

[REDACTED]

From: FOI
Sent: 02 May 2023 13:08
To: [REDACTED]
Subject: FOI 030-23 - Response
Attachments: FOI 030-23 - Alliance - Alliance Party of Northern Ireland - Constitution (Redacted).pdf

Dear [REDACTED],

Our Ref: FOI-030-23

Thank you for your email to the Electoral Commission dated 01 April 2023 and received by the Commission 03 April 2023.

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 shown below followed by our response.

I note that all political parties MUST register a Constitution. I cannot find the Constitution of the Alliance Party (NI) on their website .How can i find their Constitution please .Is it searchable online ? Is the Register accessible by the Public online?

- 1. Please escalate my original request to your Manager/HOD . I do not agree that a member of the public is not entitled to the Constitution of a Political Party which has registered with the Electoral Commission . I do not accept that only legal means by which a member of the Public can obtain the Constitution of a registered political Party is via an FOI .*
- 2. One of the primary functions of the Commission is to regulate the relationship of a Political Party and the Public to ensure the process of elections and the conduct of a Party is fair and lawful. The Constitution of a Party is a foundational document which regulates a Political Party and its relationship with the public. . It is the document by which the functioning of the Party can be objectively and independently judged . As a Voter I am entitled to know the Constitution of all political Parties with candidates standing for election .If I cannot read their respective constitutions then I cannot make a fully informed decision as to the Party or Candidate for whom I may wish to cast my vote .*
- 3. Your letter conveys a concerning lack of understanding of the legal functions legally required to be performed by the Commission .It is wholly wrong for you to suggest the only Constitution which the Commission holds for the Alliance Party is 2010 AND that its probably been changed since then.In my Opinion , the Alliance Party is required as matter of Law to file its Constitution with the Commission AND to promptly file any amendments thereto with the Commission .A failure to do so is prima facie a breach of the legal requirements .You suggest the Commission knows that the Constitution of 2010 is no longer the Constitution BUT the Commission have taken no steps to enforce the requirement to obtain the current Constitution .This conveys an unprofessional and lackadaisical approach . Such an approach seriously undermines if not stultifies the legal requirement to file an operative Constitution with the Commission .On your analysis of the current status quo for all the Commission knows the*

Alliance Party could have filed a Constitution in 2010 and the next day adopted a wholly different constitution containing provisions which might render their registration unlawful .I am very concerned that on the basis of your missive the Commission does not appear to be performing its legal functions .

4. *Your tone was was inappropriate and casual .If i require" betting" advice I will obtain it from a reliable source not you . Please ensure any future correspondence adopts a tone and linguistic style which is appropriate to the seriousness of role performed (or which should be performed) by the Commission .*

Our response is as follows:

We hold the information you have requested.

We have understood your request as relating to the registered political party Alliance - Alliance Party of Northern Ireland. Please find attached the constitution of this party, submitted to us on 26 April 2011.

With regards to the four points noted above, these fall outside the scope of the Freedom of Information Act and will be responded to by the Commission's Regulatory Support team, under separate cover. You will receive their correspondence later today.

If you are not satisfied with this response, please note that the Commission operates a review procedure, details of which can be found on the Commission website at:
<https://www.electoralcommission.org.uk/freedom-information/make-a-freedom-information-request>.

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: <https://ico.org.uk/>.

Yours sincerely

Information Officer
FOI@electoralcommission.org.uk

The Electoral Commission
electoralcommission.org.uk

Alliance Party of Northern Ireland Constitution & Rules

Note: The following copy of the Constitution & Rules was amended at Meeting of Party Council on 4th December 2010.

1 INTRODUCTION

- 1.1 The name of the Party shall be 'The Alliance Party of Northern Ireland'.
- 1.2 The Party was founded on the basis of the statement of principles dated 21 April 1970.
- 1.3 The objectives of the Party shall be to heal the bitter divisions in our community and to promote the policies of the party as determined by the Council.

2 MEMBERSHIP

- 2.1 Membership of the Party shall be open to all those who support the objectives of the Party.
- 2.2 Ultimate authority for granting membership of the Party to any person shall belong to the Executive Committee. This authority may from time to time be delegated by the Executive Committee to any affiliated Association with the consent of the Association, subject to such conditions, if any, as the Executive Committee may from time to time determine, and subject to the final approval of the Executive Committee, and, having been so delegated, may be recalled at any time by the Executive Committee without notice. In every case membership shall be granted subject to such conditions (if any) as may be determined from time to time by the Council.
- 2.3 A membership card issued by the Executive Committee shall be *prima facie* evidence of membership of the Party. A membership card issued by the General Secretary shall be deemed and taken to have been properly issued until the contrary has been proven.

