

UNRESTRICTED

Restore Scotland

The Constitution

Version 1.1

The Constitution of Restore Scotland was unanimously first approved by the Interim Committee on 14th November 2020, and amended as per the accompanying schedule.

Table of Contents

1	Interpretation and definitions.....	1
2	The name and legal status of the Party	2
3	The definition, tenets and objectives of the Party	2
4	The activities of the Party	2
5	Interim Committee.....	4
6	Financial provisions and the Financial Scheme	5
7	Membership of the Party	6
8	Party organisation.....	9
9	National Executive Committee.....	10
10	Elections and appointments to the NEC	12
11	The Party Leader.....	15
12	The Deputy Leader	16
13	The Party Chairman	16
14	The National Organiser.....	16
15	The Party Secretary	17
16	The Party Treasurer.....	17
17	Open Seats and Public Office Members	18
18	Separation of powers.....	18
19	Standing and temporary committees.....	18
20	Discipline	18
21	Candidates for election to public office	20
22	Branches and Constituency Associations	22
23	The Constitution.....	22
24	The Rules of Procedure.....	23
25	Dissolution of the Party	23

1 Interpretation and definitions

- 1.1. Unless otherwise implied by the context, the following definitions apply to the following capitalised terms throughout the present document (in alphabetical order):
 - 1.1.1. The term **Branch** refers to a territorial Party organisation under the direct authority of the NEC. The NEC shall be responsible for determining the geographic scope of the Branch.
 - 1.1.2. The term **Business Day** shall mean a day on which banks are open for business in Edinburgh.
 - 1.1.3. The term **Constituency Association** refers to a semi-autonomous Party organisation, whose jurisdiction and geographical scope is determined by the NEC, and whose activities are regulated by its own constitution, and whose office bearers are elected by a democratic vote of the constituency association's members.
 - 1.1.4. The term **Constitution** refers to the present document in its entirety, including any appendices.
 - 1.1.5. The term **EGM** means extraordinary general meeting.
 - 1.1.6. The term **Good Standing** refers to members meeting the conditions stated in Article 7.2.
 - 1.1.7. The term **Group** shall have the meaning stated in Article 9.9.1.
 - 1.1.8. The abbreviation **NEC** refers to the National Executive Committee.
 - 1.1.9. The term **Objectives** refers to the core Party objectives, which are stated in Article 3.3.
 - 1.1.10. The term **Open Seat member** refers to directly elected members of the NEC without a fixed portfolio.
 - 1.1.11. The term **Party** refers to Restore Scotland.
 - 1.1.12. **PPERA** refers to the Political Parties, Elections and Referendums Act 2000.
 - 1.1.13. The term **Public Office member** refers to appointed members of the NEC who have been elected to public office in local, national or supra-national government.
 - 1.1.14. The term **Rules of Procedure** refers to the regulatory document authorised by Article 24 of this Constitution.
 - 1.1.15. The term **Tenets** refers to the core Party principles and beliefs, which are stated in Articles 3.1 and 3.2.
- 1.2. For the avoidance of doubt, throughout this Constitution the masculine implies a person of either gender.
- 1.3. Where the context so implies, the singular shall include the plural.

- 1.4. Where the carrying of a vote calls for the support of a fraction of an electorate, e.g. “two-thirds of the members”, this shall be understood to mean “at least” that fraction, i.e. “at least two-thirds of the members”.
- 1.5. Any notice to be given under this Constitution and the Rules of Procedure shall be in writing, which may be in paper or electronic format and transmitted using electronic communications.

2 The name and legal status of the Party

- 2.1 The name of the Party shall be Restore Scotland, in Gaelic “Aisig Alba”.
- 2.2 The legal form of the Party is an unincorporated membership association.
- 2.3 Although the Party shall exist as an entity in its own right, it shall seek to attain and maintain registration with any relevant public commissions or authorities.

3 The definition, tenets and objectives of the Party

- 3.1 The Party stands for the following core principles:
 - (a) The independence of Scotland;
 - (b) The liberty of the individual;
 - (c) The value and the autonomy of the family;
 - (d) The sanctity of human life; and
 - (e) The health and wellbeing of the people of Scotland.
- 3.2 The Party believes:
 - 3.2.1 That Scotland has the right to self-determination and the pursuit of its national interest; that it should be independent of the United Kingdom and the European Union; that Scotland should make its own laws; that the law of Scotland must enjoy primacy over any other body of man-made law; that no diminution of Scottish sovereignty or territorial integrity may be tolerated; and,
 - 3.2.2 That the traditional prerogatives, institutions, structures and *mores* of Scottish society should be upheld by government, buttressed by law, and affirmed by public authorities; and,
 - 3.2.3 That respect should be shown for the fundamental dignity of human life, the rights and freedoms of the people of Scotland, our democratic culture and institutions; individual civil liberties, and the ethos of civic responsibility.
- 3.3 The Party seeks to campaign for, and have reflected in law and public policy, the Tenets set out in Articles 3.1 and 3.2 above.

