

From: [FOI](#)
To: [REDACTED]
Subject: FOI 015-19 Party Registration Information - response
Date: 21 February 2019 09:38:36
Attachments: [015-19 - 001 Redacted.pdf](#)
[015-19 - 002 Redacted.pdf](#)

Dear [REDACTED],

Our Ref: FOI 015-19

Thank you for your email to the Electoral Commission dated **28 January 2019**.

The Commission aims to respond to requests for information promptly and has done so within the statutory timeframe of twenty working days.

Your request is in bold below followed by our response.

I'd be grateful for any further information which can be divulged at this stage about two current applications listed for 22th January 2019

re

The Brexit Party

and

British Union and Sovereignty party

All I have at present is the above information off the EC website on the page at

<https://www.electoralcommission.org.uk/i-am-a/party-or-campaigner/guidance-for-political-parties/pending-registration-applications/current-applications2>

Any and all information which can be released would be helpful.

I am especially interested to know

- 1. who the declared applicants are, and**
- 2. what information there is for their proposed constitution**

Our response is as follows:

Question 1

As you may be aware, an application to register a political party must specify the names of the party's proposed leader, nominating officer and treasurer, as well as the names of a campaigns officer or additional officer if the party has one. This is outlined in paragraph 4 of Part I of Schedule 4 of the Political Parties, Elections and Referendums Act 2000 (PPERA). Should we approve a registration application, the names of these officers shall appear in the party's entry on the register as outlined in s28(8)(a) of PERA.

Since the time when you submitted this FOI request, we have approved the registration applications for both [The Brexit Party](#) and [British Union and Sovereignty Party](#) (NI) and have placed their entries on the register. You can find the details of both entries, including the named party officers for both parties, by clicking on the respective links.

The British Union and Sovereignty party are now registered on both the Great Britain (GB) and Northern Ireland (NI) register of political parties. The British Union and Sovereignty Party (GB) were registered on 21 August 2015. Their entry on the register is available [here](#). Your FOI request refers to the application that was listed for public comment on the 22 January 2019 which was the application to register the party on the NI register.

Question 2

We confirm that we hold the registered constitutions of The Brexit Party and British Union and Sovereignty Party (NI). Please find these documents attached.

Exemptions:

Use of section 21 – information accessible to applicant by other means:

Section 21 provides for an exemption where information requested is accessible to the applicant by other means.

You have requested the names of the declared applicants. As you know, an application to register a political party must specify the names of the party's proposed leader, nominating officer and treasurer, as well as the names of a campaigns officer or additional officer if the party has one.

The information you have requested is available on our public search site. Please find the relevant links below.

[The Brexit Party](#)

[British Union and Sovereignty Party \(NI\)](#)

[British Union and Sovereignty Party \(GB\)](#)

We strive to be an open, transparent authority. I trust that this information satisfies your request.

If you are not satisfied with this response, please note that the Commission operates a review procedure, details of which can be found on [our website](#).

Please also note that if you have exhausted all internal Commission review procedures and you are still not satisfied you have the right to appeal to the Information Commissioner. Details of this procedure can be found on the [ICO website](#).

Yours sincerely,



Access to Information Officer (FOI and DPA)

The Electoral Commission

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PART I INTERPRETATION

Interpretation

- 1.1 For the avoidance of doubt, throughout this constitution the masculine implies a person of either gender.
- 1.2 “EGM” means an Extraordinary General Meeting
- 1.3 “Board” means the Party Board
- 1.4 “Rules” means Rules made by the Board under this Constitution
- 1.5 Where the context so implies, the singular shall include the plural
- 1.6 Headings shall not form part of the meanings of Articles
- 1.7 “Branch” means a branch or constituency association
- 1.8 PPERA means the Political Parties, Elections and Referendums Act 2000

PART II NAME AND OBJECTIVES OF THE PARTY

Name

- 2.1 The Party exists as a Political Party registered with the UK Electoral Commission under the PPERA. The Party bears the Electoral Commission Registration Number XXXXX. The registered name of the Party under the PPERA shall be THE BREXIT PARTY (hereinafter referred to as “the Party”).
 - 2.2.1 The Party may also use such other names as may be registered from time to time with the Electoral Commission and may also use informally such other names as may from time to time be appropriate.
 - 2.2.2 The Party exists as a Limited Liability Company registered with Companies House (Registration Number: 11694874 in accordance with the Companies Act 2006.
 - 2.2.3 The members of the Board must serve as Directors of the Company from the date upon which they are appointed to the Board in accordance with this Constitution and the Rules until the date upon which their successor is appointed.

