves and other assets shall be transferred to the national party via the national Party Treasurer.

B.3.12 Where a branch official is seriously failing in their duties under B.1.5 and B.3.8.1 to B.3.8.3, and efforts to deal with the situation have not resulted in improved performance, the National Executive Committee may as a last resort remove from office a branch committee member.

B.3.13 Branches must contact their Regional Organiser for if they wish to select as a branch committee member anyone with serious criminal convictions (to be defined as having been convicted of an offence for which the maximum sentence is a prison sentence of 12 months or greater or for which any custodial sentence was imposed). The Regional Organiser may accept the appointment, reject the appointment or refer the matter to the NEC. If the Regional Organiser rejects the appointment there shall be a right of appeal to the NEC.

B.3.14 Where a branch committee member is convicted of a criminal offence whilst a serving official, the member must notify the Party Secretary and the General Secretary. Where the Party's reputation could be affected, the matter shall be referred to the Party Chairman who may suspend the committee member from office pending an NEC decision concerning removal from office.

B.3.15 Failure to disclose information under B.3.13 or B.3.14 may be grounds for disciplinary action.

#### Branch and Committee Meetings

B.4.1.1 Branch committees shall normally meet at least six times per annum with sufficient flexibility to cope with emergencies such as the sudden calling of an election.

B.4.1.2 Half of the committee members, including two of the Chairman, Secretary and Treasurer, shall constitute a quorum. The normal notice period is 7 days.

B.4.1.3 The Regional Organiser and Regional Chairman covering the branch, and any officer listed under C.3.9 below, shall have the right to attend any Branch meeting or Annual General Meeting.

#### Annual General Meeting

B.4.2.1 The Party's year ends on 31st December. The AGM shall normally be held between 1 January and 31 March and between 10 and 14 months after the preceding AGM.

B.4.2.2 21 days' notice of the AGM shall be given and the notice shall invite nominations for the election of committee officers and motions for the meeting.

B.4.2.3 Any motions for the AGM must be submitted in advance and must be consistent with the principles and Constitution of the Party.

B.4.2.4 The business of the AGM shall include:

- (i) Approval of the minutes of the previous AGM;
- (ii) Receiving reports from the chairman and secretary;
- (iii) Approving the Treasurer's Statement of Accounts for the previous year;
- (iv) Election of the branch committee members and officers for the following year;
- (v) Transacting such other business as may be brought before it.

B.4.3 An extraordinary general meeting (EGM) of the branch shall be held when called for a specific purpose by the branch committee, by the Party Chairman or by the written request to the branch chairman or secretary of 25% of branch members in good standing. An EGM must be held within 6 weeks of being validly called and 21 days' notice to all branch members must be given.

B.4.4 Ordinary meetings of the whole branch may be convened as thought fit by the committee and may typically be combined with campaigning or other activities.

B.4.5 The Annual General Meeting should be held at an appropriate venue. This should not be a member's private residence, but rather a venue in which a public meeting could reasonably be held.

#### Selection of candidates

B.5.1 It is the responsibility of branches to seek to nominate candidates for parliamentary and local elections within the branch area, acting in accordance with the rules laid down in Sections R,S,T,U and V of the Rules of Procedure.

B.5.2 For all local government elections, it is the responsibility of the branch to invite applications from members to stand. Acting in accordance with Sections R and U of the Rules of Procedure, the branch shall have the responsibility for selecting candidates.

#### Authority for candidate nominations



B.6.1 Authority to use the Party's description and emblem on nomination papers at elections within the branch's parliamentary constituencies and local government boundaries is the responsibility of the relevant Deputy Nominating Officer, who is appointed by the Party's registered Nominating Officer.

B.6.2 All Deputy Nominating Officers must provide authority to stand for all candidates validly selected under the rules.

B.6.3 No Deputy Nominating Officer shall authorise a candidate except where the candidate has been validly selected under the rules.

B.6.4 An intentional breach of B.6.2 or B.6.3 above may be considered to be grounds for disciplinary action.

### Disputes

B.7.1 Instances may arise when differences within a branch threaten its proper functioning. Every effort shall be made to resolve these at the local level, either by the branch committee or at a full meeting of the branch. If this does not succeed, the dispute shall be referred to the regional organiser, acting on behalf of the Party Chairman.

B.7.2 If the dispute remains irreconcilable, or if the Party Chairman deems that the behaviour of the committee or its officers is inconsistent with the Party's Constitution or principles, the Regional Organiser (after consulting with, and with the written permission of, the Party Chairman) may suspend or dissolve the committee, suspend a branch officer, suspend a member from Party activities, or dissolve the branch in its entirety.

B.7.3 The branch chairman may, with a majority vote of members present, require that any member acting in a disruptive manner leave a branch meeting. The matter shall then be referred to the Regional Committee who will decide whether the member concerned should be suspended from Party activities.

B.7.4 There will be a right of appeal to the NEC against any action taken under B.7.2 or B.7.3.

B.7.5 The Standing Orders for the conduct of internal Party meetings shall apply to Branch and Constituency Association meetings.

## **C: Regional Committee Rules**

### **Authority**

C.1.1 Each Regional Committee is a body of the Party established by the NEC under Article 3.6 of the Party Constitution.

C.1.2 Each Regional Committee is responsible to the NEC or to such sub-committee of the NEC as may be designated by the NEC for this purpose, and will report to the NEC or such sub-committee as required.

C.1.3 Each Regional Committee is responsible for its own financial affairs and is an Accounting Unit for the purposes of the Political Parties, Elections and Referendums Act 2000. It is thereby responsible for compliance with relevant financial reporting and other requirements of the act.

C.1.4 The NEC or designated sub-committee of the NEC shall:

(a) At its discretion from time to time review the powers, purposes, make-up and usefulness of any Regional Committee and vary or amend such power, purposes and make-up or disband any Regional Committee in entirety according to circumstances, and

(b) Resolve difficulties arising on any regional committee which cannot be resolved internally, whether referred to the NEC or not.

C.1.5 Upon disbandment of any Regional Committee, the financial reserves and other assets shall be transferred to the national party via the national Party Treasurer.

C.1.6 Regional Committee Meetings shall be held in accordance with the 'Standing Orders for the conduct of Internal Party Meetings'.

### **Purpose**

C.2.1 Each Regional Committee shall, within the region in which it is established, assist the NEC or designated sub-committee of the NEC:

(a) In the co-ordination and organisation of European Parliamentary election campaigns, including fundraising;

(b) In campaigns related to the establishment of regional governments;

(c) In acting as a forum for the discussion of regional concerns, as a conduit between the membership and the NEC and regional MEP(s), assisting the Regional Organiser in all functions such as establishing branches and constituency organisations, and assisting branches and constituency organisations in local and parliamentary elections, and

(d) In such other activities as may from time to time be identified by the NEC or designated sub-committee of the NEC.

C.2.2 Each Regional Committee shall regularly inform and otherwise update the constituency associations or branches within its region of its activities and undertakings.

C.2.3 Each Regional Committee may delegate tasks in C.2.1 and C.2.2 above to the County Committees contained within it.

### Membership

C.3.1 A Regional Committee shall normally be comprised of one representative and one alternate from each county within the region. For the purposes of these Rules, each of the largest ten cities in the UK by population (excepting London, which is considered below) shall be considered to have the same status as a county. These are currently Birmingham, (Greater) Manchester, Leeds, Glasgow, Sheffield, Bradford, Edinburgh, Liverpool and Bristol.

C.3.2 Where the regional geography or the distribution of members within counties would render composition according to C.3.1 unsuitable, the NEC may permit the appointment of representatives and alternates from regional subdivisions other than counties or it may permit more than one representative and alternate per county. The NEC may, at its discretion and at any time, revoke its permission for any such arrangement.

C.3.3 The representative and alternate for each county or other regional subdivision are both members of the regional committee. However, if the representative is present at a meeting, the alternate would not generally be expected to attend. The alternate may only vote in the absence of the representative.

C.3.4 Only Party members in good standing in the region in question are entitled to be members of a Regional Committee. 'In good standing' is defined under I.8 below.

C.3.5 Party members will normally be eligible to serve as members of a Regional Committee in the region in which they normally reside, and in which their party membership is registered. Party members who have residential or business addresses in more than one region may be a member of the Regional Committee in any of the regions in which they have a residential or business address, but they may not serve on more than one Regional Committee.

C.3.6 Any person who is:

(a) A paid employee of the Party or of any of its elected representatives; 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 to be a voting member of a County or Regional Committee.

C.3.7 The following people shall be non-voting members of the Regional Committee:

(a) Any elected UKIP member of Parliament (MP) or member of the European Parliament (MEP) within the region;

(b) Any UKIP Police Commissioner or member of the Scottish Parliament, Welsh Assembly, Northern Ireland Assembly or Greater London Authority, and

(c) The Regional Organiser appointed by the Party Chairman

C.3.8 When regional lists of candidates have been selected ahead of a European election, all members of the regional list shall become non-voting members of the committee. If they are already elected members of the committee according to paragraph C.3.1 or C.3.2, their votes shall pass to their alternates.

C.3.9 The Party Leader, Party Chairman, Party Treasurer, Party Secretary, General Secretary, Party Director and members of the NEC shall be entitled to attend any Regional Committee or County Committee meeting but may not vote unless they are already elected to the committee and are not prohibited under C.3.6 above.

C.3.10 No former member of a party or organisation on the proscribed list shall be permitted to be elected to or to hold office on a County or Regional Committee, or to attend a County or Regional Committee meeting in any capacity.

C.3.11 No current member of another Party shall be permitted to be elected to or hold office on a County or Regional Committee, or to attend a County or Regional Committee meeting in any capacity. The Party Chairman may permit an exception to C.3.11 where he believes it to be in the Party's strategic interests to do so.

C.3.12 Regional and County Committees must contact their Regional Organiser if they wish to select as a committee member anyone with serious criminal convictions (to be defined as having been convicted of an offence for which the maximum sentence is a prison sentence of 12 months or greater or for which any custodial sentence was imposed). The Regional Organiser may accept the appointment, reject the appointment or refer the matter to the NEC. If the Regional Organiser rejects the appointment there shall be a right of appeal to the NEC.

C.3.13 Where a Regional or County committee member is convicted of a criminal offence whilst a serving official, the member must notify the Party Secretary and the General Secretary. Where the Party's reputation could be affected, the matter shall be referred to the Party Chairman who may suspend the committee member from office pending an NEC decision concerning removal from office.

C.3.14 Failure to disclose information under C.3.12 or C.3.13 may be grounds for disciplinary action.

### Term of Office

C.4.1 The Regional Committee shall be a standing committee comprised of representatives elected according to the procedures set out in paragraphs C.3.1 and C.3.2. Those representatives shall be elected annually in advance of the AGM and shall normally serve a term of office not exceeding 15 months before re-election at a properly constituted County Meeting.

C.4.2 Its Chairman and other officers shall be elected by a simple majority at its Annual General meeting, at which not less than two thirds of the voting members shall be present. The Chairman's term of office shall be annual, subject to their resignation or removal from office under the terms of paragraph C.4.3.

C.4.3 A Regional Committee Chairman may be removed from office by a vote of no confidence passed by two thirds of all voting members.

C.4.4 All county representatives and alternates are eligible for election as Regional Committee Chairman.

C.4.5 On election to the Chair, the Regional Committee Chairman shall cease to be a representative of their county, which shall within 3 months elect a new alternate.

### Operation of Regional Committees

C.5.1 The election or appointment of all officers of a Regional Committee shall take place as a scheduled item on the Regional Committee meeting agenda which must be published beforehand.

C.5.2 Each Regional Committee shall select a Chairman, Secretary and Treasurer from amongst the voting members of the committee as per C.4.2 above.

C.5.3 By variation of paragraph C.5.2, the Secretary and Treasurer may be co-opted from outside the elected committee but such appointments do not carry voting rights.

C.5.4 All offices shall be held singly.

C.5.5 Each Regional Committee may co-opt additional non-voting members to fulfil specific functions.

C.5.6 The Chairman of the meeting shall not vote, except that in the case of a tied vote, the Chairman shall have a casting vote.

C.5.7 The quorum for all meetings shall be one third of the Regional Committee's voting members, including the Chairman of the meeting.

C.5.8 Each Regional Committee may set up sub-committees or working groups to deal with particular matters relating to the work of the committee. These sub-committees or working groups shall report to the Regional Committee.

C.5.9.1 The Chairman of the Regional Committee at each meeting shall usually set dates of future scheduled meetings. In all other cases at least twenty one days' notice must be given to Regional Committee members of the date of the next scheduled meeting.

C.5.9.2 Except by consent of the National Executive Committee, the Annual General Meeting of a Regional Committee shall take place between 1<sup>st</sup> January and 30<sup>th</sup> April and its business shall include the approval of the regional accounts.

C.5.10 Minutes of the previous meeting and agenda for the next scheduled meeting shall normally be circulated to Regional Committee members at least seven days before the meeting. Written reports shall normally also be circulated with the agenda. The Secretary shall be responsible for compliance with E.14 of these Rules of Procedure.

C.5.11 Regional Committee members shall submit items for inclusion on the agenda to the Secretary at least ten days before the next scheduled meeting. These items shall be included subject to the approval of the Regional Committee Chairman.

C.5.12 The agenda shall be approved and emergency items admitted by majority vote at the start of each scheduled meeting.

C.5.13 A Regional Committee Chairman may, with a majority vote of members present, request that any member acting in a disruptive manner leave a meeting. The matter shall then be referred to the next meeting of the Regional Committee who will decide whether the member concerned should be suspended from Party activities.

C.5.14 There will be a right of appeal to the NEC against any suspension from Party activities under C.5.13. Any such appeal should be made in writing to the General Secretary. The appellant will be given the opportunity to present his/her case to the NEC, as shall the Regional Committee Chairman.

C.5.15 The Standing Orders for the conduct of internal Party meetings shall apply to Regional Committee meetings.

C.5.16 In the event of substantial breach of these rules, the National Executive Committee may suspend or disband any Regional Committee, and require the committee to be selected again.

C.5.17 Regional bank accounts should have at least three signatories, with any two signatories being required to draw upon branch funds. Signatories to the bank account should normally be Committee members. Accounts with just two signatories shall be permitted only in extremis. Regional Committees may permit electronic banking to be

undertaken by a sole named individual but shall ensure that appropriate financial reports are received at each meeting.

### County Meetings

C.6.1 Each County, or other approved sub-division as defined under C.3.1 and C.3.2, will elect their representatives to the Regional Committee at an annual meeting held in advance of the Annual General Meeting.

C.6.2 The delegates at a County Meeting shall be the Chairmen of the properly constituted Branches and Constituency Associations within the County (or approved sub-division). A Branch or Constituency Association Chairman may send an alternate, with the approval of the Branch or Constituency Association Committee.

C.6.3 No former member of a party or organisation on the proscribed list shall be permitted to attend a County meeting in any capacity.

C.6.4 The delegates at a County meeting as defined under C.6.2 may meet more often than annually as a County Committee in order to discuss issues of mutual interest, share best practice, co-operate on operational and campaigning matters and provide support to each other.

C.6.5 The quorum for a County meeting as defined under C.6.2 shall be two-thirds of the delegates.

C.6.6 The responsibilities of a County Committee shall be:

- (a) To elect delegates to the Regional Committee;
- (b) To enhance communication between the branches and the Regional Party;
- (c) To assist the Regional Committee with local planning including by providing up-to-date lists of selected candidates for local government elections and by-elections, and
- (d) To undertake such tasks as may be delegated to the County Committee by the relevant Regional Committee.

C.6.7 County Committees, where formed, shall not be accounting units and shall not hold funds. The Secretary of a County Committee shall be responsible for compliance with E.14 of these Rules of Procedure.