3 OFFICERS

- 3.1 The Officers of the Party shall be:
 - (a) The President
 - (b) The Chair
 - (c) The Vice Chair
 - (d) The General Secretary
 - (e) Two Joint Honorary Treasurers
 - (f) The Party Leader
 - (g) The Deputy Leader
 - (h) The Chief Whip
 - (i) The Party Organiser
- 3.2 The President, Chair, Vice Chair, Joint Honorary Treasurers, Party Leader and Deputy Leader shall hold office until the next Annual General Meeting of the Council after their appointment.
- 3.3 The General Secretary shall hold office at the discretion of the Executive Committee, upon such terms and conditions as it shall think fit.
- 3.4 The Chief Whip shall hold office at the discretion of the Party Leader.

- 3.5 The Party Leader shall lead the Party in accordance with and in pursuit of the objectives of the Party. When the Party Leader is a member of the Assembly and/or the United Kingdom Parliament and/or the European Parliament the Party Leader shall be the leader of each group of Alliance members within any of those bodies of which he or she is a member.
- 3.6 The Deputy Leader shall deputise for the Party Leader where appropriate, and will execute such duties as many allocated to him or her from time to time by the Party Leader.
- 3.7 The Chief Whip shall perform the duties normally associated with the office of Chief Whip in a political party, and shall do so in accordance with and in pursuit of the objectives of the Party.
- 3.8 The Leader and Deputy Leader shall be elected to office in accordance with the provisions of Rule 6.
- 3.9 The President shall preside at the Annual Conference and shall chair the Disciplinary Committee.
- 3.10 The Chair shall conduct all meetings of the Council and the Executive Committee.
- 3.11 The Vice Chair shall perform the duties and functions of the Chair in the absence of the Chair.
- 3.12 The General Secretary shall perform such duties as are specified in his or her Contract of Employment with the Party and such duties as shall be assigned from time to time by the Executive Committee.
- 3.13 The Joint Honorary Treasurers shall keep the books of account of the Party and shall be responsible for the safekeeping of the monies of the Party.
- 3.14 The Party Organiser shall perform such duties as are allocated by the Executive Committee.
- 3.15 Any Officer of the Party shall have the right to attend any meeting of the Party.

4 EXECUTIVE COMMITTEE

- 4.1 The Executive Committee shall conduct the ordinary day-to-day business of the Party, subject to the direction and control of the Council.
- 4.2 The Executive Committee shall consist of:
 - (a) The President
 - (b) The Chair
 - (c) The Vice Chair
 - (d) The General Secretary
 - (e) The Joint Honorary Treasurers
 - (f) The Party Leader
 - (g) The Deputy Leader
 - (h) The Chief Whip
 - (i) The Party Organiser
 - (j) Twelve other members
- 4.3 At meetings of the Executive Committee:
 - 4.3.1 Each member of the Executive Committee shall be entitled to speak and vote on any matter save that on any matter where there may be a conflict of interest for any member, the member concerned shall be required to withdraw from the meeting. The Chair's decision on whether a conflict exists shall be final, with discretion to allow a statement before the member withdraws.
 - 4.3.2 All voting shall be by show of hands unless the Executive Committee shall on any particular motion decide otherwise.