Objectives

- 2.3 The Party believes that the United Kingdom of Great Britain and Northern Ireland (hereinafter “The United Kingdom”) should only be governed by her own citizens and that its governance shall at all times be conducted first and foremost in the interests of the United Kingdom and its peoples and that the only laws that should apply within the jurisdiction of the United Kingdom are those wholly made by the Parliament of the United Kingdom. To that end it shall be the policy of the Party that the United Kingdom shall cease to be a member of the European Union and shall not thereafter make any Treaty or join any international organisation which involves in any way the surrender of any part of the United Kingdom’s sovereignty. The Party further believes that the integrity of the United Kingdom of Great Britain and Northern Ireland (hereinafter “The United Kingdom”) should be maintained.
- 2.4 In pursuit of these objectives the Party will at all times adhere to the principle of full equality before the law. The Party shall conduct itself and its affairs in such a way that it does not discriminate against or in favour of any person on the grounds of

their race, religion, gender, ethnic origin, education, beliefs, sexual orientation, class, social status, sectarianism or any other basis prescribed by law. Further the Party shall at all times adhere to the principles of the rule of law, liberty, democracy and respect for the human rights and the essential, traditional freedoms of the people of the United Kingdom and those under the protection of the United Kingdom.

2.5 The Party is a democratic, classical liberal Party and will espouse policies which:

- promote and encourage those who aspire to improve their personal situation and those who seek to be self-reliant, whilst providing protection for those genuinely in need;
- favour the ability of individuals to make decisions in respect of themselves;
- seek to diminish the role of the State;
- lower the burden of taxation on individuals and businesses;
- ensure proper control over the United Kingdom's borders;
- promote and strengthen the rule of law;
- strengthen and guarantee the essential, traditional freedoms and liberties of all people in the United Kingdom.

PART III ACTIVITIES OF THE PARTY

Activities

3.1 In furtherance of these objectives the Party may undertake the following activities:

- a) the development of a full range of policies for domestic and foreign affairs;
- b) participation in all democratic electoral processes that take place within the United Kingdom or in such other places where it is lawful for the Party to stand for election, subject always to the proper use of resources belonging to the Party. In particular the Party may stand in all levels of elections to public office from elections to the European Parliament (whilst the UK remains a member of the European Union) down to Parish Council level, including Mayoral elections. In addition, the Party may participate and campaign in any referendum, including but not limited to national, regional or local referendums.

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

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

3.4 In the furtherance of its objectives, the Party may:

- a) raise funds and invite and receive contributions from any legal or natural person whatsoever in such manner and to the extent and limits established by law, including but not limited to: loans, subscriptions, donations, provision of work or materials in kind;
- b) publish, with or without charge, any document it sees fit in any format;
- c) employ and pay people to manage, supervise, organise and carry out the Party's aims, administer the Party and meet the Party's obligations under the law;
- d) purchase, lease or rent such real or personal property deemed necessary to carry out the Party's objectives and to conduct the Party's administration and to make arrangements for the management of any such property acquired;
- e) invest any monies of the Party not immediately required, in accordance with the Trustee Act of 1925;
- f) carry out or refrain from carrying out any lawful act as may be deemed appropriate for the attainment of the Party's objectives and the proper administration of the Party;
- g) enter into contracts for the supply of goods, employment and services;
- h) undertake any or all lawful activities under the Companies Acts.

Organisation

3.5 The Board may establish, suspend or disband branches or other means of organisation as the Board may from time to time deem necessary. Such constituency associations, branches or organisations may only be established with the written authority of the Board which may delegate such authority to the Party Chairman.

Employment

3.7.1 All persons employed as described in Article 3.5 (c) hereof or who are employed by any person elected to any public body as a Party candidate at the time of the coming into force of this Constitution shall certify that they are not a person who comes within the ambit of Article 4.2.1 or 4.2.2 below. This requirement shall only apply to those who commence employment on the date of or after the coming into force of this constitution.

3.7.2 It shall be a condition of employment that no person so employed as described in Article 3.7.1 hereof may be a person who has been excluded from membership by virtue of rules made under Article 4.2.1 or Article 4.2.2 below. Such a condition shall expressly form part of their contract of employment. All such employees shall, before taking up employment, acknowledge in writing that they agree to be bound by the terms of this constitution that relate to such employment. This requirement shall only apply to those who commence employment on the date of or after the coming into force of this constitution.

3.7.3 For the avoidance of doubt, it is the purpose of the restrictions against employment of persons who have been excluded from membership by virtue of rules made under Article 4.2.1 or Article 4.2.2 below to prevent the reputation of the Party from being damaged in any way whatsoever by such persons infiltrating the Party and being associated in any way with the Party. Nothing, however, in this Constitution shall prevent such persons supporting or making donations to the party.

PART IV PARTY MEMBERSHIP

Eligibility

4.1.1 Membership of the Party shall be open to any natural person who shares the objectives and core beliefs of the Party and who agrees to abide by this Constitution and any Rules which may from time to time be made by the Party and who have not been excluded from membership by virtue of rules made under Article 4.2.1 or Article 4.2.2.