### London Boroughs

C.7 In London, Borough Committees may be formed. These shall have equivalent status to Counties, and shall be governed by the rules under C.6.1 through C.6.6 above.

## **D: Party Conference rules**

D.1 The Party shall normally hold its annual Conference in September.

D.2 The venue for the Party Conference shall vary annually in order to ensure a geographical spread of members able to attend, and to maximise attendance.

D.3 The Party shall strive to hold a Spring Conference in March.

D.4 Only members in good standing shall be entitled to attend Conferences. The Conference Committee may, with the approval of the NEC, open any part of the Conference to guests invited by members, or to the general public.

D.5 The Party shall have the right to refuse to admit any member to Conference if there are reasonable grounds for believing that the member intends to cause disruption.

D.6 Any member acting in an inappropriate manner at Conference, in the opinion of the Party Chairman or his delegate, may be asked to leave the premises. No member shall be entitled to interrupt Conference proceedings; breach of this shall be grounds for expulsion from the Conference.

D.7 Failure to comply with a request made under D.5 or D.6 above shall be considered to be grounds for disciplinary action.

D.8 The Party Chairman shall have overall responsibility for the organisation of the Party Conference. A Conference Committee may be appointed by the Party Chairman and its membership shall be notified to the National Executive Committee.

D.9 Any Constituency Association, Branch, County Meeting, Regional Committee or the National Executive Committee may propose a motion for discussion at the annual Conference. Conference motions must be submitted to Head Office in writing a minimum of one month in advance of the start of Conference.

D.10 The Party Chairman shall select motions from those validly received to put before Conference. Motions which do not substantially impact upon the running of the Party or Party policy are unlikely to be selected.

D.11 Emergency motions may be considered in the event that, during the month before Conference, there is such a major political change either internal to UKIP or external that it demands further consultation with the Party membership.

D.12 Only paid-up members in good standing shall be entitled to vote on motions laid before the Conference.

D.13 A motion shall be deemed to have passed if a majority of those voting are in favour of the motion.



D.14 Amendments to motions shall be considered at the sole discretion of the Chairman.

D.15 The proposer of the motion (or delegated representative) may speak for up to 3 minutes in support of a motion. Two other speakers may speak for up to 2 minutes in support of a motion. One speaker may speak in opposition to a motion for up to 3 minutes, and two other speakers may speak for up to 2 minutes in opposition to a motion. Speakers in favour of and against a motion shall alternate where possible.

D.16 The Chairman may announce that a motion has carried or failed on a simple show of voting cards if there is no doubt about the outcome. If such doubt exists, or at the request of any member, then the exact number of votes for and against the motion shall be counted.

D.17 Motions laid before the annual Conference shall have advisory force if passed. The National Executive Committee shall schedule motions passed by the annual Conference for discussion within three months.

D.18 The Standing Orders for the conduct of internal Party meetings shall apply to the Party Conference.

## **E: Rules governing the conduct of National Executive Committee meetings**

E.1 The National Executive Committee shall normally meet once a month, excepting the month of August. Additional meetings may be scheduled when necessary.

E.2 National Executive Committee meetings should normally last less than 5 hours in total.

E.3 Minutes of the National Executive Committee should be sent to all members by post, to be posted no later than 10 calendar days after the meeting has concluded.

E.4 The General Secretary should provide a brief report on each National Executive Committee meeting by email to members, and place this report on the members' forum. This report will omit confidential or sensitive information.

E.5 The approved minutes of each National Executive Committee meeting shall be published on the members' forum following the meeting at which they are approved, omitting any content which the Chairman deems to be confidential.

E.6 Members of the National Executive Committee should not criticise its decisions in public.

E.7 The Party Chairman shall determine whether specific items discussed at the National Executive Committee are confidential in nature.

E.8 Where there is even the slightest doubt as to whether a discussion is confidential, National Executive Committee members must not divulge information gained or the content of the discussion without the consent of the Party Chairman.

E.9 The leader of the UKIP delegation to the European Parliament shall have responsibility for the selection of the two MEPs to attend meetings of the National Executive Committee.

E.10 NEC members wishing to submit an item for the agenda should normally submit it to the Party Chairman and General Secretary a minimum of 7 days before the meeting.

E.11 The General Secretary shall act as secretary to the NEC.

E.12 The Deputy Leader and Party Director shall sit on the National Executive Committee as non-voting ex-officio members.

E.13 Agendas and papers for NEC meetings should normally be circulated a minimum of 4 days before the meeting.

E.14 The National Executive Committee (or the Party Chairman or General Secretary, acting on its behalf) may request a copy of the minutes of any Party Committee meeting. Upon request to the relevant Committee secretary, minutes should be provided within 4 days.

E.15 No former member of a Party or organisation on the proscribed list shall be permitted to hold office on the National Executive Committee, or to hold any other formal office within the Party.

E.16 No current member of any other Party shall be permitted to hold office on the National Executive Committee, or to hold any other formal office within the Party. The Party Chairman may permit an exception to E.16 where he believes it to be in the Party's strategic interests to do so.

E.17 The National Executive Committee may (subject to the principles of natural justice and allowing appropriate representations to be made to the NEC) remove from office any Party official who makes serious public criticism of the Party or its decisions. Public criticism shall be deemed to include posts on social networking sites.

## **F: Unauthorised meetings**

F.1 No member shall organise a meeting branded as UKIP without the consent of the relevant Party officials defined under F.4 below.

F.2 Any of the Party officials defined under F.4 below whose role is national may rescind permission to hold such a meeting if they believe that the meeting would be against the interests of the Party.

F.3 Holding an unauthorised meeting against the advice of the relevant Party official shall be grounds for disciplinary action against a member.

F.4 For the purposes of the above, any or all of the following may be classed as a relevant Party official: the Party Leader, the Party Chairman, the Party Secretary, the General Secretary, the Party Director, the Regional Chairman and Regional Organiser for the region in which the meeting is being held, and the local Branch or Constituency association Chairman (where the meeting is limited to members within that branch).

F.5 No meeting of a Branch Committee, Constituency Association Committee, County or Borough Committee or Regional Committee which has been properly constituted under the Rules of Procedure shall fall within the ambit of F.1 to F.4 above.

## **G: Extraordinary General Meetings of the National Party**

G.1 The Party Secretary shall call an Extraordinary General Meeting (EGM), giving members a minimum of 28 days' notice, if requested to do so by formal applications from 20% of the Party's duly registered and properly constituted constituency associations or branches (hereinafter called "branches") drawn from at least four regions. Upon receipt of the necessary valid formal applications, the Party Secretary shall call the EGM within 14 days.

G.2 A branch is deemed to be duly registered only if it has been registered by the Party's Head Office (following approval by the NEC) at least six months before the date of application.

G.3 Each formal application shall include a written statement, signed by the branch chairman, verifying that the application is supported by a majority of members attending a properly convened Extraordinary General Meeting of the branch, and will be accompanied by a cheque (or electronic transfer), made out to the UKIP Head Office account, for £100 drawn against the branch bank account, as a contribution towards the cost of the meeting.

G.4 A branch chairman must sign a written statement as described in G.3 above in the event that such a motion is passed.

G.5 If the number of such formal applications fails to reach the required 20% of the Party's duly registered and properly constituted branches (as specified in G.1 above) within 6 months of the receipt of the first valid application, the Party Secretary shall authorise a refund of all monies received and the application shall be deemed to have failed.

G.6 The Party Secretary shall call an Extraordinary General Meeting of the Party in the event of a motion of no confidence being passed in the Party Leader by the NEC.

G.7 A Party Leadership election shall be held in the event that a motion of no confidence in the Party Leader is passed by an Extraordinary General Meeting of the Party.

G.8 Where a motion of no confidence in the Party Leader is proposed, the Party Leader shall have the opportunity to address the Extraordinary General Meeting for no less than 15 minutes, the exact speaking time permitted to be determined by the Chairman of the meeting.

G.9 The agenda for an Extraordinary General Meeting shall be restricted to the business for which it was called and matters arising.

G.10 All paid-up Party members in good standing (as defined under I.8 below) shall have voting rights at an Extraordinary General Meeting. Members shall be required to bring their Party membership cards to an Extraordinary General Meeting in order to have the opportunity to vote.

G.11 The quorum for an Extraordinary General Meeting shall be 250 members.

G.12 Motions carried by an Extraordinary General Meeting of the Party shall be binding to the extent permitted by law.

G.13 The amount of speaking time allotted for proponents and opponents of a motion at an Extraordinary General Meeting shall be equal.

G.14 An Extraordinary General Meeting of the Party shall normally be chaired by the Party Chairman.

G.15 If the business of the Extraordinary General Meeting concerns the Party Chairman, or if the Party Chairman is unable to attend, or if the Party Chairman is considered by the NEC not to be impartial regarding the matters discussed, then the National Executive Committee may appoint another impartial senior member of the Party to chair the meeting.

G.16 Any motion essentially the same as one defeated at an Extraordinary General Meeting may not be brought before a further Extraordinary General Meeting unless:

(a) A period of no less than 3 years has passed, or

(b) In the opinion of the Party Secretary, the facts of the matter have changed so substantially as to justify the motion being reconsidered.

G.17 The Standing Orders for the conduct of internal Party meetings shall apply to Extraordinary General Meetings.

## **H: Standing Orders for the conduct of internal Party meetings**

H.1 Internal Party meetings, branch meetings, County and Regional committee meetings exist to promote the Party's aims. Members are expected to act in accordance with this principle at all times.

H.2 Bullying, intimidating or offensive language is not permitted at UKIP meetings.

H.3 Members should not interrupt meetings, and should speak only with the permission of the Chairman.

H.4 Unless the event is clearly advertised as being open to non-members, members should only invite non-members to meetings with the consent of the Chairman.

H.5 Speakers from the floor will be permitted only at the discretion of the Chairman, and only when the nature of the meeting is such as to make such contributions appropriate. Speakers from the floor should speak for an appropriate length of time. If a contribution is so long as to disrupt the meeting, then the Chairman may impose a time limit on the member's comments.

H.6 Personal attacks on other members are not permitted at any Party meetings.

H.7 At committee meetings, in the absence of the Chairman the meeting may be chaired by the vice-Chairman.

H.8 If it is known in advance that neither the Chairman nor the vice-Chairman will be able to attend a Committee meeting, the meeting should normally be postponed until a later date.

H.9 If neither the Chairman nor the vice-Chairman have arrived 15 minutes after the scheduled start time of the meeting, the meeting shall elect a member to chair the meeting. Under such circumstances, the meeting may not pass any resolutions which:

(a) Authorise the Branch or Regional Committee to be split or disbanded;

(b) Change the Branch or Regional Committee officials;

(c) Select candidates to stand for public election, or

(d) Cannot easily be overturned at the next meeting.

H.10.1 If a meeting fails to achieve a quorum, the meeting may continue but decisions taken and motions passed must be ratified by a future quorate meeting before taking effect.

H.10.2 No Party meeting may select candidates or officers of the Party unless a minimum of 21 days' notice has been given to all members entitled to attend.

H.11 In the event of a tied vote at a meeting, the Chairman shall have a casting vote.

H.12 In the event that a member's conduct is in a serious breach of these Standing Orders, the Chairman shall warn the member concerned as to his or her future conduct. If there is a further such breach after a warning has been issued, the Chairman may exclude the member from the remainder of the meeting. Any such decision shall be confirmed by a majority vote of members present.

H.13 In the event that a member is excluded from a Branch, Constituency Association or County/Borough meeting, the Chairman or Secretary shall inform the Regional Organiser in writing. The matter will be considered by the Regional Committee who will decide whether the member concerned should be suspended from Party activities.

H.14 In the event that a member is excluded from a Regional Committee meeting, the Regional Committee will decide at its next meeting whether the member concerned should be suspended from Party activities.

H.15 Any member shall have the right of appeal to the National Executive Committee against suspension from Party activities. The decision of the National Executive Committee shall be final.

H.16 Suspension from Party activities shall entail suspension from:

- (a) The use of UKIP logos;
- (b) Attendance at party meetings;
- (c) Participation in campaign activities;
- (d) The use of websites to promote UKIP;
- (e) Use of the UKIP name in contact with the media, and
- (f) Any other activities as determined by the NEC.

H.17 Any member who invites a member of an organisation on the proscribed list to speak at a UKIP meeting may be subject to disciplinary action under Section AA of these Rules of Procedure.



# Administrative rules

## **I: Terms and conditions of membership**

I.1 Membership shall start from the date of receipt of the initial membership subscription and continue for the number of years for which the subscription has been paid.

I.2 Membership subscriptions are not normally refundable.

I.3 Members shall be considered to be fully paid-up until the end of the month of expiry. Membership shall be considered to have lapsed if not renewed within a further two months.

I.4 The Party may refuse or rescind an application for membership if the National Executive Committee considers that the application does not fulfil the criteria for membership as set out in the Party Constitution.

I.5 The Party Secretary has the right to suspend or expel members who clearly bring the Party into disrepute by association with or membership of an organisation, membership of which the NEC has declared to be incompatible with membership of the Party.

I.6 Membership is not available to anyone who is or has previously been a member of the British National Party, the National Front, the UK First party, the English Defence League, the British Freedom Party and the Britain First Party (or any other parties or organisations later added to the proscribed list). Any applications made from people who are or have been members of these organisations will be refused, and any subscriptions collected will be refunded. By making an application for membership, the applicant certifies that he is not and has never been a member of either of these parties.

I.7 Any action under paragraph I.5 shall be confirmed by the NEC at the earliest opportunity.

I.8 A member shall be classed as 'in good standing' if at any given moment their subscriptions are up to date, they are not subject to any suspension or exclusion either from elected office or from standing as a candidate of any sort in any election, and they are not subject to any form of suspension or restriction as to their membership of the Party.

I.9 Any member who fails to maintain their subscriptions may have their membership revoked immediately, although a three months grace period may also be offered by the Party on a discretionary basis. Following the expiration of a membership, an ex-member's payment of a membership subscription shall be considered to be a fresh application for membership.

## **J: Data Protection and Branding Rules**

### **Data**

J.1.1 All persons holding a UKIP database (full or partial) must sign the Party's Data Protection forms and return the form to Head Office.

J.1.2 No member shall give a copy of any part of the UKIP database to any other member without first obtaining written consent from the Party.

J.1.3 Any member who holds a Party database but is not entitled to do so must hand back the copy of the Database to the Party (or otherwise destroy it irrevocably if held in electronic form). The Party Chairman, Party Director and General Secretary may rescind authority to hold all or part of a Party database.

J.1.4 All UKIP members have the right to view a copy of the records held about them on the UKIP database. This can be obtained only by sending a written request to Head Office.

J.1.5 Any person in receipt of a UKIP database shall take reasonable steps to ensure that the data is secure.

J.1.6 Use of the Party database is authorised for contacting members for official Party purposes only.

J.1.7 The Party shall comply with the Data Protection Act 1998 and all other relevant Data Protection legislation.

### **Publications**

J.2.1 A UKIP publication is defined as any publication, whether physical or online, which bears the Party's name and/or logo which purports to represent the UK Independence Party.

J.2.2 Apart from the exceptions detailed below, any UKIP publication must be authorised before it can be placed into the public domain. Any publication which awaits authorisation must be clearly labelled as 'DRAFT'.

J.2.3 The following people may authorise a UKIP publication whose scope is national: the Party Leader, the Party Deputy Leader, the Party Chairman, the General Secretary, the Party Director and the Party Secretary.

J.2.4 In addition to the persons named in J.2.3, the Regional Organiser and the Chairman of the Regional Committee may authorise a UKIP publication whose scope is local or regional. A UKIP branch or constituency association may receive standing authorisation from an above named person to produce local UKIP publications for Council election campaigns.