4 The activities of the Party

- 4.1 In accordance with the Tenets, the Party shall undertake the following activities:

- 4.1.1 participation in democratic electoral processes that take place within Scotland and within wider jurisdictions, where these processes concern Scotland;
 - 4.1.2 rigorous and ongoing interaction with the people of Scotland, the institutions of civil society and the media, to listen to issues of popular concern, ensure the fullest engagement of the Scottish people, and advocate for policy proposals in line with the Party Tenets;
 - 4.1.3 any other legitimate political activity that furthers the Party's Objectives.
- 4.2 In addition, the Party may participate and campaign in any referendum, including but not limited to Scottish, UK or local referenda. Where a referendum concerns the sovereignty of the Scottish nation, the Party binds itself never to campaign against any democratic extension or increase in the sovereignty, self-governance or self-determination of the Scottish people.
- 4.3 The Party shall take up any seat it wins in elections regardless of any policy of the Party which espouses the abolition of such seat or election, subject always to the right of the NEC to decide otherwise.
- 4.4 The Party may cooperate with other like-minded parties, institutions and organisations, whether such be in Scotland or elsewhere, for any purposes which are wholly consistent with the Party's Objectives, for such a time and to such an extent as the NEC may deem necessary and expedient.
- 4.5 In the furtherance of its Objectives, the Party may:
- 4.5.1 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, all recorded, managed and reported in accordance with the law and all relevant regulations;
 - 4.5.2 publish any free or paid publications that it sees fit;
 - 4.5.3 employ and pay people to manage, supervise, organise and carry out the Party's Objectives, administer the Party, and meet the Party's obligations under law;
 - 4.5.4 purchase, lease or rent real or personal property, and make arrangements for the management of any such property acquired;
 - 4.5.5 invest any monies of the Party not immediately required, in accordance with the Trustee Act 1925;
 - 4.5.6 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;
 - 4.5.7 enter into contracts for the supply of goods, employment and services;
 - 4.5.8 undertake any other lawful activities not prohibited under the law.
- 4.6 The NEC may establish, suspend or disband such subsidiary Constituency Associations, Branches, groups or other entities that the NEC deems of use in furthering the Party's

Objectives. Such subsidiary Constituency Associations, Branches or other entities may only be established with the written authority of the NEC.

- 4.7 All persons employed as described in Article 4.5.3 hereof or who are employed by any person campaigning as a Party candidate or elected to any public body 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 7.3.1 or 7.3.2 below.
- 4.8 It shall be a condition of employment that no person so employed as described in Article 4.7 hereof may be a person who has been excluded from membership by virtue of rules made under Article 7.3.1 or Article 7.3.2 below. Such a condition shall expressly form part of their contract of employment. All such employees shall, before taking up employment, acknowledge in writing that they agree to be bound by the terms of this Constitution that relate to such employment.

5 Interim Committee

- 5.1 For the purposes of establishing the Party, an Interim Committee shall be formed who shall have authority to submit an application for party registration to the Electoral Commission, and to exercise the right to act on behalf of the Party, until the Interim Committee's replacement by the NEC, as set out in Article 5.7.3.
- 5.2 The initial membership of the Party and of the Interim Committee comprises those persons present at the initial meeting to establish the Interim Committee held on 9 August 2020, namely Don Morrison, Brian Nugent, Ewan Gurr and David McHutchon.
- 5.3 New members may only be co-opted on to the Interim Committee by the unanimous agreement of the existing members of the Interim Committee.
- 5.4 The Interim Committee shall consist of no more than twelve members, unless increased by unanimous decision of the Interim Committee.
- 5.5 A member of the Interim Committee shall be appointed to one of the following roles by the unanimous agreement of the existing members of the Interim Committee:
- 5.5.1 Party Leader;
 - 5.5.2 Secretary, the *ex officio* Nominating Officer;
 - 5.5.3 Treasurer;
 - 5.5.4 Party Chairman;
 - 5.5.5 National Organiser; and
 - 5.5.6 to any other role that the Interim Committee sees fit to create.
- 5.6 Members of the Interim Committee may be expelled or suspended only by the unanimous agreement of all other members of the Interim Committee at an extraordinary meeting held for said specific purpose to which the member in question shall be invited.
- 5.6.1 A member of the Interim Committee facing expulsion or suspension proceedings shall be notified in writing at least seven working days in advance of such a meeting.