- 4.3.3 In the event of an equality of voting on any motion, the Chair or Acting Chair shall have a casting vote.
- 4.4 The Executive Committee shall have power:
 - 4.4.1 To buy, sell, lease, mortgage, charge or otherwise acquire, or dispose of, any lands, chattels or choses in action for or of the Party.
 - 4.4.2 To borrow monies on behalf of the Party on such terms and conditions as it shall think fit.
 - 4.4.3 To invest the funds of the Party in such securities, lands or chattels as it shall think fit, whether such securities are trustee securities or not.
 - 4.4.4 To open such banking accounts as it shall from time to time decide.
 - 4.4.5 To employ on behalf of the Party such staff as it shall consider necessary for the better management of the Party and for the furthering of the objectives of the Party and to enter into contract with any person or body on such terms as it may think fit and for such purposes as it deems necessary.
 - 4.4.6 To dispense with the services of any employee of the Party as it shall think fit.
 - 4.4.7 To appoint a Trustee or Trustees to receive, hold and manage any money or property for the benefit of the Party upon such trusts and with and subject to such powers and provisions as the Executive may, at any time in its absolute discretion, nominate, determine or approve. The Executive Committee shall indemnify the Trustees from and against all costs, claims and charges howsoever arising by means of the exercise of the office of Trustee.
 - 4.4.8 To appoint any sub-committee from within the Party membership.
 - 4.4.9 To fill any vacancy in the Executive Committee by co-option.
- 4.5 The Executive Committee shall appoint such sub-committees as it deems necessary including sub-committees for the purposes of administration, finance, policy, approval of candidates and political organisation. Each sub-committee shall be chaired by a member of the Executive Committee, shall keep minutes of its meetings and shall report its progress in writing to each member of the Executive Committee prior to or at each Executive Committee meeting and shall account in writing for any monies received or expended. The Executive Committee may make arrangements for some of the members of its sub-committees to be elected by the Council. The Chair, Vice-Chair and General Secretary shall be ex-officio members of all sub-committees.
- 4.6 The Executive Committee shall meet as often as is necessary for the proper conduct of the Party business and in any case not less frequently than once in every calendar month except that a meeting need not be held in both July and August.
- 4.7 The Executive Committee shall present to each meeting of the Council a report in writing of the work carried out by the Executive Committee and its sub-committees since the last report, including information on attendance at meetings. The report to the Annual General Meeting shall include information on the terms of reference of its sub-committees.
- 4.8 The Executive Committee shall present to the Annual General Meeting of the Council accounts audited by professional accountants of all monies received and expended by the Executive Committee on behalf of the Party during the preceding year, such accounts to be made up to December 31 in each year, together with a certified balance sheet at the same date.
- 4.9 All meetings of the Executive Committee (except as provided in Rule 4.10) shall be summoned by not less than 4 days notice in writing specifying the business to be conducted thereat, save that, in the case of business which the Chair of the meeting deems to be of urgent nature, any such business may be included on the Agenda at any time prior to the commencement of the meeting.

- 4.10 Any two Officers may summon an emergency meeting of the Executive Committee if in their joint opinion an emergency has arisen, by giving at least 8 hours prior notice either orally or in writing to each member of the Executive Committee whom they are able to contact, provided that in exceptional circumstances, deemed to be such by resolution of a majority present and entitled to vote of the Executive Committee, business of which eight hours notice has not been given may be dealt with at such emergency meeting. Any resolution passed at an emergency meeting of the Executive Committee may be acted upon forthwith but shall be subject to ratification by the next ordinary meeting of the Executive Committee.

5 THE COUNCIL

- 5.1 The Council shall be the governing body of the Party and shall decide the policies of the party. All resolutions of the Council shall be binding on the Party.
- 5.2 The Council of the Party shall consist of:
- (a) The Officers of the Party
 - (b) All other members of the Executive Committee
 - (c) All the Alliance Party Members taking the Alliance Party Whip of the European Parliament, the Parliament of the United Kingdom, the Northern Ireland Assembly and the District Councils in Northern Ireland
 - (d) The Vice Presidents
 - (e) Ten delegates from each Association of the Party
 - (f) Ten delegates from Young Alliance
- 5.3 The Council shall meet at least 4 times in each year -- normally in the months of March, June, September and December. The Council Meeting in March of each year shall be the Annual General Meeting and its date shall be announced at the previous December Council meeting.
- 5.4 Meetings of the Council shall be summoned by giving at least 14 days notice in writing to all persons entitled to attend specifying the business to be conducted thereat. Notice in writing can be sent electronically, save where delegates to council do not have access to electronic communications.
- 5.4 Upon receipt of a requisition signed by not less than 25 members of the Council, or upon receipt of a Requisition passed by the Executive Committee, the General Secretary shall convene a special meeting of the Council by notice in accordance with Rule 5.4. The only business which may be discussed at such a meeting shall be that specified in the Requisition calling for the meeting.
- 5.4.1 A Requisition should be worded as follows: "We the undersigned, being members of Council... (or the Executive Committee...) request that a special meeting of Party Council be held to discuss the following business:"
- 5.5 At the Annual General Meeting, the Council shall elect for the next year:
- (a) The President
 - (b) Up to five Vice Presidents
 - (c) Six members of the Disciplinary Committee
 - (d) The Chair
 - (e) The Vice Chair
 - (f) The two Joint Honorary Treasurers
 - (g) Twelve members of Executive Committee
 - (h) The Party Leader
- 5.6 The President, Vice Presidents, Chair and Vice Chair shall not hold the same office for more than two consecutive years.
- 5.7 All nominations proposed and seconded by members of the Council, which may be accompanied by a statement of up to 50 words, must be made in writing and lodged with the General Secretary to reach him not later than 21 days before the meeting.