J.2.5 Any member who intentionally distributes a UKIP publication which is unauthorised shall be considered to bring the Party into disrepute.

J.2.6 Any member producing a publication shall be responsible for ensuring that it is compliant with Party policy, electoral law, the publishing requirements of the Electoral Commission, the Advertising Standards code of practice and the law relating to defamation.

J.2.7 Any material breach of Section J of these Rules of Procedure may form grounds for disciplinary action under Section AA.

## **K: Rules governing the employment of staff and job descriptions**

K.1 The UK Independence Party shall comply with all relevant employment legislation when employing paid staff.

K.2 The National Executive Committee shall approve all new paid positions.

K.3 The Party shall specify in the Contract of Employment whether the position is permanent or for a fixed period.

K.4 Prior to appointment as a paid employee, any potential staff member must disclose any previous criminal convictions not regarded as 'spent' under the Rehabilitation of Offenders Act 1974, previous affiliations to groups on the proscribed list or affiliations to other extremist organisations. Following appointment as a paid employee, any staff member must disclose any subsequent criminal convictions and must not at any time have any affiliation to groups on the proscribed list or affiliation to other extremist organisations. Failure to comply with K.4 may be considered to be gross misconduct.

K.5 The Party shall provide job descriptions for all paid positions.

K.6 Staff performance shall be evaluated through regular performance reviews.

K.7 The Party shall not discriminate against any potential or existing employee on the grounds of gender, race, religion, ethnicity or sexuality.

K.8 Save where the contract of employment specifies otherwise, no member of staff shall take holiday entitlement during the 8 weeks prior to a General or European election without the express written consent of the Party Chairman or Chief Executive.

K.10 The Party Leader shall primarily be responsible for:

- (a) The political and policy direction of the party;
- (b) The external Party communication and messaging, and
- (c) The management of the Party's representatives in the European Parliament and Westminster.

K.11 The Deputy Leader shall be responsible for whichever aspects of the Leader's job that the Leader chooses to delegate. Any parts of the Leader's job specified by the Constitution cannot be delegated.

K.12 The Party Chairman shall primarily be responsible for:

- (a) The organising and chairing of the National Executive Committee meetings;
- (b) Dealing with all matters arising from the NEC meetings;

- (c) Organising and chairing the Party Autumn and Spring Conferences;
- (d) Overseeing the Party's publications, communications and campaigns, including the Party's website(s), marketing materials, recruitment activities, media relations, policy publications and all other online and offline communications created under the Party brand;
- (e) Organisation of staffing and resolution of disputes within the Party, and
- (f) Acting as the Chief Executive of the Party unless this role is subject to separate appointment by the NEC.

K.13 The vice Chairman is responsible for those aspects of the Party Chairman's job that the Party Chairman chooses to delegate to them. Any parts of the Chairman's job specified by the Constitution cannot be delegated. In the absence of the Party Chairman, the vice Chairman shall be responsible for organising and chairing National Executive Committee meetings.

K.14.1 The Party Secretary is responsible for ensuring that the party complies with all its legal requirements except those relating to finance which shall be covered by the Party Treasurer. The Party Secretary is responsible for:

- (a) Dealing with any threat of legal action made against the Party;
- (b) Advising the party on all other legal matters;
- (c) Organising the defence where legal action has been brought against the party (excepting in Small Claims Court);
- (d) Organising all legal action taken by UKIP;
- (e) All internal and external Disciplinary matters;
- (f) Organising and chairing disciplinary meetings;
- (g) Organising elections to the National Executive Committee of the Party, and
- (h) Organising Party Leadership elections.

K.14.2 The Party Secretary may delegate the day-to-day organisation of K.14.1(g) and (h) above to the General Secretary.

K.15 The General Secretary is responsible for those aspects of the Chairman's job that the Chairman chooses to delegate. Any parts of the Chairman's job specified by the Constitution cannot be delegated. In particular the General Secretary shall be responsible for:

- (a) Acting as secretary to the National Executive Committee;
- (b) The maintenance of the UK Independence Party members' forum;

- (c) Responding to routine queries from members and branches in a timely manner;
- (d) Dealing with any cases brought before the small claims court, and
- (e) Updating and maintaining the Rules of Procedure for the Party.

K.16 The Party Director is responsible for those aspects of the Chairman's job that the Chairman chooses to delegate. Any parts of the Chairman's job specified by the Constitution cannot be delegated. In particular the Party Director shall be responsible for:

- (a) The line management of staff at Head Office;
- (b) Administering the Assessment Centres and candidate selection procedures;
- (c) Overseeing the work done by the Call Centres, and
- (d) Meetings of Regional Chairmen and Regional Organisers.

K.17.1 The Party Treasurer is responsible for:

- (a) Managing the finances of the Party;
- (b) Ensuring that the Party is compliant with all financial legal requirements under commercial law and electoral legislation;
- (c) Ensuring that all bills and wages are paid on time;
- (d) Advising the National Executive Committee, the Party Leader and the Party Chairman concerning the state of the party's finances in respect of proposed action;
- (e) Overseeing the Finance and Remuneration Committee, and
- (f) Producing the annual accounts.

K.17.2 Subject to consent of the NEC, the Party Treasurer may delegate any parts of the job to the Deputy Treasurer.

K.18 All of the above named officials shall report on a regular basis to the National Executive Committee.

K.19 The Regional Organiser shall act as the Party Chairman's representative within that region, and shall report to the Party Chairman. The Regional Organiser may act with delegated authority of the Party Chairman to facilitate campaigning activity within the region, provide assistance to branches and settle disputes in accordance with B.7.1 of these Rules of Procedure.

## **L: Rules governing Party Policies**

L.1 The Party Leader shall have the right to create or amend policy where new information or media interest requires the urgent formation or correction of Party policy.

L.2 The Party Leader may appoint a Head of Policy to co-ordinate the development of policy proposals by contributors organised into the Policy Unit and/or Policy Groups.

L.3 The National Executive Committee may appoint a Policy Committee. The Policy Committee shall be a sub-committee of the National Executive Committee.

L.4 The Party Leader shall inform the NEC Policy Committee and Head of Policy of any action taken under L.1 without delay.

L.6 Proposed new policies shall be sent to the Policy Committee for detailed consideration.

L.7 Policies which have been ratified by the Policy Committee shall be scheduled for discussion by the National Executive Committee. Policies approved by the National Executive Committee shall become official Party Policy.

L.8 All Party publications shall have regard to official Party Policy.

L.9 No publicity material bearing UKIP branding shall contradict official Party Policy, though it may invite discussion of alternative policies or changes of direction.

L.10 Any person producing UKIP-branded material which is in breach of points L.8 or L.9 may be reported to the Discipline Committee under Section AA of the Rules of Procedure if it is considered that the breach was intentional or reckless.

L.11 Any material which contains statements which go beyond official Party Policy (for example, a candidate's personal views) shall not represent these statements as official Party Policy.

L.12 UKIP candidates, elected members and officials are entitled to disagree with official Party Policy. When making public statements which are at variance with official Party Policy they must make it clear that they are giving a personal view. Any such statements must be made in a constructive manner and not harm the image of the Party or risk bringing the Party into disrepute.

L.13 The National Executive Committee shall have responsibility for the final approval of all Manifestos.

## **M: The Party Business Meeting**

M.1 The Party shall hold a Business Meeting annually, which shall be open only to paid-up members of the Party in good standing. The purpose of the Business Meeting shall be to present the accounts to Party members.

M.2 The time and place of the Business Meeting shall be announced on the national website not less than 28 days in advance.

M.3 The National Executive Committee shall approve the Party's annual accounts prior to the Business Meeting.

M.4 A vote shall be taken to receive and note the Party's annual accounts at the Business meeting.

M.5 The Party's accounts shall be made available for Party members to view on the members' forum not less than 72 hours prior to the start of the Business Meeting.

M.6 The Standing Orders for the conduct of internal Party meetings shall apply to the Party Business Meeting.



## Internal Party election rules

### **N: Rules governing campaigning and the use of Party Databases for internal Party elections**

N.1 All campaigning in all internal Party elections should be conducted in a good spirit without personal attacks on opponents or other Party members.

N.2 No Party member shall make use of Party databases to make unsolicited contact with members by any means whatsoever.

N.3 Unauthorised use of the Party Database shall provide grounds for disciplinary action to be taken against a Party member.

N.4 Where a candidate is found to have been unfairly advantaged by a third-party campaign promoting their candidature, then the Returning Officer may (with the consent of the National Executive Committee) penalise the candidate in a proportionate manner. This may include a vote penalty or, in extremis, disqualification from the election altogether.

N.5 By virtue of standing as a candidate, any candidate implicitly consents to grant the Party an unconditional licence to use any intellectual property related to the selection or election procedure. This shall include, but not be limited to, the written personal statement, the candidate's photograph and video recordings of hustings meetings. This may include the publication of such information and the Party shall have the sole copyright to this data.

N.6 Except where expressly stated otherwise in the Constitution or in these Rules of Procedure, no new member shall be entitled to vote in any internal Party election until 28 days have elapsed from the commencement of his or her membership.

N.7 Except where expressly stated otherwise in the Constitution or in these Rules of Procedure, the Returning Officer for all internal Party elections shall be appointed by the NEC, who may at their discretion delegate this task to the Party Chairman.

N.8 The Returning Officer, acting after consultation with the Party Chairman, shall have the responsibility for declaring an internal Party election null and void where the Returning Officer has no confidence that the election can be completed in a free and fair manner, in accordance with democratic principles.

N.9 In the event that an internal Party election is declared null and void, the election shall be re-run as soon as it is practical to ensure a free and fair electoral process.

## **O: Leadership election rules**

O.1 Returning Officer: The National Executive Committee shall appoint a Returning Officer to conduct the election. The Returning Officer shall not be: a candidate; a proposer or assentor of any candidate; a paid or unpaid employee of any candidate.

O.2 Timetable: An invitation to apply for a nomination form will be advertised on the Party website. Nominations will require a proposer and 50 assentors drawn from at least ten branches, and shall be accompanied by a deposit cheque for £500, as provided for in Article 7.6 of the Party Constitution. A person may propose only one candidate and assent to one other candidate. In the event that the same person has proposed or assented to more candidates than permitted, only the first valid nomination received at Head Office shall be accepted. Nominations must be received by the Returning Officer by a date to be specified. The Returning Officer will then immediately send out to all candidates a list of those whose nominations have been accepted. The closing date for receipt of withdrawals of nomination shall be determined by the Returning Officer. The Returning Officer shall then arrange for the printing of the ballot paper.

O.3 Promotional literature: Candidates may produce promotional literature which shall be 1 sheet of A4 (maximum paper weight 150gsm) and will be distributed to all party members upon payment of a £1,000 contribution towards the cost. Candidates should submit a digital proof of this leaflet in PDF format to the Returning Officer to ensure compliance with the rules. The printed version of the leaflet must be delivered to a specified address within the agreed timescale. The Returning Officer shall publish the schedule for sending out ballot papers; accompanying candidates' statements will be distributed to members with the ballot paper. The closing date for receipt of ballot papers, the count and declaration of the result will also be determined by the Returning Officer and published.

O.4 Eligibility: Any person who is a member of the Party in good standing, and who has not been currently suspended from holding Party Office or candidature, may be a candidate. Candidates who work in any paid capacity as an employee, self-employed or as a consultant, directly or indirectly for the Party, for Party members elected to public office or for political groups and organisations of which the Party holds membership shall, if elected, be deemed to have resigned from such work.

O.5 Campaigning: Candidates and their supporters shall conduct campaigning activities in a friendly and constructive manner, and in accordance with the Party Constitution. In the case of a serious breach, the Returning Officer may disqualify the candidate from the election. No candidate may make unauthorised use of the Party membership lists or distribute any unsolicited material to members. The Party will endeavour to arrange a series of hustings at which all candidates will be invited to appear.

O.6 Internet campaigning: Candidates may set up websites promoting their candidature. Any such website should be clear that its intention is to promote a candidate and it must not denigrate any opposing candidate. Candidates may make use of online videos and podcasts, and may also make use of personal contacts through social networking websites such as Facebook. The sending of bulk unsolicited emails is not permitted. Candidates and their supporters must not use the members' forum as a vehicle to excessively promote their own candidature or to denigrate opposing candidates.

O.7 Method of voting: The method of voting will be in accordance with Article 7.8 of the Party Constitution, which states that "any contested election for the leadership shall be decided by a simple majority of the votes cast".

O.8 Voting papers: Each voting paper shall be serially numbered. Each voting paper shall list the candidates in alphabetical order. The voter shall be instructed to place a cross against the name of his or her preferred candidate. One voting paper shall be issued to each full member eligible to vote. A copy of the mailing list shall be retained by the Returning Officer, and a record of the number of voting papers issued shall be made. Only the original voting paper shall be accepted as a valid vote; faxed, emailed or photocopied voting papers will be rejected. Completed voting papers must be returned by the closing date for receipt of ballot papers in order to be counted.

O.9 Replacement voting papers: If a member accidentally spoils a voting paper, it must be returned in the official return envelope not later than five working days before the closing date for the return of voting papers, with the words 'SPOILT BALLOT' written on the front and annotated with the member's name and address. A replacement will be issued by first class post. The Returning Officer cannot guarantee that such replacements will reach the member in time for a vote to be cast before the closing date.

O.10 The count: The count shall be conducted at a location to be announced to all the candidates by the Returning Officer. The Returning Officer shall appoint the tellers to assist in the count. Candidates and their representatives, to a maximum number per candidate as determined by the Returning Officer, may attend the count. Candidates, their representatives, proposer and assentors will not be permitted to assist in the count. The Returning Officer shall arrange to count the number of voting papers returned, identify and count invalid voting papers, calculate the turnout (the percentage of valid voting papers returned against the number of voting papers issued) and calculate the number of votes cast for each candidate. The Returning Officer's decision in all matters concerning the count shall be final.

O.11 Doubtful voting intentions: Where there is doubt about voting intentions, the Returning Officer may ask candidates to agree how to count the vote, but the Returning Officer's decision shall be final.

O.12 Invalid voting papers: A voting paper shall be declared invalid if the voter has voted for more than one candidate, if the voting paper does not bear a valid serial number, if the voting paper is a copy of an original voting paper, or the intentions of the voter cannot be deciphered, or the voting paper has not been received by the closing date for the receipt of voting papers.

O.13 Recount: A candidate may request a recount in the event of a close result or if he or she believes there has been an error or discrepancy in the count. The Returning Officer may refuse to hold a recount if he considers it unlikely to affect the result or the saving of a deposit. In the event that a recount is requested to determine whether a deposit is lost, the Returning Officer may at his or her discretion agree to return the deposit in lieu of holding a recount. In the event of a tie the winner shall be determined either by the tossing of a coin or the drawing of lots.

O.14 Declaration: The Returning Officer shall produce a signed declaration of the results and announce the results of the elections as soon as the count has been completed to his or her satisfaction.

O.15 Storage: All voting papers, calculation sheets, and a copy of the signed declaration shall be stored in sealed packages, countersigned by an independent witness, to be stored at the discretion of the Returning Officer for not less than 12 months from the date of the count.

O.16 Acceptance: The successful candidate will be required to confirm in writing within seven days of the result acceptance of the position of Party Leader.

O.17 Availability of rules: A copy of the rules will be sent to each applicant for nomination papers, and to any Party member on receipt of written request.

## **P: Rules governing elections to the National Executive Committee**

### Returning Officer

P.1.1 The NEC shall appoint a Returning Officer to oversee the election to the National Executive Committee, which shall normally take place in September/October.

P.1.2 The Returning Officer shall not be a Candidate, a Proposer, Secunder or Assentor of any Candidate or a paid or unpaid employee of any Candidate.