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

- a) their subscriptions are up to date; and
- b) they are not subject to any suspension or exclusion by the Party either from elected office or from standing as a candidate of any sort in any election; and
- c) they are not subject to any form of suspension or restriction as to their membership of The Party.
- d) they owe on debts to the party, that are older than 30 days and more than £100.

Members who are "in good standing" shall receive a membership card and the Party's newsletter either by post or electronically. The method of communication shall be at the discretion of the Party. They shall be entitled to vote in such internal Party elections or ballots as the Board shall, in their absolute discretion, decide.

Exclusion

4.2.1 Notwithstanding anything in Article 4.1 of this Constitution, the Board may from time to time make Rules of Procedure concerning the refusal of or exclusion from membership of persons or classes of persons whose admittance to membership of the Party would, in its opinion, be inimical to the interests of the Party.

4.2.2 The Party Chairman (or, in his absence, his designated deputy) shall, without reservation or qualification, be entitled, to refuse to admit any person to membership. Where it is deemed appropriate brief reasons will be given for any such refusal. The Chairman shall notify the board of any such refusals.

4.2.3 Any person applying for or renewing membership of the Party shall, at the time of applying for or renewing that membership, certify that he is not a person disqualified from membership under Article 4.2.1 or 4.2.2 above. Renewal of membership may be treated by the Party as if it was an application for membership for the first time. The Party Chairman (or, in his absence, his designated deputy) shall, without reservation or qualification, be entitled to refuse to renew the membership of any person and may exercise this power without giving reasons for the same, if he deems it appropriate so to do. The Chairman shall notify the board of any such refusals.

4.2.4 Any person to whom membership is refused under either Article 4.2.2 or 4.2.3 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 Board or, at the discretion of the Party Secretary, by the Party Secretary and two persons independent of the Party; provided, in the case of an application to renew membership, that such right of appeal shall only extend to those who were members

“in good standing” at the time of the application for membership or renewal of membership as the case may be. The Appeal panel shall give an opportunity to both the Party Chairman and the Appellant to be heard. The Appeal Panel, in its discretion, may at the conclusion of the appeal publish the reasons for its decision, but is not bound to do so.

Revocation of membership

4.3 If, after becoming a member of the Party, a person

- a) joins any other political party anywhere in the United Kingdom, save for those approved by the Board for joint membership (whether registered with the Electoral Commission or not) or joins any organisation membership of which the Board has declared to be incompatible with membership of the Party; or
- b) without the authority of the Board, 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 Board has declared to be incompatible with membership of the Party; or
- d) stands against a Party candidate in any election or assist any non-Party candidate against a Party 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 members of the Board or, at the discretion of the Party Secretary, by the Party Secretary and two persons independent of the Party.

Exceptions

4.4.1 In exceptional circumstances the Party Chairman may, with the unanimous agreement of the Board and Officers cause to be admitted to membership any applicant who would otherwise be prohibited from membership.

4.4.2 Persons not otherwise eligible for membership (other than those subject to exclusion under Article 4.2.1 or 4.2.2 hereof) under the provisions of this constitution may, at the discretion of the Party Chairman, in consultation with the Board, be admitted to Associate Membership of the Party. The Board may make rules as to the rights and duties of Associate Members.

4.4.3 The Board may from time to time make such rules as it deems appropriate concerning the employment by the Party and/or those elected to public office of persons falling within the ambit of Article 4.2 above.

4.4.4 Upon being employed, all employees must sign a certificate that they are not a person who falls within the ambit of Article 4.2 above.

Subscriptions and terms of membership

4.5 The Board shall from time to time set such annual subscription fees as it deems appropriate and may define and set differential subscriptions for different categories

of membership as it may from time to time deem appropriate.

4.6 By entering into membership, the Member agrees that at all times he will abide by the terms of this Constitution and the Rules of the Party. Any member who is in breach of this constitution or the rules made thereunder may be subject to the disciplinary procedures set out in Article 11 and any Rules of the Party made under this Constitution.

4.7 Members of the Party are deemed by their entry into membership to agree not to do or omit to do any act (as the case may be), the commission or omission of which either:

- brings the Party into disrepute; or
- is intended to damage the Party's interests; or
- damages the Party's interests; or
- breaches any other disciplinary rule which the Board may from time to time deem appropriate to make.

4.8 Any member whose annual subscription has not been received by the party within 30 days of the end of the month in which their membership subscription ran out may be regarded as having resigned their membership.

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

PART V

PARTY ORGANISATION AND PARTY CONFERENCE

5.1 The Board may from time to time make rules concerning the organisation of such Party structures which are not provided for in this Constitution.

Business Meeting

5.2 The Party shall hold both a Business Meeting and a full Party Conference annually at such place and at such date and time as the Board may determine. Only Party members "in good standing" may vote at the Business Meeting and at the Annual Conference. Members must register in such a manner as the Board may decide and must produce a valid membership card and other such identification as the Board may decide in order to participate and vote in the Party Conference and Business Meeting.