Nominations shall be formally opened at the December meeting of the Council. The General Secretary shall circulate details of each of these nominations, including names of proposer and seconder and the nominee's statement to the members of the Council to reach them not later than 7 days before the meeting.

6 THE PARTY LEADER AND THE DEPUTY LEADER

- 6.1 The Party Leader shall be the leader of the Party and shall be elected by the Council from the Alliance members of the Assembly, the United Kingdom Parliament and the European Parliament. He or she must be a member of at least one of those bodies (unless he or she is no longer such a member by reason of dissolution pending a general election to any of those bodies). He or she may be removed from the Office of Party Leader by vote of the Council.
- 6.2 In the event of the office of Party Leader becoming vacant other than in pursuance of rule 3.2 the Deputy Leader will serve as Acting leader pending the election of a new leader at a special meeting of Council to be summoned by the General Secretary. Twenty-one days notice shall be given to all persons entitled to attend.
- 6.3 The Party Leader, newly elected under Rule 6.2 shall hold office thereafter until the next Annual General Meeting and further elections for the office of Leader shall be held at each Annual General Meeting of the Council.
- 6.4 At an election for the office of Party Leader, the current Party Leader shall be automatically nominated for election, if he or she so wishes.
- 6.5 In all elections for the office of Party Leader nominations of a candidate, other than the current Party Leader, must be in writing signed by a proposer and a seconder, both of whom shall be Members of Council, and by at least 10 other members of Council and must be lodged with the General Secretary at least 14 days before the date of the meeting at which the election is to be held. The election shall be held by secret ballot.
- 6.6 Should no candidate obtain more than 50% of the vote of those present and entitled to vote, the Chair shall convene a special meeting of the Council for the election of a leader to be held on a date not less than two weeks nor more than four weeks after the date of the said ballot. New nominations shall be required for any subsequent meeting and shall be received by the General Secretary at least seven days before the meeting.
- 6.7 The Deputy Leader shall be the deputy leader of the party and shall be elected by the Council in the fashion similar to the election of the Party Leader from the Alliance members of the Assembly, the United Kingdom Parliament and the European Parliament. He or she must be a member of at least one of those bodies (unless he or she is no longer such a member by reason of a dissolution pending a general election to any of those bodies). He or she may be removed from the Office of Deputy Leader by vote of the Council.
- 6.8 In the event of the office of Deputy Leader becoming vacant other than in pursuance of Rule 3.2 the election of the new Deputy Leader shall take place at a special meeting of Council summoned by the General Secretary. Twenty-one days notice of the meeting shall be given to all persons entitled to attend. Rules 6.4, 6.5 and 6.6 shall apply to the election of the Deputy Leader save that the words "Party Leader" wherever they occur in those Rules shall be deemed for the purpose of such election to be deleted and the words "Deputy Leader" substituted thereof."
- 6.9 During a period of prorogation, dissolution, or indefinite cessation of sitting of the Assembly, references to the Assembly Party in this Rule shall be taken as references to the Council.

7 ANNUAL CONFERENCE

- 7.1 The Party shall hold an Annual Conference not later than 30th November in each year.

- 7.2 All members of the Party shall be entitled to attend the Annual Conference.
- 7.3 The Annual Conference shall consider resolutions on policy proposed by the Executive Committee or by any Association or any Branch thereof or by an affiliated group or organisation.
- 7.3.1 The procedure for the submission of resolutions and their selection for debate shall be the responsibility of a Steering Committee elected by the Council, chaired by the Party Chair or Vice-Chair.
- 7.4 The Annual Conference shall be organised by a Conference Committee appointed by the Executive Committee.