P.1.3 The NEC shall either:

(a) Appoint an independent agency to conduct the election according to rules to be agreed with said agency; or

(b) Instruct the Returning Officer to conduct the election in accordance with Sections P.5 to P.9 of these Party Election rules.

### Timetable

P.2.1 The Returning Officer shall establish a timetable which shall include:

(a) Closing date for candidate nominations;

(b) Closing date for receipt of candidates' CVs & photographs;

(c) Closing date for candidates wishing to withdraw;

(d) Approximate date for distribution of voting papers/candidates' details;

(e) Closing date for return of voting papers; and

(f) Expected date of Count and Declaration of result.

P.2.2 The Returning Officer shall publish, in the Party newsletter penultimate to the date of the election, the timetable for the election, the number of posts to be filled and instructions for candidates seeking nomination.

### Nominations

P.3.1 A valid nomination shall consist of a Candidate's consent to nomination and the signatures of a Proposer, a Secunder and eight Assentors. All must be fully paid-up party members on the closing date for nominations.

P.3.2 Proposers and Seconders may propose or second only one Candidate's nomination forms. Members may propose one candidate, second another, and assent to as many other candidates as there are remaining vacancies.

P.3.3 Assentors may sign candidates' papers not exceeding the number of posts to be filled.

P.3.4 Candidates who have been full members for less than one year at the closing date for nominations must be proposed and seconded by members who have been full members for more than one year at the said date, and their candidacy shall be subject to the consent of the Party Chairman.

P.3.5 Candidates who work in any paid capacity as an employee, self-employed or as a consultant, either directly or indirectly, for the Party, for Party members elected to public office or for political groups and organisations of which the Party holds membership (together called 'Connected Parties') may stand but shall not be permitted to continue with such paid work and hold elected office simultaneously. If any such person is elected to any such Party Office and does not terminate their work in any paid capacity with such Connected Parties then they shall be deemed to have resigned from such Elected Office.

P.3.6 Nominations shall not be accepted from members who are currently suspended from holding Party office.

#### Campaigning

P.4.1 Each candidate shall be entitled to have their details published in a medium deemed appropriate by the Returning Officer that shall be sent to all members eligible to vote along with the voting papers. These details shall consist of:

- (a) The names of the candidate's Proposer, Secunder, and Assentors;
- (b) A personal statement of up to 150 words;
- (c) A recent photograph;
- (d) The candidate's age, marital and family status;
- (e) Brief details (up to 50 words) of the candidate's career;
- (f) Offices held within UKIP and other political offices or appointments;
- (g) Current region and branch;
- (h) Date of joining the party, and
- (i) Details of all elections contested by the candidate on behalf of UKIP as candidate or election agent.

The Returning Officer may require any misleading information to be amended or deleted and may require other relevant information to be added. In the event that misleading information comes to the attention of the Returning Officer after the details above have been sent to press, the Returning Officer may penalise the candidate to the extent that, in

his opinion, the candidate may have been advantaged by this information. In particularly serious cases the Returning Officer may disqualify the candidate from the election and the matter may be referred for disciplinary action under Section AA of these Rules of Procedure.

P.4.2 All campaigning should be conducted in a good spirit without attacks on opponents or other Party members.

P.4.3 Even where a candidate has legitimate access to a Party Database, they are specifically not authorised to use that Database for any campaigning whatsoever in relation to this selection procedure. Candidates and their supporters are reminded that use of Party membership lists is subject to data protection legislation, and that improper use of such lists is a criminal offence. In addition, their attention is drawn to N.2, N.3 and N.4 of the Rules of Procedure.

P.4.4 Where a candidate is found to have been unfairly advantaged by a third-party campaign promoting their candidature, then the Returning Officer may penalise the candidate to the extent that, in his or her opinion, the candidate benefited from the said campaign.

P.4.5 No candidate or supporter shall make unsolicited contact with members by any means whatsoever. This shall include, but not be limited to, contact by telephone, post, email, SMS and online messaging.

P.4.6 Candidates may produce a personal campaign website.

P.4.7 Candidates may post a single thread on the members' forum advocating their candidacy.

P.4.8 Candidates may use a banner promoting their candidacy as their signature on the members' forum, provided that width of the banner does not exceed 900 pixels and the height of the banner does not exceed 100 pixels. The banner may link only to the candidate's personal campaign website.

P.4.9 Candidates may create a Facebook Group or other social media Group advocating their candidacy but may not add others to that Group without their express consent. Facebook statuses and Twitter updates relating to the selection process are also acceptable.

P.4.10 Candidates may produce campaign literature which can be given out to members upon request. Such campaign literature shall not exceed 4 sides of A4.

P.4.11 Candidates shall send a copy of any campaign literature produced, whether printed or electronic, to the Returning Officer. They must send a draft of any printed material to the Returning Officer for approval before it is sent to press.

P.4.12 The Returning Officer may require the amendment or deletion of any material which he or she deems to be misleading, offensive, inappropriate, defamatory, damaging to the Party's interests or otherwise unacceptable in a UKIP selection procedure.

P.4.13 In the event of seriously misleading information, the Returning Officer may require a candidate to produce a clarification to be distributed through the same medium as the original document, to the same people where possible.

P.4.14 Individual members may endorse or campaign on behalf of a candidate, but must do so in accordance with these Rules. Constituency Associations, Branches, County Committees, Regional Committees and other Party organisations may not endorse or campaign on behalf of any individual candidate.

P.4.15 Candidates may produce online videos promoting their candidature through sites such as YouTube. They may direct Party members to these videos through their Personal Statement, campaign literature, campaign website, Facebook (or other social media group) status, and thread on the members' forum. Candidates and their supporters may not advertise such videos by any other means, including those prohibited in P.4.3 above.

#### Voting Papers

P.5.1 One voting paper shall be sent by post to each full member eligible to vote who is registered as a member on the closing date for nominations.

P.5.2 Voting papers shall be accompanied by a pre-addressed return envelope and sheets containing candidates' statements and other details.

P.5.3 These items shall be sent to members' home addresses as shown on the party's membership records. A copy of the mailing list shall be retained by the Returning Officer.

P.5.4 Each voting paper shall list the candidates in alphabetical order and shall carry the following instructions:

P.5.4.1 Votes are to be by means of crosses, the number of crosses to not exceed the number of posts to be filled.

P.5.4.2 The completed voting paper is to be folded, inserted into the return envelope and posted with no other material in the envelope.

P.5.5 The number of envelopes containing completed voting papers shall be counted daily as they are received and then stored securely by the Returning Officer or his nominee.

P.5.6 Envelopes containing completed voting papers shall not be opened until the day of the count.

#### Spoiled voting papers



P.6.1 A member who unintentionally spoils a ballot paper may request a replacement which will be sent out by first class post. The Party cannot guarantee that such a replacement will arrive within sufficient time for the member concerned to cast their vote. Replacement return envelopes will not be issued.

### The Count

P.7.1 The count shall be conducted in the presence of the Returning Officer or his deputy, at a location to be announced by the Returning Officer.

P.7.2 Candidates and their appointees, as permitted by the Returning Officer, may attend the count.

P.7.3 The Returning Officer shall appoint staff to assist in the count. Candidates and their appointees shall not be permitted to assist in the count.

P.7.4 The Returning Officer or his deputy shall oversee the following processes:

- (a) Counting the number of voting papers returned;
- (b) Identification and count of invalid voting papers;
- (c) Calculation of the turnout (number of valid voting papers returned / number of voting papers issued), and
- (d) Calculation the number of votes cast for each candidate.

P.7.5 A candidate may request a recount in the event of a close result or if he or she believes there has been an error or discrepancy in the count. The Returning Officer may refuse to hold a recount requested for frivolous or spurious reasons.

P.7.6 In the event of a tie, a coin shall be tossed, or lots drawn to determine final placings.

P.7.7 The Returning Officer shall produce a signed declaration of the results and announce the results of the elections as soon as the count has been completed to his satisfaction.

P.7.8 All voting papers, calculation sheets and a copy of the signed declaration shall be stored in sealed packages, countersigned by an independent witness, to be stored at the discretion of the Returning Officer for not less than twelve months from the date of the count.

P.7.9 The Returning Officer's decision in all matters relating to the Count shall be final.

### Doubtful voting intentions

P.8 Where there is doubt about voting intentions, the Returning Officer may ask candidates to agree how to count the vote, but the Returning Officer's decision shall be final.

### Invalid voting papers

P.9 A voting paper shall be declared to be invalid if:

- (a) The voter has voted for more than the permitted number of candidates; or
- (b) The intentions of the voter cannot be deciphered; or
- (c) The voting paper has not been received by the day of the count.

### General

P.10.1 Successful candidates shall be required to confirm in writing within seven days of the declaration of the result acceptance of the said post.

P.10.2 All candidates shall be sent a copy of these rules.

P.10.3 Any member shall be sent a copy of these rules on request.

P.10.4 Any variation of these rules shall be agreed by the NEC and the Returning Officer and notified immediately to all candidates.

## **Q: Internal Party election hustings rules**

### **Format**

Q.1 Each candidate will have 5 minutes to give an opening address. The meeting will then cover questions from the floor. The speaking order shall be selected at random.

Q.2 Candidates must limit answers to questions from the floor to a maximum of 1 minute. Questions submitted in writing in advance will be given priority; once these written questions have been exhausted the chair shall ask the audience to raise their hand if they wish to ask further questions.

Q.3 Once all questions have been asked – or 10 to 15 minutes before the scheduled finish time - each candidate will be given a maximum of 2 minutes to make a closing address. These will be in the *reverse order* to the order in which the opening speeches were given.

Q.4 The times given above may be varied by the chairman of the hustings meeting, depending on the type of election and the number of candidates in attendance, provided that all candidates are given sufficient prior notice to prepare.

### **Conduct**

Q.5 Prior to the hustings meeting a box should be provided for written questions to be submitted from members of the audience.

Q.6 In the event that more questions are submitted in writing than there is time available for candidates to answer, the chair of the hustings meeting shall use his or her discretion to choose those questions that are most likely to be of interest to the party membership.

Q.7 The chairman of the hustings may refuse to consider questions that are trivial, offensive, discriminatory, contrary to electoral law, appear to be intended to promote or denigrate an individual candidate, seek comment on legal cases which are sub judice, or broadly duplicate a question already asked.

Q.8 All questions must be sufficiently general that they can be asked to all candidates.

Q.9 If there is a particularly high number of questions, towards the end of the meeting, the chairman may at his or her discretion cut the time allocated to candidates to answer each question to 30 seconds.

Q.10 The chairman must rotate the order in which questions are put to the candidates.

Q.11 Each candidate may only respond once to a question.

Q.12 Candidates shall not interrupt either the chairman or other candidates.

Q.13 Personal attacks and attempts to denigrate other candidates are not permitted.

Q.14 In the event of a personal attack or persistent interruption the chairman of the hustings may:

(a) Warn the offender not to repeat such attacks;

(b) Allow the disadvantaged candidate additional time to respond or rebut an accusation, or

(c) In the case of a serious or sustained breach of the rules, disqualify the person concerned from participating further in the hustings meeting.

Q.15 The Standing Orders for the conduct of internal Party meetings shall apply to internal Party hustings meetings.

## Election to public office

### **R: Rights and responsibilities of candidates**

R.1 By applying to become a UKIP candidate the applicant grants permission for the Party to make such use, including publication or broadcasting via any medium, as the Party sees fit of any intellectual property such as photographs, written personal statements, recorded information and any other data received by the Party from the applicant.

R.2 The applicant further agrees, upon such application, that copyright in such material as is set out in R.1 shall henceforth solely vest in the Party.

R.3 Anyone becoming a UKIP candidate consents to publication of the telephone numbers and email addresses that they have provided to the Party for the purpose of allowing members of the public to contact them, unless they expressly state in writing that such information is copyright or they advance any matter of personal security which reasonably justifies such information being withheld.

R.4 The National Executive Committee has the sole right to de-select candidates previously selected to stand for UKIP at any type of public election and shall maintain a list of people who shall not be permitted to stand for UKIP at any type of public election.

R.5 In the event of serious misconduct by a candidate, the Party Chairman shall have the right to suspend a candidate for up to 7 days pending a decision from the National Executive Committee.

R.6 No former member of a Party or organisation on the proscribed list may be selected as a UKIP candidate for any type of election, whether external or internal to the Party.

R.7 No member may stand for election as a UKIP candidate if they are currently a member of another political Party. The Party Chairman may permit an exception to R.7 where he believes it to be in the Party's strategic interests to do so.

R.8 At the time of application, a candidate must disclose any prior criminal convictions to the Party.

R.9 In the event that a candidate is convicted of a criminal offence subsequent to disclosure under R.8, the candidate must notify the Party Secretary and the General Secretary. Where the Party's reputation could be affected, the matter shall be referred to the Party Chairman who may suspend the committee member from office pending an NEC decision concerning removal from office.

R.10 Failure to disclose information required in R.8 or R.9 may be grounds for disciplinary action.

## **S: Candidate Selection Rules for General Elections and Westminster by-elections**

### Westminster Elections

S.1 The process of selecting candidates for General Elections shall be overseen by the Party Director.

S.2 A PPC Selection Procedure shall be produced by the Party which provides timescales and information for candidates on how to apply. Failure to comply with the requirements of this procedure may result in candidates not being selected.

S.3 The Party shall not discriminate for or against any member on grounds of gender, race, religion, ethnicity or sexuality when selecting prospective candidates.

S.4 Applicants must declare any past or present links to extremist organisations, parties or organisations on the proscribed list and any information which might prove embarrassing to the Party if known. They must also declare current membership of any other Party. Failure to disclose such information may be grounds for disciplinary action or for candidacy to be revoked.

S.5 No former member of a Party or organisation on the proscribed list shall be permitted to apply to stand as a UKIP candidate; such information shall automatically lead to authority to stand being revoked and the matter will be referred to the Disciplinary Committee.

S.6 The Party reserves the right to reject any applicant without giving a reason at any stage. Any candidate so rejected will have a right of appeal to the NEC.

S.7 All prospective candidates shall be required to apply to the national Party to be placed on the Approved List of candidates.

S.8 The relevant Regional Organiser and Regional/County and Branch Chairman shall provide a confidential statement concerning the strengths and weaknesses of each applicant.

S.9 All applicants must be paid-up members of the Party in good standing.

S.10 All applicants must provide evidence of any previous criminal convictions through a Police Computer Record check. No candidate may be selected without the Party having sight of this document.

S.11 Previous convictions will not automatically result in rejection as a possible candidate but the chairman of the Selection Panel may refer the decision to the NEC if there is any doubt.

S.12 The applicant will be invited by the Party Director to a 'Candidate Assessment Centre'.

S.13 Candidates may be placed upon the approved list immediately following the Candidate Assessment Centre, approved subject to further training, or rejected.

S.14 Any candidate rejected by the Selection Panel will have a right of appeal to the NEC. The decision of the NEC will be final.

S.15 Only applicants on the national approved list may apply to a branch or Constituency Association for an adoption/hustings meeting.

S.16 Adoption/hustings meetings shall be advertised so that all candidates on the Approved List have the right to apply for selection in any constituency.

S.17 Constituency Associations or branches which fail to select candidates within the timescale in the PPC Selection Procedure may forfeit the right to select their candidates, with the responsibility being undertaken by the region.

S.18 Where there is more than one applicant in a given constituency, an open hustings meeting must be held in accordance with the PPC Selection Procedure.

S.19 In this event, the choice of candidate shall be made through a ballot in accordance with the PPC Selection Procedure.