- 5.6.2 All reasonable provisions shall be made to ensure that the member of the Interim Committee facing expulsion or suspension is able to attend the meeting at which his expulsion or suspension is decided upon.
- 5.6.3 A member facing expulsion or suspension shall be given the opportunity to represent himself before the other members of the Interim Committee before a vote on the resolution of the case is taken in private. The decision of the Interim Committee in such a case shall be final.
- 5.7 The Interim Committee is obliged to:
 - 5.7.1 Organise a Quadrennial Congress for the appointment of a National Executive Committee (NEC) of all members of the Party in Good Standing within one year of the Party being first registered with the UK Electoral Commission.
 - 5.7.2 Appoint a panel of three members in Good Standing who are not running for election to the NEC to oversee the initial NEC election to ensure that the election is run in a timely, democratic and transparent manner and in accordance with the rules of the Party.
 - 5.7.3 Relinquish its authority to the new NEC immediately upon the official announcement of the NEC election results.
- 5.8 The Secretary shall maintain the official register of the members of the Interim Committee, to include the date of each member's accession to the Interim Committee.
- 5.9 The Interim Committee shall appoint a Minute Secretary from among its members who shall prepare for approval the minutes of the Interim Committee's meetings. Minutes shall be approved by a majority of those present at the relevant meeting. The role of Minute Secretary may be held in conjunction with any other official or unofficial role.

6 Financial provisions and the Financial Scheme

- 6.1 The Interim Committee and subsequently the NEC shall have full control over all monies, funds, property, investments and securities of whatever kind belonging to the Party.
- 6.2 The NEC shall have the power to borrow money on behalf of the Party and to continue existing borrowing, where it is necessary to do so in order to finance the Party's activities.
- 6.3 The Party shall maintain a Financial Scheme in accordance with PPERA, Electoral Commission regulations and all other relevant laws and regulations. The Financial Scheme shall be approved by the Electoral Commission.
- 6.4 The Financial Scheme shall set out how the Party will regulate its financial affairs for the purpose of compliance with legislation and all relevant regulations.
- 6.5 The Party's Financial Scheme shall consist of a central organisation, with one accounting unit, until such time as may be decided otherwise by the Interim Committee or the NEC, as the case may be. For the purpose of compliance with PPERA, the financial affairs of any local party entities or affiliated organisations,

whether currently existing or to be established in future, will be controlled by the Party Treasurer.

- 6.6 All Party bodies mentioned in this Constitution shall comply with the Financial Scheme, whether or not they have been approved as an accounting unit.
- 6.7 Subject to the approval of the Interim Committee or the NEC, the following units may be eligible in future for registration under the Party's Financial Scheme:
 - 6.7.1 Party Branches,
 - 6.7.2 Party Constituency Associations, and
 - 6.7.3 Such other Party units as from time to time may be agreed by the NEC.
- 6.8 All accounting units shall comply with their legal obligations under PPERA and all other relevant laws and regulations. All accounting units shall be registered with the Electoral Commission.
- 6.9 The financial year for all accounting units shall run from 1 January to 31 December.
- 6.10 All accounting units shall maintain adequate and appropriate financial records in line with all relevant law and regulations. They shall report donations and loans, produce an annual statement of accounts by the first quarter of the following financial year, and provide all relevant information punctually as requested to the Party.
- 6.11. A constituency association shall maintain a positive cash balance at all times, and is prohibited from borrowing, taking a loan, or availing itself of overdraft facilities, a mortgage or any other debt instrument. The constituency association treasurer shall be responsible for ensuring that the projected cash reserves of the Association are sufficient to meet projected obligations and expenditures. In the event that the cash position of the Association should fall below £500, or that the projected cash reserves of a constituency association be insufficient to meet projected obligations and expenditures, the constituency association treasurer, or other responsible party, shall immediately inform the Party Treasurer of said circumstances, and shall provide all relevant information as requested to the Party.
- 6.12. Failure to meet the obligations imposed by Articles 6.10 and/or Article 6.11 may lead to the NEC taking disciplinary action against individual members, the suspension of the unit in question, or both.
- 6.13. If a body within the Party goes out of existence or is dissolved, all assets shall become the property of the Party.