8 ASSOCIATIONS

- 8.1 The Party shall organise Associations throughout Northern Ireland and may affiliate any other group or organisation composed entirely of members of the Party which, in the view of the Council, is promoting the interests of the Party and whose constitution and rules are not in conflict with the Constitution of the Party.
- 8.2 Any Association may form one or more branches with a constitution approved by the Association at an Annual General Meeting and by the Executive Committee of the Party. The constitution of a Branch must define the area covered by the Branch.
- 8.3 All groups of the Alliance Party organised by an Association and not directly affiliated to the Party shall be the responsibility of, and controlled in accordance with the constitution and rules of, that Association.
- 8.4 Each Association, each Branch and each affiliated group or organisation shall contribute to central Party funds such amounts as shall be determined by the Council.
- 8.5 No Association or Branch, and no affiliated group or organisation, shall offer or give its support to any candidate for public election standing against an approved Alliance Party Candidate. No Association or Branch, and no affiliated group or organisation, shall maintain any formal link with any other organisation without the approval of the Executive Committee.
- 8.6 Each Association, group or organisation must hold an Annual General Meeting of all its members in every calendar year, of which meeting at least 5 days notice in writing must be given to each member.
- 8.7 At the Association Annual General Meeting, Officers, and an Executive Committee of not less than 6 further members. In addition, all the Alliance Party Members of the European Parliament, the Parliament of the United Kingdom, the Northern Ireland Assembly and the District Councils in Northern Ireland shall automatically become full voting members of their Association Executive Committees. Delegates representing an Association at Party Council may be appointed either by the Association at its annual or other meetings or with the approval of the Association at one or other of the regular meetings of the Association Executive Committee. The names and addresses of all so-selected persons shall be sent forthwith to the General Secretary.
- 8.8 In the event of any of the delegates to the Council being, for any reason, unavailable to attend a meeting of the Council the Executive Committee of the Association shall be entitled to appoint a substitute delegate or delegates, provided that the name and address of any substitute are notified to Party Headquarters by 2.00pm on the last working day preceding the meeting of the Council.
- 8.9 The constitution of an Association may provide for the nomination of some or all of the ordinary members of its Executive Committee and its delegates to the Council at Meetings of its Branches. Such constitution may also provide for the filling of casual vacancies on, and for a power of co-option to, the Association Executive Committee.

- 8.10 No Association or Branch and no affiliated group or organisation shall make any rule to restrict the right of any member to vote or to hold office in the said Association, Branch, group or organisation, save as provided in this Constitution and Rules, except that the constitution of an Association or Branch may provide that the Chair of the Association or of any Branch thereof may not simultaneously hold any other office in the Association or any Branch thereof.
- 8.11 No Association shall permit any member of the Party to have voting rights in the Association or to hold office in the Association unless that member is normally resident within the area served by the Association, save for an Alliance elected public representative or former Alliance public representative for the whole or part of the said area and save also that in special circumstances where approval is given by the Party Executive a member that is no longer resident in an Association area may be deemed to be still a member of his or her former Association.
- 8.11.1 In no event shall any member of the Party be entitled to have voting rights or to hold office in more than one Association or Branch.
- 8.12 Each Association and each Branch thereof and each affiliated group or organisation shall have its accounts audited annually and shall forward a copy to the Joint Honorary Treasurers of the Party within 14 days after its Annual General Meeting.
- 8.13 If any Association, group or organisation contravenes any of the aforementioned Rules, it may be disaffiliated by the Executive Committee of the Party.
- 8.13.1 Before so doing the Executive Committee shall summon the Officers of such Association, group or organisation by notice in writing to attend, at a time and place specified, a meeting of the Executive Committee to give reasons why the Association, group or organisation should not be disaffiliated.
- 8.13.2 A disaffiliated Association, group or organisation may, by any of its Officers, give notice of appeal within 28 days in writing to the General Secretary of the Party. Such appeal will be heard at the next convenient meeting of the Council and all or any of the Executive Committee of the Association, group or organisation concerned shall be entitled to be heard.
- 8.13.3 When any Association, group or organisation is disaffiliated, notice of such disaffiliation shall be given in writing to all its members, and to all members of the Council within seven days by the Executive Committee.
- 8.13.4 Upon disaffiliation of an Association, all members of the disaffiliated Association shall, subject to the right of appeal provided herein, cease forthwith to be members of the Party.
- 8.13.5 All members of a disaffiliated Association shall be entitled forthwith to re-apply for membership of the Party without renewal of current subscription.
- 8.14 The Executive Committee of the Party shall be entitled at any time to conduct an investigation into the running of any Association, Branch, or affiliated group or organisation.

9 ELECTION ORGANISATION

- 9.1 The Party Executive Committee shall as and when appropriate and after consultation with the relevant Association Executive Committee appoint an Election Organiser for their Parliamentary Constituency. The Election Organiser shall be Convenor and Chair of the Constituency Election Committee.
- 9.2 Members of the Constituency Election Committee shall be appointed by the Election Organiser after consultation with the relevant Association Executive Committee.
- 9.3 The Executive Committee shall, as and when appropriate and in consultation with the Executive Committees of the appropriate Associations, appoint a Local Government Election Organiser for each Local Government District, except in Belfast City where a

Local Government Election Organiser will be appointed for each District Electoral Area. The local Government Election Organiser shall appoint a Local Government Liaison committee to assist with the election after consultation with the Association and Branch Executive Committees as appropriate, and shall be responsible to the Executive Committee for the conduct of the local Government election campaigns.