5.3 The Business Meeting's business shall be:

- a) to receive reports from the Party's leaders and officers; and
- b) to receive and note the Party's accounts, which by virtue of Article 2.2.2 hereof are required under company law.

5.4 All motions at the Business Meeting may be passed by a simple majority of those voting and are subject to ratification by the Board at the first meeting following the Business Meeting.

Conference

5.5 The Annual Conference shall be open to Party members “in good standing”, associate members and guests. Its business shall include the consideration of motions on Party policy and strategy, in accordance with the Rules of Procedure.

5.6 Motions carried shall only have advisory force and will be listed for discussion by the Board within 3 months of the motion having been carried.

5.7 The Board may also summon other special conferences or EGMs for specific purposes, which will be open to all Party members “in good standing”. The Board may from time to time make rules for the convening of and the procedures for the conduct of such conferences.

EGM

5.8 The Party Secretary shall call an Extraordinary General Meeting (EGM), giving members a minimum of 28 days' notice, if requested to do so by application in writing from at least fifty per cent (50%) of the Party's duly registered and properly constituted constituency associations or branches, drawn from at least four regions.

Each such application shall include a written statement, signed by the respective branch or constituency association chairman as the case may be, certifying that the application was supported by a majority of members attending a properly convened Extraordinary General Meeting of the constituency association or branch.

Each such application shall set out the business to be dealt with at the EGM and the agenda of any such EGM shall be restricted to that business and to matters arising.

Each such application shall further be accompanied by payments to Party Head Office account for such sum as shall be determined by the Board from time to time, drawn against the constituency association or branch bank account, as a contribution towards the cost of the meeting.

For the purposes of this Article, "constituency association" and "branch" shall bear the meaning ascribed to them under the Rules of the Party.

5.9 For the purposes of Article 5.8, a constituency association or branch is deemed to be duly registered only if it has been registered by the Party HQ (following approval by the Board) for not less than six months before the date of application.

5.10 Upon receipt of a valid application or petition under Article 5.8 hereof, the Party Secretary shall call an Extraordinary General Meeting of the Party to be held within three months of such receipt.

PART VI THE PARTY BOARD (BOARD)

6.1 There shall be established a committee known as the Party Board (hereinafter “the Board”) which shall function as the principal management and administrative authority of the Party, in particular for the purposes of company law.

Powers of Board

6.2 The duties, powers and responsibilities of the Board shall include (but are not limited to):

- a) ensuring that the Party works towards the achievement of the objectives set out in Article 2 above in an efficient and judicious manner;
- b) managing the Party's funds, structure and employees;
- c) advising the Party Leader on political matters;
- d) approving the Party's policies and manifestos;
- e) ensuring that the Constitution of the Party is in accordance with the laws of the United Kingdom;
- f) managing and conducting the Party's disciplinary procedures;
- g) making or amending from time to time such Rules of Procedure as it deems appropriate for the efficient conduct and administration of the Party and for the discharge of its responsibilities under this Article and under company law for the efficient running of the Party and the attainment of its objectives.

Composition of Board

6.3 The Board shall normally be composed of the following voting members :

- a) between 4 and 8 Party members appointed by the Party Leader, at least two of whom must hold or have held elected public office within the United Kingdom;
- b) the Party Leader;
- c) the Party Chairman;

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

6.5.1 The Board shall appoint a Party Treasurer and a Party Secretary from among full Party members "in good standing", each of whom may be a voting member of the Board as defined in Article 6.3 above. In the event that either the Party Treasurer or the Party Secretary is not a voting member of the Board then he:

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

Party Treasurer

6.5.2 The post of Party Treasurer is required under the Political Parties, Elections and Referendums Act 2000 and the name of the Party Treasurer must be registered with the UK Electoral Commission. The Party Treasurer shall establish and chair a Finance Committee to be responsible for managing Party's all the parties finances and reporting these to the Board. The Party Treasurer will prepare annual accounts and present them at the annual Business Meeting. The Party Treasurer will be responsible for complying with all statutes and requirements of the Electoral Commission applicable to financial reporting and probity.

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

6.5.4 The Party Treasurer may, subject to the approval of the Board, appoint Deputy Treasurers to assist with the tasks described above. Save that at all time the Party Treasurer shall be the Registered Party Treasurer for the purposes of PPERA.

Party Secretary

6.6.1 The Party Secretary is responsible, inter alia, for ensuring that the administrative and other arrangements of the Party comply with all legal requirements placed upon it by statute other than those relating to finance. The Party Secretary shall establish and chair a Discipline Committee subject to and in accordance with Rules made by the Board concerning disciplinary procedures.