7 Membership of the Party

- 7.1 Membership of the Party shall be open to any natural person who:
 - 7.1.1 who is or has been ordinarily resident in Scotland; and,
 - 7.1.2 who is a citizen of the United Kingdom; and,
 - 7.1.3 who is aged sixteen or over; and,
 - 7.1.4 who shares the Tenets and Objectives of the Party, allowing for a conscience position; and,

- 7.1.5 who agrees to abide by this Constitution and the Rules of Procedure; and,
- 7.1.6 who has not been excluded from membership under Article 7.3.1 or Article 7.3.2.
- 7.2 Members are considered to be in “Good Standing” if at any given moment:
- 7.2.1 their subscriptions are current; and,
- 7.2.2 they are not subject to any suspension or exclusion by the Party; and,
- 7.2.3 they are not subject to any form of suspension or restriction in their membership of the Party.
- 7.3 Members who are in Good Standing shall receive a membership card either by post or electronically. They shall be entitled to participate fully in the life and activities of the Party, and vote in all relevant internal Party elections or ballots, provided that no new member shall be entitled to vote in any such election until two calendar months have elapsed from the commencement of his membership.
- 7.3.1 Notwithstanding anything in Article 7.1 and 7.2 of this Constitution, the NEC may from time to time add provisions to its Rules of Procedure concerning the refusal of or exclusion from membership of any persons whose admittance to membership of the Party would, in the NEC’s opinion, be inimical to the interests of the Party.
- 7.3.2 The NEC 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.
- 7.3.3 Any person to whom membership is refused under either Article 7.3.2 may appeal against that decision within 28 days of notification thereof being sent to him. Such an appeal shall then be heard within fourteen days by a panel composed either of the Party Secretary and two elected members of the NEC or, at the discretion of the Party Secretary, by the Party Secretary and two persons independent of the Party. In the case of an application to renew membership, such right of appeal shall extend only 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 (or his deputy) and the Appellant to be heard. The Appeal Panel, at its discretion, may publish the reasons for its decision at the conclusion of the appeal, but is not bound to do so.
- 7.4 The Party Chairman shall revoke the membership of any person forthwith, if after becoming a member of the Party, that person :
- (a) joins another political party (whether registered with the Electoral Commission or not) or any organisation membership of which the NEC has declared to be incompatible with membership of the Party; or
- (b) without the authority of the NEC, sets up or has set up or has aided and abetted the setting up of another political party, whether registered with the Electoral Commission or not; or

(c) is later found already to be a member of another political party or organisation membership of which the NEC has declared to be incompatible with membership of the Party; or

(d) stands against a Party candidate in any election; or

(e) is found to be a person who has previously been expelled from the Party.

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 fourteen days by a panel composed either of the Party Secretary and two elected members of the NEC or, at the discretion of the Party Secretary, by the Party Secretary and two persons independent of the Party.

- 7.4.1 In exceptional circumstances the Party Chairman may, with the agreement of the NEC, cause to be admitted to membership any applicant who would otherwise be prohibited from membership.
- 7.4.2 Persons not otherwise eligible for membership (other than those subject to exclusion under Article 7.3.1 or 7.3.2 hereof) under the provisions of this Constitution may, at the discretion of the Party Chairman, in consultation with the NEC, be admitted to Associate Membership of the Party. The NEC may make rules as to the rights and duties of Associate Members. Associate Members shall not have voting rights.
- 7.4.3 The NEC may from time to time make such rules as it deems appropriate concerning the employment by the Party and/or by those elected to public office of persons falling within the ambit of Article 7.3.1 and 7.3.2 above.
- 7.4.4 Upon being employed, all employees must sign a certificate that they are not a person who falls within the ambit of Article 7.4(a) –(e) above.
- 7.5 The NEC 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.
- 7.6 By entering into membership, a Member agrees that at all times he will abide by the terms of this Constitution and the Rules of Procedure. Any member who is in breach of this Constitution or the Rules of Procedure may be subject to the disciplinary procedures set out in Article 20 and the Rules of Procedure made under this Constitution.
- 7.7 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:
- 7.7.1 brings the Party into disrepute; or
- 7.7.2 is intended to damage the Party's interests; or
- 7.7.3 damages the Party's interests.
- 7.8 Any member whose annual subscription has not been received by the party within 45 days of their membership subscription running out shall be regarded as having resigned their membership.