- 9.4 Any member who wishes his or her name to be placed on the Party's central list of Approved Candidates for a stated election may apply in writing to the General Secretary of the Party, and must complete a candidate approval form for that election, including a commitment to fulfilling the conditions of the Alliance Representatives' Code of Conduct. Such member shall then be considered by the Candidates Sub Committee of the Executive Committee within 3 months after such application and may be called for interview by the Sub Committee. Where the candidature of a member has the provisional support of an Association and the Association so requests, such member's application must be considered within 14 days. Notice of acceptance or rejection as the case may be must be given to the applicant immediately after a decision has been taken. Rejection shall not bar any member from making subsequent application.
- 9.5 Any elected representative who is not a member of the party and who wishes to become a member, to take the Alliance Whip and to declare him/herself as a representative of the party may apply in writing to the General Secretary of the party, and must complete a candidate approval form, including a commitment to fulfilling the Alliance Representatives' Code of Conduct. Such an application shall then be considered by the Candidates Sub committee of the Executive Committee within three months and the applicant may be called for interview by the sub committee. Where such an application has the provisional support of an Association and the Association so requests, it must be considered within 14 days. Notice of acceptance or rejection as the case may be must be given to the applicant immediately after a decision has been taken. Rejection shall not bar any applicant from making subsequent application.
- 9.6 The number of Alliance candidates to stand in an election, and hence whether or not the election shall be contested, shall be determined:
- (a) for a European Election, by the Executive Committee;
 - (b) for a Parliamentary Election or an Assembly election, by the Executive Committee after consultation with the appropriate Constituency Election Committee;
 - (c) for a Local Government Election, by the Executive Committee, after consultation with the appropriate Association Executive Committees.
- 9.7 Any person whose name is on the Party's Central list of approved candidates for the election concerned shall be entitled, on request in writing to the General Secretary, in the case of a European Election, or to the Association Chair, in the case of a Parliamentary or an Assembly Election, or to the Local Government Election Organiser, in the case of a Local Government Election, to be considered for selection provided such request is received at least 72 hours before the appropriate selection meeting. Any such person shall be entitled to attend the selection meeting and to address the said meeting in the absence of the other possible candidates. In the case of a Local Government Election the request must state the District Electoral Area or Areas for which the person wishes to be considered for selection.
- 9.8 Alliance candidates shall be selected:
- (a) for a European Election, by the Council;
 - (b) for a Parliamentary Election or for an Assembly Election, at a selection meeting of paid-up Alliance members normally resident within the Association area, summoned and chaired by the Election Organiser and notice of which shall be distributed at least 7 days before the meeting;
 - (c) for a Local Government Election at a selection meeting of paid-up Alliance members normally resident within the Local Government District, except in Belfast City where there shall be separate selection meetings of paid-up members normally

resident within each District Electoral Area, summoned and chaired by the Local Government Election Organiser and notice of which shall be distributed at least 7 days before the meeting.

- 9.9 In each case the candidate(s) shall be selected from those who have offered themselves for selection.
- 9.10 For the purpose of this Rule a member shall be deemed a person who has been a member of the Party for at least 6 weeks prior to the date of the Notice of the meeting.
- 9.11 Prior to the selection of candidates at a selection meeting, the number of candidates to be selected shall be reported and explained by the Chair of the meeting.
- 9.12 Selection of candidates shall be by secret ballot of those fully paid-up members (or delegates) attending the selection meeting. There shall be a separate ballot for each vacancy. Only candidates who receive over 50% of the votes of those present and voting at the meeting shall be selected. In the event of a tie, the Chair of the meeting shall have a casting vote. The Chair shall be responsible for the conduct of the meeting and in all matters of procedure not covered by this Constitution and Rules or by Standing Orders the decision of the Chair shall be final.
- 9.13 At a selection meeting for a Local Government Election where candidates are to be selected for more than one District Electoral Area, the names of the Areas in alphabetical order shall determine the order in which the selections are made.
- 9.14 When any candidate has been properly selected in accordance herewith he or she shall be considered as the Alliance Party prospective candidate for the constituency or District Electoral Area, provided always that he or she has not ceased to be a member of the Party and that his or her name has not been removed from the Party's central list of approved candidates by the Candidates Sub-Committee.
- 9.14.1 Upon selection, all prospective candidates shall automatically become full members of the Constituency Election Committee or Local Government Liaison Committee as appropriate.
- 9.15 No Alliance candidate in any public election in Northern Ireland shall be entitled to pay any part of his or her election expenses or to make any contribution in lieu thereof in a sum greater than 10% of the maximum expenditure permitted by law.
- 9.15.1 All Alliance Party candidates shall appoint as their Election Agent an Election Agent approved by the Executive Committee. There shall be only one Election Agent for all Alliance Party candidates in any one Constituency or District Electoral Area.
- 9.16 If a selection of candidate or candidates has not been made for any election within twenty-eight days prior to nomination day, the Executive Committee shall have power to select as necessary.
- 9.17 In the event of a vacancy occurring among those who were elected as Alliance Members to the European Parliament, the Northern Ireland Assembly or a Council of a Local Government District as a result of the death, disqualification or resignation of such a member the Party Leader shall instruct the General Secretary to facilitate the convening of a selection meeting. The selection meeting will be convened and conducted in such manner as to accord as closely as practicable with the provisions of Rules 9.7 to 9.12 inclusive. The General Secretary shall then inform the Party Leader of the result of that selection meeting. The General Secretary shall ask the Party Leader in his or her capacity as the legally designated "Nominating Officer" of the party to nominate the person duly selected at such meeting to the body where the vacancy has occurred.