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

6.6.3 The Party Secretary must be a fully qualified Barrister or Solicitor with a current practising certificate. Should the Party Secretary be suspended from practice or have their practising certificate withdrawn for any reason, they shall immediately cease to be Party Secretary and the Board must appoint a new Party Secretary.

6.6.4 The Party Secretary shall not, in anyway, be liable to the Party or any of its members jointly or severally for any advice given or not given in their capacity as Party Secretary. Notwithstanding 6.6.3 the Party Secretary shall not be considered to be acting as a legal professional in their capacity as Party Secretary.

Board sub-committees

6.7 The Board shall establish standing subcommittees for policy, finance, discipline, members liaison, and plus any temporary additional subcommittees it identifies as necessary for the administration of the Party. The composition of all subcommittees, the limits of their delegated powers and their operational details shall be in accordance with the party Rule Book.

Eligibility for Board

6.8 Only paid-up members of the Party “in good standing” shall be eligible for appointment to the Board.

Elections and term of office

6.9 All members of the Board serve for a term of 2 years from their appointment, which may be renewed without limitation for further 2 year periods at the discretion of the Leader.

Resignation and vacancies

6.10.1 The resignation of a member of the Board shall either be evidenced in writing signed by the resigning member and sent or given to the Party Chairman, or given orally. If given orally, the Party Chairman shall write to the resigning member inviting him to confirm or to withdraw his resignation.

6.10.2 The resigning member shall reply to such invitation within fourteen days of the posting of the letter. In the absence of a reply from the resigning member within that time he shall forthwith be deemed to have resigned from the Board.

6.10.3 The Party Leader may appoint members of the Board to fill casual vacancies until the total number of voting members of the Board reaches 8 excluding the Party Leader and the Party Chairman.

Conduct of meetings

6.11 The Board shall meet at its own discretion, but at least 6 times a year. Meetings shall be chaired by the Party Chairman or, in the Chairman's absence, by the Vice Chairman appointed under Article 8.3 or, in the absence of both, by a member of the Board appointed by the Board for that meeting only, which appointment shall be duly minuted.

6.12 Four voting members of the Board including the Party Chairman and Leader or, in the Chairman's absence, the Vice Chairman appointed under Article 8.3, or such Board member appointed for that meeting as Chairman shall constitute a quorum.

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

Suspension/expulsion from Board

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

6.15 The following shall be grounds for expulsion/suspension from the Board:

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

6.16 The member against whom such a motion is proposed shall be given no less than seven days' notice in writing of the meeting. He shall be entitled to attend, to

address and vote at the meeting. He may make written representations to the meeting. He may also question any member or other witness whose evidence is considered by the Board as being relevant to the issue on the same basis as any other party and may call witnesses on his own behalf on the same basis as obtained during the case against him.

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

No confidence motions

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

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

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

6.19 In the event that:

- a) the EGM convened under Article 6.18.4 rejects the vote of no confidence in the Party Leader; or
- b) the Party Leader stands for and is re-elected as Party Leader at an election following a vote of no confidence in him by the Board,

all members of the Board and all Party Officers save for the Party Leader shall be deemed to have resigned.

Authorised groups

6.20.1 The Board may authorise the establishment of groups of members or groups of constituency associations or branches in furtherance of the aims of the Party. These groups finances will be controlled directly by the party treasurer.

6.20.2 The Board may from time to time permit the formation of groups within the Party known as Special Interest Groups and may, as it deems appropriate, make rules concerning such groups; subject always to the requirement that no such group may

exist or operate within the Party save with the express written consent of the Board.

Officers

6.21.1 The Board shall also appoint the following Officers hereunder.

6.21.2 A General Secretary who shall:

- a) formally convene meetings of the Board and its sub-committees and notify members thereof;
- b) create and maintain appropriate administrative records with appropriate backup and archiving;
- c) act as Secretary to the Board;
- d) maintain accurate records and minutes of meetings and decisions of the Board and its sub-committees;
- e) ensure that Minutes and records are appropriately signed;
- f) maintain and make available for distribution rules and other decisions made by the Board;
- g) maintain records of membership of the Board and its sub-committees.

6.21.3 A Nominating Officer, as required by the Political Parties, Elections and Referendums Act 2000, who shall control the registered Party descriptions and emblems and be responsible for the appointment of Deputy Nominating Officers as appropriate.

6.22 The Board may from time to time create such further posts as it deems necessary for the more efficient exercise of its duties under this Constitution and appoint persons thereto.

6.23 The Board may from time to time invite any person it deems appropriate to attend any Board meeting in whole or in part.

PART VII THE PARTY LEADER

Status

7.1 Under the Political Parties, Elections and Referendums Act 2000 all registered parties must appoint a Party Leader. The Party Leader shall give political direction to the Party and shall be responsible for the development of the Party's policies with the agreement of the Board.

7.2 The Party Leader may, at his discretion, form such advisory groups as he deems appropriate to advise him on any matter pertinent to the exercise of his functions, and will inform the Board of the membership of such groups.