S.20 In accordance with the Constitution of the party as in force, the NEC reserves the right to withdraw approval from a candidate and remove them from the national Approved List. Candidates have the right to appeal such decision, and any such appeal will be heard by an Appeals Committee comprising the Party Chairman, Party Secretary and three Regional Organisers from regions other than that of the appellant.

S.21 The National Executive Committee of the party reserves the right to instruct an association/branch, at any time, not to nominate a candidate in an election. In this event, reasonable compensation will be paid to any candidate in place, and/or to the association/branch, in respect of expenses demonstrably and directly incurred in campaigning since the candidate's adoption.

S.22 No Compensation for any loss, whether it represents monies already expended or any future loss whatsoever shall be payable to any person in the event of any decision to withdraw approval of a candidate or an instruction not to stand a candidate and by applying to be a candidate the applicant shall be deemed specifically to have read and agreed to this Rule.

#### Parliamentary by-elections

S.23 Where practical, candidates selected for Parliamentary by-elections should be on the national Approved List of candidates.

S.24 Selection of candidates is the joint responsibility of the branch/constituency Association and the National Executive Committee; however, the final decision must be ratified by the National Executive Committee.

S.25 The National Executive Committee may decide that it is not in the Party's national interests to field a candidate at a Parliamentary by-election. In such circumstances, no candidate shall be selected.

#### Mayoral and Police Commissioner Elections

S.26 Candidacy for Mayoral and Police Commissioner elections will be overseen by the Party Director and candidates shall be selected from the national Approved List of candidates.

S.27 All applicants to stand as a candidate for Police Commissioner elections will be required to undertake an enhanced Criminal Records Bureau (CRB) check.

S.28 The National Executive Committee or delegated subcommittee shall be responsible for the final agreement to candidate selection.

S.29 Where there is more than one candidate wishing to seek candidacy for a policing area, the branches in that area may organise a hustings meeting which shall be held in accordance with Section Q of these Rules of Procedure.

S.30 Where a hustings meeting takes place, all members within that policing area should be invited to attend the meeting. All candidates on the Approved List should be invited; candidates awaiting approval shall be invited only at the discretion of the Party Director.

S.31 Where a vote is taken at a hustings meeting, the vote shall have advisory force to the NEC – who shall ratify the result unless, in the opinion of that Committee, it is clearly in the Party's best interests not to do so.

S.32 Payment of the deposit shall be the responsibility of the candidate, who may receive assistance from the local branches, County Committee and Regional Committee.



## **T: Candidate Selection Rules for European Elections**

T.1.1 The NEC shall appoint a Returning Officer to oversee the selection process and balloting arrangements for the selection of candidates for the European Parliamentary elections.

T.1.2 The Returning Officer shall not be a Candidate or a paid or unpaid employee of any Candidate. The Returning Officer shall act impartially at all times.

T.1.3 The Returning Officer will appoint an independent agency (usually Electoral Reform Services) to conduct the members' ballot in accordance with these Rules.

T.1.4 For the purposes of Section T of these Rules of Procedure, the term 'Candidate' or 'MEP Candidate' shall refer to a UKIP member who has put his or her name forward for selection by submitting an application for selection.

T.1.5 All Candidates shall be sent, in electronic or paper form at the discretion of the Returning Officer, a copy of these Rules. Entry into the process shall be deemed to be acceptance of these Rules.

T.1.6 Any member shall be sent a copy of these rules on request.

T.1.7 Any variation of these rules shall be agreed by the NEC and the Returning Officer and notified immediately to all candidates.

### Timetable

T.2.1 The Returning Officer shall establish a timetable which shall include the following:

- (a) Starting date for candidate nominations;
- (b) Deadline for sitting MEPs to announce whether or not they are seeking re-election;
- (c) Closing date for candidate nominations;
- (d) Starting date for candidate assessments;
- (e) Timetable for public speaking events open to UKIP members;
- (f) Date of announcement of result of the assessment stage;
- (g) Date of commencement and close of ballot;
- (h) Date of allocation of regional lists, and
- (i) Date of NEC approval of final lists.

T.2.2 The Returning Officer shall publish a notification in Independence News advising members of nominations being opened.

### Nominations and Eligibility

T.3.1 All paid-up members of the Party in good standing shall be entitled to put their names forward for selection, subject to T.3.2 and T.3.3 below.

T.3.2 The Selection Panel may of its own discretion refuse any application prior to the Interview stage, on any of the following grounds:

i) That the applicant has not properly completed and returned the official Application Form and CV requirements within the designated time period.

ii) That the applicant's Application Form or CV, on examination, reveal something which, regardless of any other factors, would bring the party into significant disrepute.

iii) That the overall standard of the Application and CV is of such poor quality that the Selection Panel consider the applicant unqualified to proceed further. Such applications will be passed to a separate Scrutiny Panel comprised of three members of the NEC Selection Sub-Committee who do not sit on the Selection/Interview Panels for ratification of the decision to reject.

iv) That the applicant has not been a member of the Party for one calendar year at the date of receipt of Application Form.

v) That the applicant does not demonstrate any other strong qualification which may include but is not limited to experience, specialised ability or commitment to the cause of UK withdrawal from the EU which, in the Panel's opinion, should allow the Applicant to proceed to interview and grading.

vi) That the applicant fails to produce the £500 entry fee.

T.3.3 All Candidates must have achieved an A grade at an Assessment Centre for Westminster Parliamentary elections as a prerequisite for applying to become an MEP Candidate.

T.3.4 At various stages of the process, fees and contributions towards deposits will become payable by the Candidate. Any Candidate failing to make such payments by the due date shall be deemed to have withdrawn from the Selection Procedure.

T.3.5 All fees are non-refundable and contribute towards the Party's costs in administering the process. The deposit shall be refunded in full in the event that the Party retains its deposit at the election.

T.3.6 All Candidates, on submitting nomination papers, shall be deemed to have read and accepted these Rules in full and to accept the delegated authority of the Returning Officer from the National Executive Committee as to their interpretation.

T.3.7 Candidates shall, in general, be expected to stand in the region in which they currently reside (hereinafter known as their 'home region'). Any Candidate wishing to stand outside their home region, or for any additional region, must apply to the National Selection Panel for permission to do so, stating a case. The National Selection Panel shall only grant such permission if it believes that it is in the Party's interests to do so.

T.3.8 In the event that any region is undersubscribed, Candidates from oversubscribed regions who do not succeed in getting a place in their home region may be invited to fill the bottom places of the list of an undersubscribed region.

#### The National Selection Panel

T.4.1.1 The NEC shall appoint a National Selection Panel from among senior party members in good standing who are not participating in the process. The National Selection Panel shall be chaired by the Party Chairman and shall:

- a) Appoint from its membership a sufficient number of three-person Assessment Panels to undertake the assessment and interview process within the prescribed timescale
- b) work with the third-party partners to develop appropriate processes and criteria for assessing and ranking candidates
- c) establish the criteria for regional allocation
- d) appoint a 5-person Selection Listing Committee to allocate candidates to regional lists according to its agreed criteria
- e) present the regional list recommendations to NEC for final approval
- f) appoint a 3-person Scrutiny Panel to scrutinise any decision to reject an application under rules T.3.2 (iii) and (v); and to consider and arbitrate any other decisions referred to it by the Selection Panel.

T.4.1.2 The Party shall engage the services of an independent third-party recruitment company to assist with the assessment phase of the selection procedure.

T.4.2 Assessment shall at various stages include, but not be limited to, the following components:

- a) Loyalty indicators, achievements and contribution to date
- b) Media experience and aptitude
- c) Public speaking
- d) Psychometric tests, covering personal attributes and aptitudes.
- e) Screening checks, covering identity, employment history, education and qualifications, financial and directorships, DVLA and DBS (formerly CRB), media and Internet screening.

T.4.3 Any member applying to become a Candidate provides consent for any background checks including those detailed in T.4.2 (d) and (e) above to be carried out. Any Candidate may withdraw such consent at any time in writing to the Returning Officer, which shall also entail resignation as a Candidate.

T.4.4 Candidates will be expected to make themselves available, anywhere in the United Kingdom, for interviews and public speaking tests on dates to be determined by the National Selection Panel. The Party cannot guarantee that a choice of dates can be offered to Candidates. Failure to attend on the dates given may result in a Candidate being required to withdraw from the selection process. Candidates shall meet their own costs for attendance.

T.4.5 In exceptional cases where a candidate is unable to attend through no fault of their own, for example serious unexpected ill health, the National Selection Panel may at its sole discretion provide for alternative arrangements to be made for Candidates.

T.4.6 The National Selection Panel shall organise a series of public speaking events across the country which shall inform the Assessment process, which UKIP members shall be invited to attend to meet the candidates. Candidates' ability to speak in front of an audience, and respond to questions, will be tested.

T.4.7 The Assessment process shall rank the top 60 candidates in England, 12 in Scotland, 8 in Wales and 3 in Northern Ireland. Only those candidates shall go forward to the balloting stage.

T.4.8 A Candidate's name may appear on only one of these lists; in the event that it appears on more than one, they will be required to choose which list to withdraw from. The National Selection Panel shall determine whether or not a replacement candidate will be permitted to take up the vacated place.

T.4.9 The ranked lists in T.4.7 above shall be the names which are put forward to a ballot of the Party membership as described below.

T.4.10 Candidates who do not make the lists in T.4.7 above may be put on a 'reserve list' to populate the lower places on the eventual MEP lists in the event of candidate withdrawals, but these candidates shall not go forward to the national ballot stage.

#### The National Ballot: Campaigning

T.5.1 The Returning Officer shall specify a 'Regulated Period' during which campaigning may take place. Any candidate campaigning for the ballot outside the Regulated Period may be subject to a penalty, or in serious cases removal from the procedure altogether.

T.5.2 Nothing in T.5.1 shall prevent a candidate from continuing to carry out any official role – whether as an MEP, or Party official – and from doing their job. However, this exemption must not be used in an attempt to circumvent the rules against campaigning. For example, a sitting MEP who has previously circulated a newsletter to local members may continue to do so – but that newsletter must not be sent with greater frequency, or promote their candidacy, or be sent to a wider circulation list than in the past. Where there is the slightest doubt as to whether a publication would be a breach of this Rule, it is the responsibility of the Candidate to check with the Returning Officer before sending out any such publication.

T.5.3 The Party shall produce a publication dedicated to the MEP selection process. Each candidate shall be entitled to equal space in this publication, as determined by the Returning Officer. This publication may have separate versions for England, Scotland, Wales and Northern Ireland.

T.5.4 The Returning Officer may require any misleading information to be amended or deleted and may require other relevant information to be added.

T.5.5 All campaigning should be conducted in a good spirit without attacks on opponents or other Party members.

T.5.6 Candidates may campaign only using methods specifically permitted in this section of the Rules of Procedure; other campaigning methods are not permitted.

T.5.7 Even where a candidate has legitimate access to a Party Database, they are specifically not authorised to use that Database for any campaigning whatsoever in relation to this selection procedure. Candidates and their supporters are reminded that use of Party membership lists is subject to data protection legislation, and that improper use of such lists is a criminal offence. In addition, their attention is drawn to N.2, N.3 and N.4 of these Rules of Procedure.

T.5.8 Where a candidate is found to have been unfairly advantaged by a third-party campaign promoting their candidature, then the Returning Officer may penalise the candidate to the extent that, in his or her opinion, the candidate benefited from the said campaign.

T.5.9 No candidate or supporter shall make unsolicited contact with members by any means whatsoever for the purpose of soliciting votes except in person. This shall include, but not be limited to, contact by telephone, post, email, SMS and online messaging.

T.5.10 Each Candidate shall be entitled to have a personal video, of no more than 3 minutes in length, published on the Party's website.

T.5.11 Candidates may produce content for a candidates' section on the Party website, and instructions for finding that site shall be provided in the publication described in T.5.3 above. Candidates shall not produce a campaign website. This Rule shall not prevent candidates from maintaining any personal websites provided that those websites do not mention the candidate selection process.

T.5.12 Candidates may post a single thread on the members' forum advocating their candidacy.

T.5.13 Candidates may create a Facebook Group or other social media Group advocating their candidacy, and shall invite the Returning Officer to view all content, but may not add others to that Group without their express consent. Facebook statuses and Twitter updates relating to the ballot are also acceptable provided that they comply with these Rules.

T.5.14 Candidates may produce campaign literature which can be given out to members upon request. Such campaign literature shall not exceed 4 sides of A4.

T.5.15 Candidates shall send a copy of any campaign literature produced, whether printed or electronic, to the Returning Officer. They must send a draft of any printed material to the Returning Officer for approval before it is sent to press.

T.5.16 The Returning Officer may require the amendment or deletion of any material which he or she deems to be misleading, offensive, inappropriate, defamatory, damaging to the Party's interests or otherwise unacceptable in a UKIP selection procedure.

T.5.17 In the event of seriously misleading information, the Returning Officer may require a candidate to produce a clarification to be distributed through the same medium as the original document, to the same people where possible.

T.5.18 Individual members may endorse or campaign on behalf of a candidate, but must do so in accordance with these Rules. Constituency Associations, Branches, County Committees, Regional Committees and other Party organisations may not endorse or campaign on behalf of any individual candidate.

T.5.19 Candidates may produce online videos promoting their candidature through sites such as YouTube. They may direct Party members to these videos through their Personal Statement, campaign literature, campaign website, Facebook (or other social media group) status, and thread on the members' forum. Candidates and their supporters may not advertise such videos by any other means, including those prohibited in T.5.7 above.

### Voting Papers

T.6.1 One voting paper shall be sent by post to each full member eligible to vote. In order to be eligible to vote, members must have had a minimum of 28 days' continuous membership of the Party before the date for ballot papers to be sent out.

T.6.2 Voting papers shall be accompanied by the publication described under T.5.3 above.

T.6.3 Voting papers shall carry such security features as necessary to satisfy the Returning Officer of the integrity of the process.

T.6.4 These items shall be sent to members' home addresses as shown on the party's membership records. A copy of the mailing list shall be retained by the Returning Officer.

T.6.5 Each voting paper shall list the candidates in the order specified in T.4.7 above. Members shall vote as follows:

T.6.6.1 Voters in England may vote for up to 10 candidates; voters in Scotland may vote for up to 7 candidates; voters in Wales may vote for up to 4 candidates, and voters in Northern Ireland may vote for 1 candidate.

T.6.6.2 Voters shall vote using a preferential voting system and may rank up to the number of candidates described in T.6.6.1 above using the numbers 1,2,3, etc.

T.6.6.3 The weight of each vote cast for a candidate shall be given by  $n-r+1$ , where  $n$  is the number of votes allowed and  $r$  is the ranked preference expressed by the voter. For example, in England a no.1 rank shall be counted as 10 votes, no.2 as 9 votes, etc – whilst in Wales, a no.1 rank shall be counted as 4 votes, no.2 as 3 votes, etc.

T.6.6.4 The completed voting paper is to be folded, inserted into the return envelope and posted with no other material in the envelope.

T.6.7 Ballot papers shall be stored in a secure manner until the day of the count by the independent third-party company organising the count. Envelopes containing completed voting papers shall not be opened until the day of the count.

#### Spoiled voting papers

T.7 A member who unintentionally spoils a ballot paper may request a replacement which will be sent out by first class post. The Party cannot guarantee that such a replacement will arrive within sufficient time for the member concerned to cast their vote.

#### The Count

T.8.1 The count shall be conducted in the presence of the Returning Officer or his deputy, by the third-party company conducting the count, at a location to be announced by the Returning Officer.

T.8.2 Candidates may attend the count. Any candidate unable to attend the count may seek the permission of the Returning Officer to send a delegate in their place.

T.8.3 Candidates shall be expected to conduct themselves in the same manner as is expected at any public election, and shall have a responsibility to promote the secrecy of the ballot.