10 DISCIPLINARY COMMITTEE AND COMPLAINTS PROCEDURE

- 10.1 At every Annual General Meeting of the Council there shall be elected a Disciplinary Committee, which shall have power to act in accordance with those Rules until the conclusion of the next succeeding Annual General Meeting. The members of the

Disciplinary Committee shall be the President of the Party, who, subject to not being disqualified from acting as a member of the Disciplinary Committee as hereinafter mentioned, shall be the Chair thereof, and six other members of the Party (other than members of the Executive Committee) elected by the Council.

- 10.2 Any member of the Disciplinary Committee shall be disqualified from acting as such member if he or she shall be (a) the person against whom a disciplinary complaint is made or (b) subject in any other respect to a relevant conflict of interest. The quorum of the Disciplinary Committee shall be three members. The Disciplinary Committee shall have power to regulate its own proceedings.
- 10.3 A disciplinary complaint may be made against any member of the Party alleging (a) any breach of any of the Rules of the Party or any conditions of membership laid down from time to time by the Council (b) conduct seriously in conflict with the aims and principles of the Party (c) conduct incompatible with the good order, harmony or efficiency of the Party. Such disciplinary complaint may be made by any member of the Party or by the Executive Committee through the Party Chair and shall be made in writing to the General Secretary stating the specific ground on which the complaint is made and supported by such documentary or other evidence as may reasonably be required by the General Secretary.
- 10.4 If, after consideration of any such complaint and the supporting evidence, the President is satisfied that a prima facie case has been made out against the member complained against he or she shall furnish particulars of the complaint in writing to the member complained against and request a written reply from such member to be delivered to the General Secretary within ten days after receiving such particulars or such extended time as may be allowed by the President in writing not exceeding twenty-one days from the date of the receipt of the initial complaint. The complaint together with any such reply shall be referred by the General Secretary to the Disciplinary Committee.
- 10.5 After consideration of the complaint and the reply, if any, received from the member complained against, and any such evidence that may be presented, the Disciplinary Committee shall request, in writing, the said member complained against to attend a meeting of the Disciplinary Committee to be convened on a mutually convenient date, but in any event, not later than fourteen days from the date of the Disciplinary Committee's first request. Both the party making the complaint and the party complained against shall be entitled to be heard by the Disciplinary Committee at such meeting, or any adjournment thereof, and to call witnesses. Whether the member complained against attends or not, the Disciplinary Committee, shall have power with or without deliberation on the matter in the absence of the member complained against, to deal with the complaint by recording one or more of the following decisions:
 - (a) to find the complaint proved to its satisfaction;
 - (b) to warn the member complained against about his conduct and require him or her to give such written undertaking for his or her future conduct as shall be reasonably required in the circumstances;
 - (c) to dismiss the complaint with or without any such warning or requirement;
 - (d) to suspend the right of the member complained against to attend meetings of the Party or any affiliated Association or Branch thereof or any affiliated group or organisation for such period not exceeding six complete calendar months as it shall think fit;
 - (e) to expel the member complained against from membership of the party.
- 10.6 The Disciplinary Committee shall also have power from time to time for any reason to adjourn any of its meetings for such period or periods as it may deem necessary.
- 10.7 Notice in writing of the decision(s) of the Disciplinary Committee shall be delivered, or sent, to the member complained against within seven days.
- 10.8 Any member complained against, aggrieved by the decision(s) of the Disciplinary Committee may give Notice of Appeal in writing to the General Secretary of the Party