7.3.1 The Party Leader:

- a) shall have the right to be a full member of all sub-committees and working groups set up by the Board;
- b) shall, subject to the approval of the Board, appoint a Party Chairman; in the event of a refusal to approve the appointment, the Party Leader may request that the matter be referred to an EGM of the party;

- c) shall make or approve national statements of the Party's policies and the manner of their communication; and
- d) may make such other appointments as he thinks fit, he shall inform the board of such appointments at its next meeting

7.3.2 Election for the post of Party Leader shall be by way of a ballot of eligible members.

Term of office

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

Election

7.5 A leadership election shall be called upon the passing of this Constitution and then:

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

Such election shall be held within 90 days of the completion of the Leader's term of office. Only members "in good standing" on the date the leadership election is called shall be eligible to be a candidate.

7.6 The Board may from time to time as it deems appropriate make rules for the calling and conduct of elections for the post of Party Leader.

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

7.8 If there is only one valid nomination for the post of Party Leader the candidate so nominated shall be declared elected as Party Leader without the need for a ballot. Any contested election for the leadership shall be decided by a simple majority of the votes cast. Those eligible to vote shall be members "in good standing" of the Party on the date when the election is called, subject always to the restrictions on voting set out in the final paragraph of Article 4.1.2 above.

7.9 When a vacancy in the leadership occurs due to the Party Leader's death, incapacity, resignation or removal following a vote of no confidence, the procedure for a leadership election shall be initiated by the Party Secretary.

Deputy Leader

7.10 The Party Leader may from time to time appoint a member of the Party "in good standing" to be Deputy Leader. The Deputy Leader shall carry out such duties as the Party Leader shall assign to him. In the event of the incapacity or

unavailability of the Party Leader, the Deputy Leader shall not assume the Constitutional powers and duties of the Party Leader unless authorised so to do by the Board.

7.11 Where a vacancy in the Party Leadership occurs unexpectedly, the Board shall within fourteen days appoint an Interim Leader to lead the Party until a Leadership election takes place. Such Interim Leader shall have all the powers of the Party Leader under this Constitution as if he had been elected to that post.

PART VIII THE PARTY CHAIRMAN

Status and duties

8.1 The Chairman appointed under Article 7.3.1 (b) shall be an ex officio member of the Board if not already an elected member of it. The Chairman will be entitled only to a casting vote whether or not he is an elected member of the Board. The Party Chairman may, notwithstanding his ex officio membership of the Board, be a full time employee of the Party.

8.2 The Party Chairman shall chair meetings of the Board, the Annual Business Meeting, Annual Conference and such Extraordinary General Meetings as may be called. The Party Chairman shall be responsible for maintaining accurate databases of membership and for safeguarding such databases within the terms of data protection legislation.

Vice-Chairman

8.3 The Party Chairman may, with the agreement of the Party Leader and of the Board, appoint a Vice Chairman from amongst the voting members of the Board who shall, in the absence of the Chairman, chair the Board. The Vice Chairman may act generally in the place of the Chairman if the Chairman is absent for any period over two weeks or is incapacitated through illness or is otherwise unable to undertake the duties of Chairman. The Chairman may from time to time delegate to the Vice Chairman such duties as he sees fit. A Vice Chairman acting in the place of the Party Chairman shall have only the same voting powers as the Chairman.

Responsibilities

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

8.5 The Party Chairman may make such administrative appointments as he sees fit and may recommend to the Board the creation of paid administrative posts. The Party Chairman shall, from time to time, report to the Board on Party, branch and constituency activity or ensure that a report is made by an appointed Party officer, as appropriate, on such activity.

PART IX

SEPARATION OF OFFICE

9.1 The offices of Party Leader, Party Treasurer, Party Secretary, Party Chairman, Vice Chairman and General Secretary shall each be held by a different individual.

PART X STANDING AND TEMPORARY COMMITTEES

10.1 The standing committees set up by the Board shall include a Finance Committee, a Discipline Committee, a Standing Orders Committee, a Members Liaison Committee and a Policy Committee. The Board may from time to time establish other committees as it deems necessary.

Finance Committee

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

Discipline Committee

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

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

Conference organisation

10.4 The Party Chairman will have the responsibility for all matters relating to organisation of the Party Conference, including the selection of motions for debate.

PART XI DISCIPLINE

Jurisdiction

11.1 The Discipline Committee of the Board shall have jurisdiction over all matters pertaining to Party Discipline. The Board may from time to time as it deems appropriate make Rules for the composition of discipline panels and management of matters of discipline and appeals, for the conduct of hearings and appeals under Article 11 and for the procedure and evidence to be used by the Committee.

11.2 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.

Complaints

11.3 Any member “in good standing” may refer the conduct of any other member to the General Secretary who shall act in accordance with the rules made under this Article and the rules of natural justice.