- 7.9 The NEC may from time to time as it deems appropriate make rules concerning affiliation to the Party by other organisations. Such affiliated bodies shall not enjoy any voting rights under the Constitution.
- 7.10 The names of Members in Good Standing shall be entered on the Party's National Membership List which shall be kept, administered and updated by the National Organiser. Inclusion on the National Membership List shall be conclusive in the determination of membership status. The National Membership List shall be maintained strictly in accordance with the Data Protection Act and all other legislation relating to holding and managing confidential information, and in accordance with relevant Party policies.

8 Party organisation

- 8.1 The Party shall hold an Annual Congress will take place annually at such place and at such date and time as the NEC may determine. In place of the Annual Congress, every four years, the Party shall hold a Quadrennial Congress.
- 8.3.1 During an Annual Congress or Quadrennial Congress a Party Business Meeting shall be held.
- 8.3.2 Only Party members in Good Standing may be present and vote at the Business Meeting and at the Annual Congress.
- 8.3.3 Only Party members in Good Standing shall be entitled to be present and vote at the Quadrennial Congress.
- 8.4 The business of the Business Meeting shall be:
- 8.4.1 to receive reports from the Party's office bearers; and,
- 8.4.2 to receive and note the Party's accounts.
- 8.5 All motions at the Business Meeting shall be passed by a simple majority of those voting.
- 8.6 The Annual Congress 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.
- 8.4.1 Motions carried at an Annual Congress shall only have advisory force and will be formally listed for discussion by the NEC within three months of the motion having been carried.
- 8.7 A Quadrennial Congress shall be held in place of the Annual Congress, once every four years, on a calendar basis, and shall be open exclusively to Party members in Good Standing.
- 8.5.1 A first Quadrennial Congress shall be held in 2021. Subsequent Quadrennial Congresses shall, therefore, take place in 2025, 2029, 2033 and so on. Where a Quadrennial Congress is unable to be held with the appointed calendar year for reasons of *force majeure*, appropriate equivalent arrangements shall be made with the greatest haste, and the elucidated calendar schedule will to the extent possible continue to be subscribed to.

- 8.5.2 A Quadrennial Congress shall be held in private with only Party members in Good Standing present.
- 8.8 The primary purpose of the Quadrennial Congress shall be the election of a National Executive Committee (NEC).
 - 8.6.1 All candidates to the NEC shall be given an opportunity to make an address of at least five minutes' duration to a full session of the Quadrennial Congress.
- 8.7 The NEC may also summon other special meetings or EGMs for specific purposes, which will be open to all Party members in Good Standing. The NEC may from time to time make rules for the convening of and the procedures for the conduct of such meetings.

9 National Executive Committee

- 9.1 There shall be established a committee known as the National Executive Committee (NEC) which shall function as the principal management and administrative authority of the Party. The NEC shall ordinarily consist of eight directly-elected members, and four appointees.
 - 9.1.1 Directly elected members and appointed members of the NEC shall have equal voting rights.
- 9.2 The duties, powers and responsibilities of the NEC shall include (but are not limited to):
 - 9.2.1 ensuring that the Party works towards the achievement of the Objectives in an efficient and judicious manner;
 - 9.2.2 managing the Party's finances, funds, structure and employees, in accordance with the Financial Scheme;
 - 9.2.3 advising the Party Leader on political matters;
 - 9.2.4 approving the Party's policies and manifestos;
 - 9.2.5 ensuring that the Constitution of the Party is in accordance with all relevant law and regulations;
 - 9.2.6 managing and conducting the Party's disciplinary procedures;
 - 9.2.7 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 relevant law for the efficient running of the Party and the attainment of its objectives.
- 9.3 The NEC shall ordinarily be composed of the following twelve voting members:
 - 9.3.1 Party Leader (elected);
 - 9.3.2 Deputy Leader (elected);
 - 9.3.3 Party Chairman (elected);
 - 9.3.4 National Organiser (elected);