T.8.4 The Returning Officer shall ensure that the third-party company appointed has the capacity to carry out the count in a prompt, efficient, accurate and fair manner. Responsibilities of the company shall include:

- (a) Counting the number of voting papers returned;
- (b) Identification and count of invalid voting papers;
- (c) Calculation of the turnout (number of valid voting papers returned / number of voting papers issued), and
- (d) Calculation the number of votes cast for each candidate.

T.8.5 A candidate may request a recount in the event of a close result or if he or she believes there has been an error or discrepancy in the count. The Returning Officer may refuse to hold a recount requested for frivolous or spurious reasons.

T.8.6 In the event of a tie, a coin shall be tossed, or lots drawn to determine final placings.

T.8.7 The Returning Officer shall produce a signed declaration of the results and announce the results of the elections as soon as the count has been completed to his satisfaction.

T.8.8 All voting papers, calculation sheets and a copy of the signed declaration shall be stored in sealed packages, countersigned by an independent witness, to be stored at the discretion of the Returning Officer for not less than six months from the date of the count.

T.8.9 The Returning Officer's decision in all matters relating to the Count shall be final.

#### Doubtful voting intentions

T.9 Where there is doubt about voting intentions, the Returning Officer may ask candidates to agree how to count the vote, but the Returning Officer's decision shall be final.

#### Invalid voting papers

T.10.1 A voting paper shall be declared to be invalid if:

- (a) The voter has voted for more than the permitted number of candidates; or
- (b) The intentions of the voter cannot be deciphered; or
- (c) The voting paper has not been received by the day of the count.

T.10.2 Where a voter clearly indicates their votes by means of crosses or otherwise makes their intentions clear as to which candidates they intend to vote for without ranking them, each vote cast shall be considered to have the value of 1 vote.

#### Interpretation of Results

T.11.1 In Scotland and Wales, the ballot will produce a ranked list. Candidates' lists shall be populated according to the results of the members' ballot.

T.11.2 In Northern Ireland, the ballot will also produce a ranked list. The top name from that list shall become the provisional candidate.

T.11.3 In England, the ballot will produce a ranked list not separated by region. The task of populating the regional lists shall fall in the first instance to the NEC subcommittee overseeing the selection process. The members of that subcommittee shall not be candidates, and may include others co-opted from outside the NEC.

T.11.4 The subcommittee shall in general allocate candidates to their home region, in the orders implied by the subsection of the members' ballot results for candidates who share that home region.

T.11.5 Where a candidate falls under T.3.7 above, the subcommittee shall exercise its discretion in interpreting the results of the members' ballot in order to remain as close as possible to the intentions of voters, and to ensure that the final listings are as fair as possible to all candidates.

#### NEC ratification

T.12.1 The lists produced by the subcommittee shall be subject to ratification by the NEC.

T.12.2 Once the ranked lists have been finalised, the list may not be changed without the consent of all candidates whose position on the list could be negatively affected by the change.

T.12.3 Nothing in T.12.2 shall be taken to override the NEC's constitutional right to deselect candidates where necessary.



T.12.4 In the event that a candidate is deselected, the fees described in T.3.4 above shall be refunded to the candidate provided that the reason for deselection does not relate to any dishonesty (non-disclosure of information or false declaration) during the selection process.

## **U: Candidate Selection Rules for Local Authority Elections and Council by-elections**

U.1 In general, branches and constituency associations are expected to field the maximum number of candidates that they are able to at local authority elections.

U.2 In general the local branch or constituency association shall have responsibility for candidate selection for local authority elections and by-elections.

U.3 No local branch or constituency association may select as a candidate any member who has at any time previously been a member of any extremist organisation or any Party currently on the proscribed list.

U.4 If a branch considers that there are specific reasons why U.3 should not apply in a particular case, they may appeal to the NEC or designated subcommittee for permission to select the candidate.

U.5 Local 'non-aggression pacts' with residents' associations or independent groups are not encouraged by the Party. However, they may be considered in specific circumstances if there is a clear strategic benefit to the Party in such a pact.

U.6 Branches may not make any non-aggression pacts with Parties which are neither Residents' Associations nor Independent groups.

U.7 The branch should take steps to satisfy itself that all candidates selected are appropriate people to represent UKIP at public elections, and are expected to contact their Regional Organiser if they wish to select as a candidate a member with serious criminal convictions (to be defined as having been convicted of an offence for which the maximum sentence is a prison sentence of 12 months or greater or for which any custodial sentence was imposed).

U.8 The branch should take steps to satisfy itself that all candidates selected are eligible to stand, having a suitable connection to the area as defined under electoral law and not holding a politically restricted post.

U.9 Where there is no other willing candidate to stand, if a branch refuses a member in good standing permission to stand as a UKIP candidate then the member concerned may appeal the decision to the Regional Organiser, who will seek the view of the branch committee before making a final decision as to the suitability of the potential candidate.

U.10 Where there is more than one candidate willing to stand for a Council ward, the branch must give each potential candidate equal opportunity to present their case for selection.

U.11 The branch committee shall then determine which candidate is selected by holding a vote.

## **V: Rules governing the selection procedure for UKIP candidates for Assembly elections conducted under a PR-based Party list system (London, Scotland, Wales)**

### **Eligibility**

V.1.1 In order to be eligible for the selection procedure, a candidate must:

- (a) Be a member of the UK Independence Party (UKIP) in good standing;
- (b) Meet the requirements under electoral law to stand as a candidate for the relevant Assembly Elections;
- (c) Be on the Approved List of UKIP candidates for the relevant Assembly elections, and
- (d) Live, work, or have a principal place of business within the geographical area covered by the relevant Assembly.

V.1.2 All candidates must disclose any prior convictions and obtain an Enhanced Criminal Records Bureau (CRB) check through the Party. The Party Director may refuse any candidate the right to stand if it is believed that a prior conviction could cause embarrassment to the Party.

V.1.3 All candidates must provide a non-returnable deposit of £250 towards the costs of running the selection procedure.

### **The Returning Officer**

V.2.1 The National Executive Committee shall appoint a Returning Officer to conduct the election.

V.2.2 The Returning Officer shall not be: a candidate; a proposer, seconder or assentor of any candidate, or a paid or unpaid employee of any candidate.

V.2.3 The Returning Officer shall penalise any candidate found to be in breach of these rules in a proportionate manner. Appropriate action may include but shall not be limited to any combination of the following:

- (a) Advice as to future conduct;
- (b) A vote penalty;
- (c) Penalising the candidate by a specified number of places on the list;
- (d) Disqualification from the election, and
- (e) Referral to the Disciplinary Committee.

V.2.4 Any candidate believing that the Returning Officer's sanction is not proportionate may appeal the decision in writing within 7 days to the Party Chairman. Any such appeal must be accompanied by a cheque for £250 made payable to UKIP; such sum to be returnable only if the appeal is successful. In all other matters the Returning Officer's decision shall be final.

V.2.5 The Returning Officer shall publish a timetable for the election which shall be sent to all candidates and which shall include:

- (a) Closing date for candidate nominations;
- (b) Closing date for candidates wishing to withdraw;
- (c) Approximate date for distribution of voting papers/candidates' personal statements;
- (d) Closing date for return of voting papers, and
- (e) Expected date of count and declaration of result.

### Nominations

V.3.1 Nominations shall be sought through Independence News and any other medium deemed appropriate by the Party Chairman, Party Director or Returning Officer.

V.3.2 A valid nomination shall consist of all of the following:

- (a) The candidate's application form / consent to nomination;
- (b) The signatures of a Proposer, a Seconder and eight Assentors
- (c) The candidate's personal statement;
- (d) The candidate's photograph, and
- (e) The candidate's deposit

V.3.3 Proposers and Seconders may propose or second only one candidate's nomination forms.

V.3.4 Assentors may sign no more than 5 candidates' papers.

V.3.5 In the event that a voter has subscribed more than the permitted number of nomination forms, the nominations shall be processed strictly in the order in which they arrived with the Party.

V.3.6 Candidates who have been full members for less than one year at the closing date for nominations must be proposed and seconded by members who have been full members for more than one year at the said date.

V.3.7 All proposers, seconders and assentors must be fully paid-up members of the Party and their address on the Party database must be within the geographical area covered by the relevant Assembly.

V.3.8 Candidates must sign a form stating that they have read these rules and accept them without reservation or qualification, and that they agree to abide by any decisions made thereunder.

#### The National Executive Committee

V.4.1 The results of the selection procedure shall be subject to ratification by the National Executive Committee. The National Executive Committee may appoint a Selection Panel to carry out this task on its behalf.

V.4.2 The National Executive Committee may suspend or remove any candidate from the list at any time if it believes that such a decision is in the Party's interests. It may do without stating a reason and its decision will be final. Any candidate removed from the list in such a way shall have their £250 deposit reimbursed.

V.4.3 These rules may be varied only by consent of the National Executive Committee, and the National Executive Committee must notify all candidates in the event that it amends these rules.

#### Campaigning

V.5.1 All campaigning should be conducted in a good spirit without attacks on opponents or other Party members.

V.5.2 Even where a candidate has legitimate access to a Party Database, they are specifically not authorised to use that Database for any campaigning whatsoever in relation to this selection procedure. Unauthorised use of the Party Database shall provide grounds for expulsion from the selection process and/or Disciplinary action to be taken against a candidate or supporter.

V.5.3 Where a candidate is found to have been unfairly advantaged by a third-party campaign promoting their candidature, then the Returning Officer may penalise the candidate to the extent that, in his or her opinion, the candidate benefited from the said campaign.

V.5.4 No candidate or supporter shall make unsolicited contact with members by any means whatsoever. This shall include, but not be limited to, contact by telephone, post, email, SMS and online messaging.

V.5.5 Candidates may produce a personal campaign website.

V.5.6 Candidates may post a single thread on the members' forum advocating their candidacy.

V.5.7 Candidates may use a banner promoting their candidacy as their signature on the members' forum, provided that width of the banner does not exceed 900 pixels and the height of the banner does not exceed 100 pixels. The banner may link only to the candidate's personal campaign website.

V.5.8 Candidates may create a Facebook Group or other social media Group advocating their candidacy but may not add others to that Group without their express consent. Facebook statuses and Twitter updates relating to the selection process are also acceptable.

V.5.9 Candidates may produce campaign literature which can be given out to members upon request. Such campaign literature shall not exceed 4 sides of A4.

V.5.10 Each Candidate shall be entitled to have their details published in a medium deemed appropriate by the Returning Officer that shall be sent to all members eligible to vote along with the voting papers. These details shall consist of the names of the Candidate's Proposer, Seconder, and Assentors, a personal statement of up to 250 words and a recent photograph. The personal statement may include a website address, telephone number or other means by which members may contact the candidate.

V.5.11 Candidates shall send a copy of any campaign literature produced, whether printed or electronic, to the Returning Officer. They must send a draft of any printed material to the Returning Officer for approval before it is sent to press.

V.5.12 The Returning Officer may require the amendment or deletion of any material which he or she deems to be misleading, offensive, inappropriate, defamatory, damaging to the Party's interests or otherwise unacceptable in a UKIP selection procedure.

V.5.13 In the event of seriously misleading information, the Returning Officer may require a candidate to produce a clarification to be distributed through the same medium as the original document, to the same people where possible.

V.5.14 Individual members may endorse or campaign on behalf of a candidate, but must do so in accordance with these Rules. Constituency Associations, Branches, County Committees, Borough Committees and Regional Committees may not endorse or campaign on behalf of any individual candidate.

V.5.15 Candidates may produce online videos promoting their candidature through sites such as YouTube. They may direct Party members to these videos through their Personal Statement, campaign literature, campaign website, Facebook (or other social media group) status, and thread on the members' forum. Candidates and their supporters may not

advertise such videos by any other means, including those prohibited in V.5.2 and V.5.4 above.

### Voting Papers

V.6.1 Each ballot paper shall bear security features to guarantee the authenticity of ballots received.

V.6.2 Each voting paper shall list the candidates in alphabetical order.

V.6.3 Voters must use the official return envelope provided.

V.6.4 Nothing other than ballot papers should be put in the official return envelope.

V.6.5 Voters must vote for up to **five** candidates only in order of preference by placing a cross by the name of each candidate.

V.6.6 Envelopes containing completed voting papers shall not be opened until the day of the count.

V.6.7 Members shall be eligible to vote in the election only if:

(a) They are a current member of UKIP at the time that ballot papers are produced,

(b) They were a member of UKIP 28 days prior to close of nominations, and

(c) Their address on the Party database is within the geographical area covered by the relevant Assembly.

V.6.8 A member who spoils a ballot paper may request a replacement which will be sent out by first class post. Replacement return envelopes will not be issued.

### The Count

V.7.1 The count shall be conducted in the presence of the Returning Officer or his deputy, at a location to be announced by the Returning Officer.

V.7.2 Candidates and their appointees, as permitted by the Returning Officer, may attend the count.

V.7.3 Staff involved in conducting the count must not be a candidate, proposer, seconder, assessor or declared supporter of any candidate.

V.7.4 Where there is doubt about voting intentions, the Returning Officer may ask candidates to agree how to count the vote, but the Returning Officer's decision shall be final.

V.7.5 In the event that a voter marks one candidate only with an X, this shall be considered as one whole vote.

V.7.6 A voting paper shall be declared invalid if the voter has voted for more than five candidates, if the voting paper has the security features removed, if the voting paper is a copy of an original voting paper, if the intentions of the voter cannot be deciphered, or the voting paper has not been received by the closing date for the receipt of voting papers.

V.7.7 A candidate may request a recount in the event of a close result or if he or she believes there has been an error or discrepancy in the count. The Returning Officer may refuse to hold a recount which he or she believes has been requested for frivolous or spurious reasons.

V.7.8 The Returning Officer shall produce a signed declaration of the results and announce the results of the election as soon as the count has been completed to his or her satisfaction.

V.7.9 The NEC through its appointed subcommittee shall determine the final composition of the list, taking into account the candidate assessment reports, the votes of the Party membership and any other factors which materially affect the suitability of the candidate and the optimal conduct of the election, to the Party's advantage.

V.7.10 Where a vacancy is created by the withdrawal of a candidate, other candidates from the list shall each move up by one place on the list.

V.7.11 Except by resolution of the National Executive Committee, the ranking of the candidates' lists may be changed only by mutual consent of successive candidates on the list affected by the change. [For example, the no.6 candidate may only be moved up to no.4 with consent of no.4 and no.5. However, a straight swap between no.4 and no.6 would require the consent only of no.4 and no.6 as no.5 is unaffected by the change.]

V.7.12 Candidates who were not selected for the list, or candidates who did not pass the interview process may be considered for any further vacancies which arise - but the party shall not be bound to include them. Such vacancies shall be filled at the bottom of the list by the Party Chairman, acting in consultation with the relevant Regional Committee and with the approval of the NEC.

V.7.13 Should any candidates leave the list within 14 days of the close of nominations for the Assembly Elections the Party Chairman shall have the authority to authorise, in extremis, the immediate adoption of a candidate for the vacancy.

#### Validity of rules

V.8.1 All candidates shall be sent a copy of these rules.



V.8.2 Any member shall be sent a copy of these rules upon written request to the General Secretary.

V.8.3 Any variation of these rules shall be agreed by the NEC and the Returning Officer and notified immediately to all candidates.

## **W: Rules for the conduct of Party members**

### Rules governing the conduct of ordinary members

W.1.1 The Party's Social Media Guidelines (Appendix 4) shall assist with the interpretation of these Rules. The Party may produce other Guidelines for the Conduct of Party Members to assist with the interpretation of these Rules.

W.1.2 An 'ordinary member' of the Party shall be defined as any member of the Party who does not hold elected office or any formal position within the Party.