11.4 Thereafter the Party Secretary shall likewise act in accordance with the rules made under Article 11.1 and the rules of natural justice.

Remedies

11.5 Upon the conclusion of any Disciplinary Hearing the Discipline Committee 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 of the Party for a specified period;
- e) suspend the Respondent Member from elected Party office and/or candidature for elective office for a specified period not exceeding six months;
- f) expel the Respondent Member from membership for a specified period or permanently;
- g) take any other reasonable and proportionate action that it deems to be warranted by any particular circumstances;
- h) take no action; or
- i) if the member is elected to public office, remove the Party Whip.

The Discipline Committee shall at all times exercise its powers with proper regard for the principle of proportionality. The Party Secretary shall provide a report of all disciplinary hearings and appeals to the Board upon their conclusion.

Right of appeal

11.6 Any member disciplined under Article 11.5 shall have the right of appeal against such order as is made thereunder. Such appeal shall be dealt with in accordance with the Rules of the Party concerning Discipline.

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

11.8 In addition to the Rules mentioned in Article 11.1 the Board may from time to time as it deems appropriate make rules as to the qualifications required for appointment as an Independent Chairman.

Emergency powers

11.9 In cases of exceptional gravity and urgency the Party Chairman may, of his own motion, exercise any of the powers set out in Article 11.5 except that under 11.5 (f) above in respect of any member, with due regard to proportionality. The Party Chairman shall, within twenty-four hours of so acting, notify the Party Secretary of his action.

11.10 Upon being so notified the Party Secretary shall convene as soon as possible an Emergency Disciplinary Panel composed of himself (or an independent chairman appointed in accordance with the rules made under Article 11.7 and 11.8) and not more than two voting members of the Board.

11.11 The Emergency Panel may:

- a) confirm the order of the Party Chairman; or
- b) confirm the order of the Party Chairman but order that the matter be placed before an ordinary Discipline Panel as soon as possible for a full hearing; or
- c) make any order permitted by this Constitution; or
- d) revoke the order of the Party Chairman on the grounds that the action was either:
 - (i) inappropriate having regard to the circumstances; or
 - (ii) excessive having regard to all the circumstances; or
 - (iii) not supported by the facts. In that event the Party Chairman may within fourteen days of the findings of the Emergency Disciplinary Panel renew the complaint under the ordinary disciplinary procedure.

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

PART XII CANDIDATES

Approved candidates lists

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

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

Duty of disclosure

12.1.3 Once selected, candidates remain, without reservation or qualification, under a continuing duty fully to disclose to the Party Chairman any material fact, political or personal (whether or not the material fact arose before or after this constitution came into force) that has or may have a bearing on their suitability to stand as a

candidate and shall provide full written details of the same to the Party Chairman.

12.1.4 Any failure to disclose such a material fact shall be a matter in respect of which disciplinary proceedings under Article 11 hereof may be initiated against the candidate. The Party Leader or the Party Chairman shall automatically refer such a matter to the General Secretary and Party Secretary who may then act under Article 11 and the rules made thereunder.

Suspension and removal

12.2.1 The Party Chairman may suspend any candidate from the approved that candidate will or may damage the reputation or interests of the Party.

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

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

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

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

Selection of candidates

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

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

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

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

Codes of Conduct

12.8 The Board may from time to time as it deems necessary and appropriate make:

- a) Codes of Conduct for those holding elective office in the Party's name;
- b) rules defining the nature of the Party Whip, the circumstances in which the Party

Whip may be removed and the consequences and the sanctions which may be applied when the Party Whip is removed or the elected member resigns the Party Whip.

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

- a) to abide at all times by any such Code of Conduct and the Rules drawn up under Article 12.8;
- b) at all times to behave in a manner becoming to such elective office

Any breach of such Code of Conduct, Rules or failure to observe Article 12.9 (b) may be treated as a matter falling within Article 4.7.

12.10 The Board shall refer any breach of any Code of Conduct or Rules made under Article 12.8 to the Disciplinary Committee according to the provisions of Article 11 whereupon those provisions shall be followed as if the matter was an ordinary matter pertaining to discipline.

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

PART XIII

THE CONSTITUTION: APPROVAL AND AMENDMENT

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

13.1.2 Amendments to this Constitution may be proposed and made at any time in accordance with this Article. Such amendments shall only come into force after a postal ballot of the membership has been held in which not less than two-thirds of members voted in favour of them.

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

13.2.1 Such a ballot shall be held

- a) if proposed by the Board and approved by a two-thirds majority of those voting; or
- b) at the request of 200 or more properly constituted and duly registered the cost of the ballot.

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

13.3 The Board shall have the right to put separate and distinct elements or clauses amending the Constitution to separate votes for the approval of a two- thirds majority of eligible members voting in a ballot.