- 9.3.5 Treasurer (appointed);
 - 9.3.6 Secretary (appointed);
 - 9.3.7 four Open Seat members (elected); and,
 - 9.3.8 two Public Office members (appointed).
- 9.4 Elected members of the new NEC shall assume office at the moment of the announcement of their election to the Committee.
- 9.5 The NEC shall appoint from among its members a Nominating Officer, as required by PPERA 2000, who shall nominate candidates for public office. This role may be held in addition to any other role except Party Leader or Treasurer.
- 9.6 The NEC shall appoint from among its members a Minute Secretary to make, provide to the Secretary and circulate accurate minutes of the meetings of the NEC to the NEC members. This role may be held in addition to any other role except Party Chairman or Party Leader.
- 9.7 The NEC may from time to time appoint further non-voting *ex-officio* members as it deems necessary for the efficient running of the NEC. The NEC may also invite any person it deems appropriate to attend any NEC meeting in whole or in part.
- 9.8 The NEC shall meet at least six times a year. Meetings shall be chaired by the Party Chairman or, or in the absence of the Party Chairman, in order of precedence, by the National Organiser, Party Secretary, Party Treasurer and Deputy Leader.
- 9.8.1 The lesser of (i) six voting members, or (ii) over fifty percent of the members of the NEC shall constitute a quorum.
 - 9.8.2 Normal votes of the NEC shall be by simple majority. In the event of a tie, the Party Chairman (or his deputy) shall have the casting vote.
 - 9.8.3 Any four or more voting members of the NEC may request 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 can be drawn up and transmitted electronically. It 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.
- 9.9 The NEC may from time to time create such further posts and bodies as it deems necessary for the more efficient exercise of its duties under this Constitution and appoint persons thereto.
- 9.9.1 The NEC may from time to time permit the formation of Groups within the Party, whose goal shall be to advance certain particular Objectives or aspects of the Objectives and the NEC may - as it deems appropriate - make rules concerning such groups; subject always to the requirement that no such group may exist or operate within the Party save with the express written consent of the NEC.
- 9.10 Until the election and establishment of the NEC, all powers and authority vested in it under the present Constitution shall be vested in the Interim Committee.

10 Elections and appointments to the NEC

- 10.1 Only paid-up members of the Party in Good Standing shall be eligible for election to or membership of the NEC.
- 10.1.1 Notwithstanding anything in Article 10.1 hereof, any person who is: (i) a paid employee of the Party; or (ii) a self-employed contractor providing services either to the Party or to any of the elected representatives of the Party shall not be eligible for election to the NEC, and upon becoming such shall resign from the NEC.
- 10.1.2 Notwithstanding anything in Article 10.1.1, a paid-up member in Good Standing who provides paid professional advice or supplies goods or services on a casual basis to the Party or the Party's elected representatives from time to time shall not be excluded from membership of the NEC. Any dispute as to the status of any member under this Article shall be conclusively determined by the NEC.
- 10.2 If at any time the Party membership of a serving NEC member shall be suspended, that member shall automatically be suspended from the NEC and he shall not be entitled to resume his place on the NEC until such time as the suspension of his Party membership is ended.
- 10.3 If at any time the Party membership of a serving NEC member shall be revoked, that member shall automatically be expelled from the NEC without the need for the NEC to take any further action.
- 10.4 Except as directed elsewhere in this Constitution, members of the NEC shall be elected at a Quadrennial Congress. Their term of office shall commence with the announcement of their election at a Quadrennial Congress and shall continue until the announcement of a successor at a succeeding Quadrennial Congress, except as provided for elsewhere in this Constitution.
- 10.5 All directly elected NEC members wishing to remain on the committee must stand for re-election at each Quadrennial Congress.
- 10.6 Elections of the eight directly elected members of the NEC shall be conducted by way of an open ballot of Party members.
- 10.6.1 Except in exceptional circumstances, proxy voting shall not be permitted in NEC elections.
- 10.7 Overall responsibility for the conduct of ballots at a Quadrennial Congress shall be vested in the Party Secretary.
- 10.7.1 The Party Secretary shall not be entitled to vote in any ballot for directly elected NEC positions.
- 10.8 The roles of Party Leader, Deputy Leader, Party Chairman and National Organiser shall be filled by means of a direct election to the said roles at the Quadrennial Congress of the Party, or in the case of the Party Leader, on occasion at an EGM held specifically for this purpose.
- 10.8.1 If there is only one valid nomination for any of the posts of Party Leader, Deputy Leader, Party Chairman or National Organiser, the candidate so nominated shall be declared duly elected without the need for a ballot.