W.1.3 No ordinary member of the Party may purport to be a spokesperson for the Party without prior written consent of the relevant Party official as defined under F.4 of the Rules of Procedure.

W.1.4 No ordinary member of the Party may misrepresent the policies of the Party, or associate the Party's name with their own private opinions or conduct.

W.1.5 Where an ordinary member of the Party is convicted of a serious criminal offence, the Party may consider this to be bringing the Party into disrepute where their UKIP membership is a matter of public knowledge or record.

W.1.6 Where a member's comments or actions in public, online or in the public domain are related to UKIP or their political views, their comments should not be a cause of public misunderstanding of the Party or embarrassment to the Party.

W.1.7 The conduct of members must not be bullying or harassing of other Party members.

W.1.8 In the event of any breach of W.1.2 to W.1.7 above the Party Chairman, General Secretary, Party Secretary, Party Director, relevant Regional Organiser or relevant Branch or County Committee Chairman may advise the member as regards their future conduct.

W.1.9 Serious or repeated breaches of W.1.2 to W.1.7 above may provide grounds for Disciplinary action under Section AA of the Rules of Procedure.

W.1.10 Any action which is in public opposition to the Party or its core aims, or which brings the Party into disrepute shall be considered to be grounds for Disciplinary action under Section AA of the Rules of Procedure.

W.1.11 If, after becoming a member of the Party, a person:

- 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, or
- e) is found to be a person who has been expelled from the Party

the Party Chairman shall revoke their membership forthwith. Any person whose membership is revoked under this Article 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 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.

W.1.12 Associate Membership of the Party shall be available at the discretion of the Party Chairman to those who share the Party's beliefs but who are not permitted by the Party's Constitution and Rules of Procedure to join the Party. Registered Supporters of the Party shall have the same duties and responsibilities as Associate Members.

W.1.13 Associate Members of the Party shall be subject to all of the duties imposed upon ordinary members in W.1.1 to W.1.11 above, but they shall not have the right to vote in internal Party elections or to stand as a candidate on behalf of UKIP at any public election.

W.1.14 Associate Members of the Party may attend the Party Conference but shall not be entitled to vote on motions.

W.1.15 Associate Members of the Party may attend general meetings of a UKIP branch, subject to the approval of the Branch Committee.

W.1.16 Associate Members of the Party may only join the Party members' forum [www.ukip.org.uk](http://www.ukip.org.uk) at the discretion of the General Secretary.

#### Rules governing the conduct of Party officials and candidates

W.2.1 All Party officials must comply with W.1.2 to W.1.7 above.

W.2.2 It is the responsibility of all Party officials to be as clear as possible, when commenting upon any issue, as to whether they are giving a personal opinion or a Party position.

W.2.3 Party officials should be aware that, by virtue of their position, there is the possibility that certain statements made by them in a personal capacity might be misrepresented and associated with the Party. It is the responsibility of Party officials to ensure that their conduct is such as not to cause embarrassment to the Party or to bring the Party into disrepute.

W.2.4 In the event of any breach of W.2.1 to W.2.3 above the Party Chairman, General Secretary, Party Secretary, Party Director or relevant Regional Organiser may advise the official as regards their future conduct.

W.2.5 Serious or repeated breaches of W.2.1 to W.2.3 above may provide grounds for the Party Chairman to suspend the official concerned from their position within the Party, or for Disciplinary action to be taken under Section AA of the Rules of Procedure.

W.2.6 All candidates for public elected office must also comply with the rules governing Party officials.

#### Rules governing the conduct of elected members

W.3 All elected members are expected to act at all times in a manner which reflects positively upon the Party, both in their personal and professional life. Elected members are expected to be aware that by virtue of their elected position, their actions are subject to greater public scrutiny and that therefore poor behaviour can damage the Party or bring it into disrepute.

W.4 Elected members holding a paid position shall be entitled to sit as ex-officio non-voting members of their Regional Committee.

W.5 Elected members should not make public statements which contradict Party policy except in accordance with L.12 above.

W.6 Elected members should refrain from public criticism of other Party members.

W.7 In the event of a serious breach of W.5 or W.6 above, disciplinary action may be taken against the member concerned.

W.8 Elected members are expected to make themselves available for media interviews, including at short notice and unsociable hours.

W.9 Elected members are expected to remain as paid-up members of UKIP for the remainder of their term of office. In addition elected members shall remain on the United Kingdom electoral register. A failure so to remain may be taken into account when reselection is being considered and may amount to a disciplinary matter.

W.10 Elected members who receive office allowances are expected to site their office in a public location in a major population centre.

W.11 Elected members holding paid positions are expected to contribute substantially to the central party from income.

W.12 UKIP MEPs shall accept collective decisions concerning membership of a Group. Notwithstanding any rule concerning the independent mandate of an MEP, the Party may take any disciplinary measure, including expulsion from the Party, against any UKIP MEP who fails to accept such collective decisions. By applying for reselection to be a candidate the applicant shall be deemed specifically to have read and agreed to this Rule.

W.13 The extent to which W.3 and W.5 to W.12 above have been complied with by elected members with paid positions shall be noted and considered by an interview panel before an elected member is reselected as a candidate and shall, if deemed appropriate, be proper and valid reasons for the elected member being deselected. By applying for reselection to be a candidate of any kind the applicant shall be deemed specifically to have read and agreed to this Rule.

W.14 Elected members with paid positions shall be entitled to submit a written statement to an interview panel to explain their compliance with W.3 and W.5 to W.12 above.

W.15 UKIP councillors should not be subject to a formal 'whipping' system, but may form a UKIP Group.

W.16 UKIP councillors may join with independent councillors or residents' associations if this permits sufficient representation to form a Group or gain representation under the cabinet system. The National Executive Committee may over-rule this in specific instances where it believes that membership of a specific Group could harm the Party.

W.17 All UKIP elected representatives must inform the Party Chairman immediately of any internal investigation made against them, and of any criminal investigation or court case pending.

W.18 Elected UKIP members at all levels are expected to take up their seats and to represent their constituents to the best of their ability.

# Groups within the Party

## X: Young Independence rules

### Name and Purpose

X.1.1 The name of the organisation shall be “Young Independence” or “YI”.

X.1.2 Young Independence shall be a recognised organisation of the United Kingdom Independence Party (“the Party”), and be responsible for representing party members under the age of 30.

### Objects

X.2.1 To advance the principles, aims and policies of the Party to people under the age of 30;

X.2.2 To advocate its own statement of aims, where these complement and extend the principles of the Party and do not conflict;

X.2.3 To recruit new members;

X.2.4 To support the development of its membership towards, and support its members in, contesting elections;

X.2.5 To engage with the leadership of the Party to represent the views of its membership, and

X.2.6 To provide counsel to the Party leadership on issues relating to young people.

### Membership

X.3.1 Any member of the Party who is under 30 years of age shall automatically become a member of Young Independence.

X.3.2 Membership records of the Party shall constitute the final authority on validity of membership of Young Independence.

X.3.3 Membership of Young Independence is contingent on membership of the Party.

X.3.4 Membership of Young Independence confers voting rights for elections to the Young Independence Executive Council.

### The Executive Council

X.4.1 The Executive Council shall be chosen from amongst members of the Party in good standing and be responsible for carrying out the aims and objectives of Young Independence.

X.4.2 The Executive Council shall comprise:

X.4.2.1 A Chairman, Secretary, Treasurer, Universities Officer, Communications Officer, Elections Officer, Events Officer and Grassroots Officer who shall be elected annually in accordance with the YI Voting Rules.

X.4.2.2 The roles of Chairman, Secretary and Treasurer are necessary roles and cannot be changed; all other roles may be removed or changed by a majority vote if they become unoccupied or immediately before an election period.

X.4.2.3 The role of Vice Chairman will be an appointed role conferred upon any member of the Executive Council as the Chairman sees fit, subject to X.4.7 below.

X.4.2.4 The Executive Council shall co-opt such additional officers as necessary, either for new positions or to fill vacancies, subject to X.4.7 below. Co-opted officers shall hold equal voting rights to elected Council members and shall be considered in all ways equal to their elected counterparts.

X.4.3 The Executive Council shall act by a simple majority positively assenting to a motion.

X.4.4 The Chairman shall chair meetings of the Executive Council, or in the absence of the Chairman the Vice Chairman shall chair.

X.4.5 The Executive Council meet monthly, in person or virtually, and when in person shall alternate locations equitably for the convenience of its members.

X.4.5.1 Executive Council meeting dates can be changed in advance of a week by a majority vote

X.4.6 If a member of the Executive Council at any point stands down from or is removed from the Executive Council the Council will by majority vote decide whether to hold a by-election or whether to appoint a new member. A by-election will follow the same rules for normal Executive Council elections.

X.4.7 The appointment and/or election of all officers or regional officers of Young Independence shall be subject to ratification by the National Executive Committee. This authority may be delegated to the Party Chairman.

#### The National Co-ordinator

X.5.1 A national Young Independence co-ordinator may be appointed by the Party after

consultation with the Young Independence Executive Council, to work with and assist the Council with its undertakings and communicate directly to the leadership.

### Organisational Structure

X.6.1 The Executive Council shall seek to establish a network of local representatives, initially at regional level and subsequently in each Parliamentary Constituency. The Council may appoint regional officers to lead YI activity in a region.

X.6.1.1 Regional Chairmen and other Officers may initially be appointed by the Executive Council by a majority vote and equally removed by the council by a majority vote.

X.6.1.2 Where Regional Chairmen are appointed by the council the council will re-assess their role on a yearly basis to decide whether they should continue in their posts.

X.6.1.3 Regional Chairmen may apply to the Executive Council to change their role from appointed by the Council to elected by the region. If the Executive Council approves this change, a member of the Council will oversee the election process. Such elections will take place once a year in line with elections to the Executive Council.

X.6.2 Young Independence shall seek to build relationships with the Party's constituency associations, regional and national committees, and secure YI representation at all levels.

X.6.3 The Executive Council may approve the establishment of sub-national branches if it is satisfied with the proposals.

X.6.4 Advocates shall submit a proposal demonstrating the need for a branch, how it will further the aims of Young Independence, and an outline strategic plan.

X.6.5 Young Independence will move to establish and support student branches at institutions of higher and further education.

X.6.6 Student branches shall be known as "\*Name of Institution + UKIP" or "\*Name of Institution + Young Independence".

X.6.7 The Executive Council, acting by a simple majority vote, may refer disciplinary matters relating to Young Independence to the Party's disciplinary committee where:

X.6.7.1 The Council feels a member has brought Young Independence into disrepute;

X.6.7.2 A member is wilfully acting against the interests of Young Independence, or

X.6.7.3 Representations are made to the Council concerning individuals.



## **Y: Special Interest Groups**

Y.1 Special Interest Groups (hereinafter referred to as 'groups') within the Party may be set up subject to recognition by the National Executive Committee and shall take the name form "xxxxxxx in UKIP".

Y.2.1 Any members forming a Group without approval from the National Executive Committee, or maintaining a Group when permission has been revoked by the National Executive Committee, may be subject to disciplinary action.

Y.2.2 Groups shall inform the National Executive Committee of the identity of their officers when seeking approval. An established group shall require ratification by the National Executive Committee (or the Party Chairman by delegated authority) when a change in officers is made.

Y.2.3 Any officer of a Group may be removed by the NEC following the same procedure as for removal of an officer of the Party in E.17 of these Rules of Procedure.

Y.3 Groups are formal or informal associations of Party members; their views and beliefs shall not be held to be the views of the Party.

Y.4 No Group shall falsely represent their views and beliefs as being those of the Party, or make statements which could prove to be an embarrassment to the Party; sanctions may include having their authorisation rescinded and those responsible maybe subject to disciplinary action.

Y.5 Such Groups must have a Constitution and 'Aims and Objectives' which include support of UKIP, and shall not directly contradict Party policy. All such groups must accept as a minimum the aims and objectives of the party as set out in its Constitution.

Y.6 The National Executive Committee shall have regard to equality legislation when approving Groups.

Y.7.1 Where a Group makes a donation to the Party, it shall either register with the Electoral Commission as a registered third party or provide a written guarantee complying with the provisions of the Political Parties, Elections and Referendums Act 2000.

Y.7.2 Any Group which holds a bank account shall not be an Accounting Unit of the Party.

Y.7.3 Any Group shall exercise due diligence in all its financial dealings and stewardship of members' funds.

Y.8 The NEC may revoke recognition of a Special Interest Group at its sole discretion. In such a case, the Special Interest Group shall be required to disband.

Y.9 All Groups shall operate in a fair, transparent and democratic manner. They shall do nothing to undermine the Party's interests, although they may campaign to change Party policy by lobbying the Head of policy or the relevant Policy group.

Y.10.1 Either the Party Chairman or the NEC may require the withdrawal of any literature, both printed and electronic, produced by a Special Interest Group which they believe at their sole discretion may be harmful to the wider interests of the Party.

Y.10.2 Either the Party Chairman or the NEC may require a Special Interest Group to submit all literature, whether physical or electronic, to a named Party officer for vetting before publication.

Either the Party Chairman or the NEC may, at their discretion, withdraw permission for a Special Interest Group to use social media or to use the Party's logo (or any variant thereof).

Y.11 Special Interest Groups are required to comply with the Party's Social Media Guidelines (Appendix 4 to these Rules of Procedure).

Y.12 Failure to comply with the provisions of section Y of these Rules of Procedure shall be considered to be grounds for disciplinary action.

## **Z: The members' forum**

Z.1 The General Secretary shall administer the members' forum [www.ukip.org.uk](http://www.ukip.org.uk).

Z.2 By signing up to the forum a member warrants that they are a member of the UK Independence Party (UKIP) and that they will delete their account should they cease to be a member of the Party. Access to the forum is limited to paid-up members in good standing; the General Secretary may refuse access to the forum to any member without giving a reason.

Z.3 Members must not post any copyrighted material to the members' forum unless they own the copyright or have written consent from the owner of the copyrighted material.

Z.4 Forum members shall receive the forum e-newsletter by email; by signing up to the forum they accept that their email address may be used for this purpose. It is the responsibility of forum members not wishing to receive this newsletter to change the settings on their account under 'Profile' and 'Notifications and Email'.

Z.5 The views of posters made on the members' forum cannot be held to be the views of the Party.

Z.6 The General Secretary may at his sole discretion appoint moderators to administer parts of the forum on his behalf, or to moderate the forum when he is unavailable.

Z.7 Anyone who feels that a posted message is objectionable is encouraged to notify an administrator or moderator of the forum immediately. The Party reserves the right to remove content if, in the sole opinion of the General Secretary or moderator with delegated authority, it could be either:

- (a) Offensive;
- (b) Illegal;
- (c) Defamatory;
- (d) Likely to cause embarrassment to the Party;
- (e) Advocating a breach of the law;
- (f) A personal attack on another member, or
- (g) Contrary to the interests of the Party.

Z.8 Members accept that when posting on the forum their IP address may be recorded automatically by the forum software. This will be used only in the case of suspected criminal activity or where a member's IP address needs to be banned from the forum.

Z.9 Where a member fills out profile details, these must be honest and accurate.

Z.10 Swearing or sexually explicit language is not permitted on the members' forum.

Z.11 Personal insults, attacks or attempts to denigrate UKIP are not permitted on this forum.

Z.12 Promoting any party other than UKIP is not permitted on the forum.

Z.13 Spamming is not permitted on the forum. This rule will also cover other breaches of internet etiquette such as starting a large number of threads all covering the same thing, comments with an overly aggressive tone, comments deliberately intended to provoke argument, repeatedly posting the same comments on multiple threads, or repeatedly posting on the wrong board.

Z.14 Any member suspecting a breach of the rules should report the post concerned to a moderator using the 'Complain' feature.