PART XIV
PARTY RULE BOOK

14.1 The Party Rulebook may, in the absolute discretion of the Board, be published on the Party's website and a hard copy shall be available on demand to any member on payment of a fee, to be determined by the Board from time to time, for administration, printing, and postage.

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

Constitution of "British Union & Sovereignty Party"

1. NAME

The name of the party shall be "**British Union & Sovereignty Party**", hereinafter also referred to as "the party". Other names or descriptions may be used at the discretion of the Executive Committee.

2. STATEMENT OF PRINCIPLES

The party is committed to the following three fundamental principles:

1. The constitutional and territorial integrity of the United Kingdom of Great Britain and Northern Ireland as a unitary state.
2. The promotion of traditional Unionist values, both social conservative and social democratic.
3. The restoration of our British tradition of parliamentary democracy against the use of referendums.

3. OBJECTIVES

- a) To uphold and promote the party's Principles and its policies derived therefrom.
- b) To advance the party electorally and politically.

4. ACTIVITIES

In pursuit of the Objectives, the party shall:-

- a) campaign and field candidates in elections in all parts of the United Kingdom (Scotland, England, Northern Ireland and Wales) at the national and local level,
- b) campaign on specific issues,
- c) organise and participate in party and public debates,
- d) disseminate printed and electronic literature,
- e) work with and assist other parties and organisations consistent with its Principles and Objectives,
- f) participate in all such other legitimate activities intended to promote the party's Principles and Objectives, and
- g) conduct Central Party meetings chaired by the Party Leader at the discretion of the Executive Committee to discuss progress on our Objectives and Activities, including a mandatory Annual General Meeting to be attended by all members of the Executive Committee, with minutes at all meetings to be taken by the Nominating Officer.

5. MEMBERSHIP

- a) Membership of the party shall be open to anyone aged sixteen years or over who agrees with its core values.
- b) Membership of the party shall be subject to the approval of the Executive Committee, who will have the discretion and the right to decide on any matter regarding the potential membership of any applicant. If an application is rejected, the applicant is entitled to provide a written statement outlining their case for membership, which must be read by all members of the Executive Committee, and a final decision made by them within one month of receipt of the statement.

- c) Membership of the party shall be by subscription payable to the national party as determined by the Executive Committee, which shall have the prerogative to grant concessionary rates where appropriate.

- d) Membership may be revoked at the discretion of the Executive Committee if a member is believed to have brought the party into disrepute or is judged to have acted in a manner that is significantly inconsistent with our principles and objectives.

6. GOVERNANCE

- a) The party shall be governed by a body called the Executive Committee.
- b) The Executive Committee shall consist of at least two members and shall incorporate the three Principle Offices of; the Party Chairman (or "Party Leader"), the Nominating Officer, and the Treasurer.
- c) The Executive Committee may delegate specified tasks both to individual members and to sub-committees, which it may set up from time to time.
- d) The Executive Committee may appoint Committee members by co-option and may revoke such co-options at any time.
- e) The Party Leader, Nominating Officer and Treasurer shall each participate on the Executive Committee and its decision making powers, in addition to fulfilling their administrative tasks as defined by the Political Parties, Elections and Referendums Act 2000.
- f) On any matter on which the Executive Committee has authority and cannot reach agreement, the Party Leader shall make a definitive decision on the matter.
- g) The three party officers of Leader, Nominating Officer and Treasurer each have a term time of four years from when the post is taken up. At the end of a term, these positions are to be filled by an applicant subject to a vote within the Executive Committee, on which the sitting Leader may cast a final vote in the event of two candidates having an equal number of votes. Members may seek re-election for any office. This process, including dates at which offices are taken up, vacated and voted upon, must be recorded by the Party Leader.
- h) The above process of election within the Executive Committee shall also apply in the event of the resignation of a party officer.

7. FINANCE

- a) All money raised by or on behalf of the party shall be used to further its Principles and Objectives.
- b) Expenditure shall be agreed and controlled by the Executive Committee.

Constitution of “British Union & Sovereignty Party”

- c) The party's Treasurer shall be responsible and accountable to the Executive Committee for:-
- i) managing all financial activity of the party, which shall include the Financial Scheme as registered with the Electoral Commission, and the annual accounts, and
 - ii) informing the Electoral Commission of any changes to the registered addresses and officers of the party.

8. ELECTION CANDIDATES

- a) All Election Candidates must be paid-up members of the party.
- b) The Executive Committee shall be responsible for selecting the Candidates for election, and may

delegate this power to a sub-committee or member of the party.

9. PARTY POLICY

On any political issue, the policy of the party shall be decided by the Executive Committee or by a delegated policy sub-committee.

10. THE CONSTITUTION

This constitution may be revised only by the unanimous agreement of all members of the Executive Committee.

This Constitution was ratified on Thursday 20th December 2018.

John Mortimer, Party Leader