- 10.8.2 The roles of Party Leader, Deputy Leader, Party Chairman and National Organiser shall be entrusted to the candidate receiving a plurality of the votes in each of the respective ballots.
- 10.8.3 Where two or more candidates receive the equal highest number of votes, the relevant ballot shall be rerun until parity is broken, with candidates not receiving the equal highest number of votes being excluded in subsequent rounds.
- 10.8.4 Candidates for election to the NEC may stand for no more than one of Party Leader, Deputy Leader, Party Chairman and National Organiser in one election or at one Quadrennial Congress. Candidates for election to the roles of Party Chairman or National Organiser may however also stand for election to the Open Seats.
- 10.9 Election to the Open Seats on the NEC shall take place at the Quadrennial Congress. The election to the Open Seats shall be run concurrently with the election for the roles of Party Leader, Deputy Leader, Party Chairman and National Organiser, with all five ballots taking place before the results of the elections is announced.
- 10.9.1 Party members may vote for one, more or all candidates for the Open Seats.
- 10.9.2 The four candidates receiving the most votes in the election to the Open Seats shall be duly elected to the NEC.
- 10.9.3 Where a candidate is elected to both an Open Seat and the role of either Chairman or National Organiser, their place in the Open Seat shall be filled by the candidate receiving the next most votes in the Open Seat ballot.
- 10.9.4 In the event that a member for an Open Seat is expelled, suspended, resigns, is incapacitated or dies during their term of office, their place shall be filled by that candidate receiving the next most votes in the most recent election for the Open Seats, or by the next candidate, if the higher-placed candidate is no longer willing or able to take on the role
- 10.9.5 Should, at any stage, there be insufficient candidates for the Open Seats then the NEC may directly appoint a member in Good Standing following its own rules.
- 10.10 Within fourteen days of the announcement of the results of the NEC election at a Quadrennial Congress, the eight directly elected NEC members shall meet in private to appoint a Party Treasurer, Party Secretary and two Public Office members.
- 10.10.1 The Party Chairman is responsible for announcing the four NEC appointments to the Party membership withing fourteen days of the announcement of the results of the NEC election at the Quadrennial Congress. This announcement may be made electronically.
- 10.10.2 Should the incoming directly elected NEC members fail to announce the appointment of any of a Party Treasurer, Party Secretary or either of the two Public Office members, the previous incumbents shall be considered duly reappointed. Should only one new Public Office member be appointed, it shall be made clear in place of which incumbent the new Public Office member is appointed.

- 10.11 Except for the right to attend a meeting convened under Article 10.9, or to become party to its deliberations, the Party Treasurer, Party Secretary and two Public Office Members shall enjoy the full rights and shall bear the full responsibilities of NEC members, and the specific rights and responsibilities attaching to their role, until the announcement of the appointment of their successors.
- 10.12 In the event that there is no Party Member in Good Standing elected to public office on the Party ticket, then the Public Office seats shall remain vacant.
- 10.12.1 In the event that one or more Party Members in Good Standing are elected to public office between Quadrennial Congresses, the NEC may appoint – at any point - up to two Public Office members to the NEC following its own rules.
- 10.13 A NEC member leaving office shall be obliged to offer all reasonable support to his successor until the transition process has been completed, or such time as sufficient time for transition to take place has elapsed.
- 10.13.1 Former NEC members are expected to remain contactable by the Party Secretary for a period of at least two years.
- 10.14 The resignation of a member of the NEC shall either be evidenced in writing signed by the resigning member and sent or given in person to the Party Chairman.
- 10.15 Subject to Article 10.15 below, the NEC may expel or suspend a member of the NEC from the committee. A member of the NEC may only be so expelled or suspended if a motion of no confidence is proposed and duly seconded and passed by no fewer than three-quarters of the voting members of the NEC. The quorum for such a meeting shall be eight members.
- 10.15.1 The following shall be grounds for expulsion or suspension from the NEC:
- 10.15.1.1 Public declarations or persistent public or private comments in contradiction to the Party Tenets;
- 10.15.1.2 Conduct which, in the opinion of the NEC, has caused or is likely to cause the Party or its leadership to be brought into disrepute;
- 10.15.1.3 Serious breaches of NEC or Party confidentiality;
- 10.15.1.4 Persistent failure to attend NEC meetings without good cause;
or,
- 10.15.1.5 Serious recent illegal activity, moral failure or immoral conduct.
- 10.16 The member against whom such a motion is proposed shall be given no fewer than seven days' notice in writing of the meeting. He shall be entitled to attend, to address and vote at the meeting.
- 10.16.1 If the member against whom such a motion is proposed cannot attend the meeting, he must be given a reasonable opportunity to attend on a subsequent occasion. Provided that he has been given reasonable notice of such rearranged meeting, the NEC may proceed to deal with the matter in his absence if the NEC is of the opinion that, in all the circumstances, it

would be fair, reasonable and just to do so and that he has had reasonable opportunity to attend.