Z.15 The forum is for UKIP members only and may contain confidential information that is not intended for non-UKIP members. Therefore, leaking any confidential information to those who do not have permission to access it is prohibited. If in any doubt as to whether information is confidential, members must check with a moderator.

Z.16 Interpretation of the rules is at the sole discretion of the moderators. Moderators may consider any other action not covered above which brings the party into disrepute as being a breach of the rules.

Z.17 Those who break the rules will either:

- (a) Be warned about future conduct;
- (b) Have future posts held in moderation;
- (c) Be banned from the forum for a specified period of time, or
- (d) Be banned from the forum indefinitely.

Z.18 Members shall provide their full name and membership number at the time of signing up for the forum. The fields 'Full Name' and 'Membership Number' are required fields and may not be deleted after signing up to the forum. Where a member deletes those fields after signing up the moderators may:

- (a) Ban the member concerned from posting until they have re-entered the fields;
- (b) Amend members' profiles to make the missing information visible, or
- (c) Delete the account entirely.

Z.20 By signing up for the members' forum, a member warrants that they will not hold the Party responsible for any offensive or defamatory comments made against them by another forum member which is not noticed or deleted by moderators.

Z.21 Serious breaches of the forum rules may be considered to be bringing the party into public disrepute and therefore grounds for disciplinary action under Section AA of these Rules of Procedure.

## Disciplinary rules

### **AA: Disciplinary rules**

AA1.1 All Disciplinary hearings and appeals shall be conducted with proper regard for the rules 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.

AA.1.2 Under Article 11.3 of the Constitution, any member “in good standing” may refer the conduct of any other member to the General Secretary using the Disciplinary Complaint Form in Appendix 2 to these Rules of Procedure. The General Secretary shall then act in accordance with the rules made under this Article and the rules of natural justice.

AA.1.3 Under Article 11.4 of the Constitution, the Party Secretary shall thereafter likewise act in accordance with the rules made under Article 11.1 and the rules of natural justice.

AA.1.4 The General Secretary shall receive complaints from members and conduct a preliminary investigation of the facts. He shall at this stage discuss the matter with the Party Chairman and/or The Party Secretary to determine if it may be appropriate to deal with the complaint by means of informal action.

AA.1.5 If the matter is not appropriate for such informal action, the General Secretary shall then pass the complaint and the findings of his preliminary investigation of the facts to the Party Secretary.

AA.1.6 Upon receipt of the complaint and the findings of the General Secretary’s preliminary investigation the Party Secretary shall, in accordance with the more detailed rules hereunder:

1. Write to the complainant to inform him of the fact that a Disciplinary hearing will now be held on his complaint;
2. Write to the person subject of the complaint to inform him of its existence and inviting him to send to the Party Secretary any explanation he may care to make at that stage whilst explaining that it is his right not to make any comment on the allegation;
3. Formulate a document specifying the allegations against the person subject of the complaint (hereinafter “the Respondent”);
4. Nominate a Disciplinary Panel to hear the complaint;
5. Set a date and select a venue for the hearing of the complaint;
6. Notify the Complainant and The Respondent of that date and venue.

## Disciplinary Panel

AA.2.1 The Disciplinary Panel shall be responsible for hearing all matters which proceed under Rules without informal action

AA.2.2 The Party Secretary shall be Chairman of the Disciplinary Panel (hereinafter referred to as “the Panel Chairman”) and shall chair hearings of the Disciplinary Panel, except in the circumstances in AA.2.3 and AA.2.4 below. Under Article 11.7 of the Constitution, 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.

AA.2.3 If the Party Secretary is the subject of a complaint he may not act in relation to the complaint in any manner.

AA.2.4 If the Party Secretary is unavailable or if the complaint originates from the Party Secretary, the complaint shall be passed to a voting member of the NEC who shall act in the place of the Party Secretary until the Party Secretary becomes available or the NEC appoints another member of the NEC to chair the Disciplinary Panel.

AA.2.5 Disciplinary Panel members shall be disqualified from dealing with any complaint in which they may be required to give evidence, or where there is a close connection with either the complainant or the respondent. Such disqualification shall be at the discretion of the Panel Chairman.

AA.2.6 It shall be the duty of the Disciplinary Panel member to draw to the Panel Chairman’s attention any matter which creates or appears to create a conflict of interest with his sitting as a Panel member in a particular case.

AA.2.7 The Party Secretary shall nominate at his discretion either two or four voting members of the NEC to hear a complaint to be members of a Disciplinary Panel.

AA.2.8 The Voting members of the NEC thus nominated shall hear the complaint in respect of which they have been nominated.

AA.2.9 Disciplinary Panel members shall be indemnified from any legal or financial liability by the Party for any reasonable action they may take. The Disciplinary Panel shall use their best endeavours to minimise such liabilities.

## Complaints Procedure

AA.3.1 The complaints procedure should be invoked only when all other reasonable steps have been taken to resolve an issue or dispute, or where an action is so serious that only disciplinary action is appropriate.

AA.3.2 A complaint must be made in writing to the General Secretary. The complainant must state the grounds for the complaint, quoting specific breaches of the Party Constitution or Rules of Procedure and including any supporting factual evidence.

AA.3.3 The General Secretary may, at his discretion, consult with the complainant and/or the respondent to ascertain additional information and/or evidence before referring the matter to the Party Secretary.

AA.3.4 If the Party Secretary considers that the complaint is not substantive (i.e. that it does not relate to a specific breach of the Party Constitution or Rules of Procedure), he shall dismiss the complaint.

AA.3.5 A respondent who promptly acknowledges fault may, at the discretion of the Party Secretary, be issued with advice as to future conduct or a written caution as to future behaviour. In such circumstances, no further disciplinary action shall be required.

AA.3.6 Once the document specifying the nature and particulars of the complaint to be heard, it shall be sent to the complainant, to the respondent and to the nominated voting members of the NEC who will hear the complaint together with copies of witness statements, documents and other material forming the complaint produced under Procedure for hearings, below

#### Hearings

AA.4.1 The Disciplinary Panel shall hear the matter on the date and at the venue set. Notification of date and place shall be sent by recorded delivery to the complainant and to the respondent, normally giving at least fourteen days' notice of the disciplinary hearing.

AA.4.2 This notice period may be waived by agreement between Party Secretary, Panel Members, complainant and respondent.

AA.4.3 If the complaint is not upheld at the Hearing, the complaint shall be dismissed. If the complaint is upheld, the Disciplinary Panel shall decide what action is to be taken and may:

- a) Issue oral or written advice to the Respondent member as to future conduct;
- b) Give the Respondent Member a written 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 for a specified period;
- e) Suspend the Respondent Member from elected party office and/or candidature for a specified period;

- f) Expel the Respondent Member from membership for a specified period or permanently;
- g) Take any other reasonable action that it deems to be warranted by any particular circumstances.

If tied, the Panel Chairman shall have a casting vote.

The Discipline Committee shall at all times exercise its powers with proper regard for the principle of proportionality.

AA.4.4 Expulsion from the Party also entails expulsion from all Party offices held.

AA.4.5 A ruling by the Hearing Panel takes immediate effect, except for the suspension or expulsion of an NEC member from the NEC or from membership, which is subject to the passage of a motion endorsing the ruling of the Disciplinary Panel at a properly constituted meeting of the NEC. In accordance with the Constitution, such a motion shall need a two-thirds majority of NEC members present, and the quorum for such a meeting shall be ten, excluding the member who is the subject of the motion.

AA.4.6 A verbal ruling given by the Hearing Panel shall be confirmed in writing to the complainant and respondent as soon as practicable.

### Appeals

AA.5.1 Under Article 11.7 of the Constitution, 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 Panel at first instance may be a member of the appeal panel for the matter at hand.

AA.5.2 An appeal against the findings of a Disciplinary Panel must be lodged in writing with the General Secretary within fourteen days of receipt of the written findings. An appeal may only be lodged by a respondent where a complaint has been upheld. The appeal must state the grounds for the appeal, which may be against the findings or the penalty imposed or both. The appellant shall send a fee of £500 towards the costs of holding an appeal hearing, which shall be refunded in full in the event that the appeal is successful.

AA.5.3 The Appeals Chairman shall appoint two voting members of the NEC (who may not be members of the original Disciplinary Panel) as an Appeals Panel (hereinafter referred to as "the Appeal Panel"). If eligible members of the NEC are unavailable, the Appeals Chairman shall, with the advice and assistance of the General Secretary and The Party Director, appoint other Party members onto the Appeal Panel as necessary.



AA.5.4 The Appeal Panel shall examine the evidence submitted to the Disciplinary Panel, its findings and the notice of appeal and any representations made to it by either the complainant or the Appellant and thereafter may:

- a) Dismiss the appeal;
- b) Allow the appeal in whole or in part;

AA.5.5 Upon dismissing the appeal the Appeal Panel may:

- a) Increase the penalty imposed; or
- b) Substitute another penalty for that originally imposed; or
- c) Confirm the penalty imposed; and
- d) Make an order that the member forfeit his deposit by way of costs

AA.5.6 Upon allowing the appeal in part the Appeal Panel may:

- a) Notwithstanding the appeal being allowed, confirm the penalty as appropriate and proportional; or
- b) Reduce the penalty imposed; and
- c) Make an order that the Appellant forfeit such amount of his deposit as is deemed appropriate in all the circumstances

AA.5.7 Upon allowing the Appeal in whole The Appeal Panel:

- a) Shall remit the penalty forthwith;
- b) May order that the Appellant forfeit his deposit in whole or in part if it considers that the Appellant brought the proceedings upon himself by his conduct in whole or in part.

If tied, the Appeals Chairman shall have a casting vote.

AA.5.8 Procedure for Appeals hearings is set out below

#### Other

AA.6.1 If a Party Office holder or a holder of public elected office becomes subject to legal proceedings he shall notify the Party Secretary immediately. The Party Secretary may refer the matter to the Disciplinary Panel at his discretion.

AA.6.2 The Disciplinary Panel may invoke disciplinary proceedings against any member it considers to have made a frivolous or malicious complaint.

AA.6.3 Party members shall refrain from commenting on cases in Party meetings or in public while disciplinary proceedings are pending. The Disciplinary Panel may invoke disciplinary proceedings against any member it considers to have breached this requirement.

AA.6.4 All complaints, Hearing and Appeal proceedings shall be treated as confidential, except that the Panel Chairman may publicise a suspension pending a hearing and the NEC may, at its discretion, issue a statement summarising the findings on completion of Hearing and Appeal Panel proceedings.

AA.6.5 Party members shall not under any circumstances attempt to contact Disciplinary Panel members about pending cases. Any such breach by a complainant or respondent shall result in immediate suspension from membership and referral to the Disciplinary Panel. Any such breach by any other member may result in immediate suspension from membership and referral to the Disciplinary Panel. All correspondence about pending cases shall be conducted through the Panel Chairman or a person duly authorised by him.

AA.6.6 The Panel Chairman shall summarise the progress of pending complaints and disciplinary hearings at each NEC meeting.

#### Procedure for disciplinary hearings

AA.7.1 The Panel Chairman shall compile a bundle of documents which shall consist of:

- (a) The complaint and supporting written evidence;
- (b) Any written response and supporting written evidence from the respondent, and
- (c) Any additional material which shall be at the discretion of the Panel Chairman.

AA.7.2 This bundle shall be sent to complainant, respondent and Hearing Panel members.

AA.7.3 The complainant and respondent are each entitled to have one friend or legal adviser present at the Hearing. Complainants and respondents must notify the Panel Chairman in advance if intending to bring a friend or legal adviser.

AA.7.4 Any such person shall not be allowed to act as an advocate, and shall be bound by Party Rules on Discipline, including confidentiality requirements.

AA.7.5 Any breaches of confidentiality by a friend or legal adviser will be treated as a breach by the complainant/respondent him/herself.

AA.7.6 Complainants and respondents are expected to notify the Panel Chairman in advance if intending to call witnesses. No expenses shall be reimbursed by the Party.

AA.7.7 Statements by complainants, respondents and witnesses may be made in writing (and if supplied in advance shall form part of the bundle of documents), but complainant and respondent must attend the hearing in person to answer questions. Witnesses may also be required to attend at the discretion of the Panel Chairman. The Panel Chairman may rule as inadmissible any evidence that is deemed irrelevant or is not supported by witness statements.

AA.7.8 If complainant or respondent is unable to attend, the Hearing shall proceed regardless. Members of the Panel may at their discretion question complainant, respondent and witnesses in order to protect the interests of the absent party.

#### Format of hearing

AA.8.1 The complainant may make a statement to the Hearing Panel.

AA.8.2 The respondent may question the complainant.

AA.8.3 Hearing Panel members and the Panel Chairman may question the complainant.

AA.8.4 The complainant may call witnesses, who shall be questioned by the complainant, respondent and Hearing Panel members and Chairman in turn.

AA.8.5 The respondent may make a statement to the Hearing Panel.

AA.8.6 The complainant may question the respondent.

AA.8.7 Hearing Panel members and the Panel Chairman may question the respondent.

AA.8.8 The respondent may call witnesses, who shall be questioned by the respondent, complainant and Hearing Panel members and Chairman in turn.

AA.8.9 The respondent may sum up.

AA.8.10 The complainant may sum up.

AA.8.11 The complainant, the respondent and their friends or legal advisers shall then leave the room and the Hearing Panel shall decide whether to uphold or reject the complaint. If time permits, the Panel shall reach a judgment immediately, but may reserve judgment if necessary. All deliberations, including voting, shall be confidential.

AA.8.12 The complainant and respondent shall be notified of the findings in writing as soon as practicable thereafter.

#### Procedure for appeals

AA.9.1 The Appeals Chairman shall compile a bundle of documents which shall consist of:

(a) The bundle of documents from the original hearing;

(b) The report and findings of the hearing;

(c) The notice of appeal, and

(d) Any additional material which shall be at the discretion of the Appeal Chairman. This bundle shall be sent to the appellant, the Hearing Panel Chairman and Appeal Panel members.

AA.9.2 The appellant is allowed to have one friend or legal adviser present at the Appeal. The appellant is expected to notify the Appeal Chairman in advance if intending to bring a friend or legal adviser. Any such person shall not be allowed to act as an advocate, and shall be bound by Party Rules on Discipline, including confidentiality requirements. Any breaches of confidentiality by a friend or legal adviser will be treated as a breach by the appellant him/herself.

AA.9.3 Witnesses shall not normally be allowed at appeals, except at the discretion of the Appeal Chairman if he is satisfied that new evidence not available to the Hearing Panel is now available. If the new evidence was known to the party who seeks to adduce it at the time of the original hearing, the Appeal Chairman shall refuse to admit it unless to do so would offend the rules of natural justice. The appellant must notify the Appeal Chairman at least seven days in advance if intending to call witnesses.

AA.9.4 Statements by the appellant and witnesses may be made in writing, but the appellant must attend the hearing.

#### Format of appeal hearings

AA.10.1 The appellant may make a statement to the Appeal Panel.

AA.10.2 Appeal Panel members and the Appeal Chairman may question the appellant.

AA.10.3 If authorised by the Appeal Chairman, the appellant may call witnesses, who shall be questioned by the appellant, Appeal Panel members and Chairman in turn.

AA.10.4 Appeal Panel members and the Appeal Chairman may question the Hearing Panel Chairman.

AA.10.5 The appellant may sum up.

AA.10.6 The appellant, friends or legal advisers and Hearing Panel Chairman shall then leave the room and the Appeal Panel shall decide whether to uphold or reject the complaint. If time permits, the Panel shall reach a judgment immediately, but may reserve judgment if necessary. Deliberations shall be confidential.

AA.10.7 The appellant and Hearing Panel Chairman shall be notified of the findings in writing as soon as practicable thereafter.