within seven days after the receipt of the Notice of the Disciplinary Committee's decision(s). Such appeal shall be heard at a special appeal Meeting of the Council to be summoned by the Party Chair within three days after the receipt by the General Secretary of the Notice of Appeal, giving at least fourteen days notice in writing to all persons entitled to attend specifying the nature of the Appeal and furnishing copies of the Disciplinary Committee's decision(s) and the Notice of Appeal. At such Appeal Hearing the appellant shall be allowed ten minutes to present his appeal and a nominee of the Disciplinary Committee shall be allowed ten minutes to present the complaint and explain the reasons for the Disciplinary Committee's decision(s) as an official response to the Appeal. After this, each member of the Council wishing to address the Council on the subject of the Appeal shall be allowed to do so and thereafter the nominee of the Disciplinary Committee and the appellant, in that order, shall each be allowed a further five minutes to reply, after which the Chair shall put the following question to the Council for its decision without further discussion:

- 10.8.1 'That the decision(s) of the Disciplinary Committee on [date] be rescinded'.
 - 10.9 Such decision of the Council shall be final and binding.
 - 10.10 The implementation of decision(s) of the Disciplinary Committee shall be suspended pending the hearing of an appeal of which due notice has been given.
 - 10.11 Any decision(s) of the Disciplinary Committee against which no appeal has been lodged **within the prescribed time, or any decision of the Council made after an Appeal Hearing**, shall be referred by the Disciplinary Committee or the Council, as the case may be, to the General Secretary to be enforced by being published to the affiliated Association and Branch thereof or the affiliated group or organisation, as the case may be, of which the person complained against is a member.
- ## 11 GENERAL
- 11.1 The Executive Committee may, subject to the approval of the Council, prescribe Standing Orders for the conduct of the business of the Party and such Standing Orders shall be binding on all members of the Party.
 - 11.2 Where any notice is prescribed herein it shall be seven days notice in writing sent to the address contained in the Party's register of members unless a different period is herein provided. Accidental failure to give notice shall not invalidate the proceedings of any meeting, subject, nevertheless, to the agreement of the Executive Committee.
 - 11.3 Quorums for meetings shall be as follows:
 - 11.3.1 For any meeting of the Executive Committee, seven members.
 - 11.3.2 For a Council meeting, one-third of the persons entitled to attend.
 - 11.3.3 For any sub-committee appointed by the Executive Committee, as the Executive Committee shall decide.
 - 11.3.4 Where a quorum is not prescribed herein, no quorum is required.
 - 11.4 In the event of any disagreement concerning the interpretation of these Rules, such disagreement shall be referred forthwith in writing to the General Secretary who shall call an emergency meeting of the Executive Committee. The decision of the Executive Committee shall be final and binding.
 - 11.5 All elections and selections within the Party shall be conducted by the Single Transferable Vote system.
 - 11.6 The term "Association" shall mean the local organisation of the Party in a parliamentary constituency.
 - 11.7 In this Constitution and Rules document, any reference to a month or year shall mean a calendar month or a calendar year as the case may be and any reference to time in respect of a number of days shall mean the specified number of days exclusive of the day

in which the notice is issued, delivered or posted and exclusive of the day in which the notice is issued, delivered or posted and exclusive of the date of the meeting or event in respect of which the notice is given. Notices or letters sent by post shall be deemed to have been received by the addressees on the day on which they normally could have been expected to be received in the ordinary course of the post.

12 CONSTITUTION

- 12.1 Every member of the Party shall be entitled to a copy of the Constitution and Rules on payment to the General Secretary of a fee to be decided from time to time by the Executive Committee.
- 12.2 This Constitution and Rules may only be amended by resolution of the Annual General Meeting or of an Extraordinary General Meeting requested by 25 members of the Council. Any such resolution must be carried by not less than two-thirds of the votes cast.
- 12.3 Any member of the Council wishing to propose any such amendment at the Annual General Meeting must specify the amendment in writing to the General Secretary not less than four weeks before the date of such meeting. Members requesting an Extraordinary General Meeting must likewise specify the reasons in writing to the General Secretary not less than six weeks before the date of such meeting. Details of the proposed amendment shall be set out on the agenda for such Annual General Meeting or Extraordinary General Meeting as the case may be.