- 10.17 In the event of a successful NEC motion of no confidence in the Party Leader, 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 purpose of this EGM will be to ratify (or not) the NEC vote of no confidence in the Party Leader.
- 10.17.1 In the event that (i) the EGM convened under Article 10.15 rejects the vote of no confidence in the Party Leader; or (ii) the Party Leader stands for and is re-elected as Party Leader at an election following a ratified vote of no confidence as specified above, elections shall be held in respect of each of the elected seats on the NEC. Until such time as those elections are held the NEC elected members shall remain in office until their successors are elected.
- 10.18 In the event of a motion of no confidence in the Deputy Leader, Party Chairman or National Organiser being passed by the NEC, their places shall remain vacant until the forthcoming Annual Congress or Quadrennial Congress.
- 10.18.1 Where a special election for Deputy Leader, Party Chairman and/or National Organiser takes place during an Annual Congress, only Party members in Good Standing shall be eligible to vote.
- 10.19 In the event of a motion of no confidence in an Open Seat member being passed by the NEC, his place shall be filled as per Article 10.8.4.
- 10.20 In the event of a motion of no confidence in the Party Secretary, Party Treasurer or the two Public Office members being passed, the vacant roles shall be filled by direct appointment by the NEC according to the rules set out in this Constitution and the Rules of Procedure.

11 The Party Leader

- 11.1 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 NEC.
- 11.2 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 NEC of the membership of such groups.
- 11.3 The Party Leader, the National Organiser and at least one other NEC member shall make the final decision on approval of national statements of the Party's policies and about the manner of their communication.
- 11.4 A Party Leader shall remain in office until the following should occur:
- 11.4.1 his death, incapacity or resignation;
- 11.4.2 the passing of a vote of no confidence by the NEC, where the said vote is ratified by a Party EGM;
- 11.4.3 the announcement of the appointment of a successor at an EGM or Quadrennial Congress.

- 11.5 A Party Leader shall communicate his decision to resign in writing to the Party Chairman, who must then summon an emergency meeting of the NEC within one calendar month, and an EGM within three calendar months of the date of resignation.
- 11.6 When a vacancy in the leadership occurs due to the Party Leader's death, incapacity, resignation or removal following a vote of no confidence, the procedure for a leadership election shall be initiated by the Party Secretary.

12 The Deputy Leader

- 12.1 In the event of the expulsion, suspension, resignation, incapacity or unavailability of the Party Leader, the Deputy Leader shall assume the constitutional powers and duties of the Party Leader until such time as an election for a new Party Leader can be held.
- 12.2 The Deputy Leader may be called upon by the Party Leader to deputise in any context that the Party Leader sees fit.
- 12.3 A key element in the role of the Deputy Leader will be to provide political and organisational support to the Party Leader and to act as a confidential sounding board.

13 The Party Chairman

- 13.1 The Party Chairman shall chair meetings of the NEC, the Annual Congress, Quadrennial Congress, and such Extraordinary General Meetings as may be called. He has the right to devolve chairing responsibilities for these meetings.
- 13.2 The Party Chairman will have the responsibility for all matters relating to organisation of the Party Congresses, business meetings and extraordinary general meetings.
- 13.3 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 Scottish parliamentary region or constituency, financially able to support a parliamentary election campaign.
- 13.4 The Party Chairman may make such administrative appointments as he sees fit, subject to the agreement of the NEC, and may recommend to the NEC the creation of paid administrative posts.
- 13.5 The Party Chairman shall, from time to time, report to the NEC on Party, branch and constituency activity or ensure that a report is made by an appointed Party officer, as appropriate, on such activity.

14 The National Organiser

- 14.1 The National Organiser shall be responsible for establishing the membership, Branches, and Constituency Associations of the Party, and shall direct local campaigns and initiatives.
- 14.2 The National Organiser may act in the place of the Chairman, if the Chairman is unable to undertake the duties of Chairman. The Chairman may from time to time delegate to the National Organiser such duties as he sees fit. A National Organiser

acting in the place of the Party Chairman shall have the same voting powers as the Chairman.

- 14.3 The National Organiser shall be responsible for maintaining the National Membership List and for safeguarding this List and its databases in strict compliance with the terms of all relevant data protection legislation, with particular regard to maintaining and protecting the confidentiality of all relevant information and material.

15 The Party Secretary

- 15.1 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.
- 15.2 The Party Secretary shall establish and chair a Discipline Committee subject to and in accordance with Rules made by the NEC concerning disciplinary procedures.
- 15.3 The Party Secretary shall be responsible for formally convening meetings of the NEC and its subcommittees and notifying members thereof; creating and maintaining appropriate administrative records with appropriate backup and archiving; maintaining and making available for distribution rules and other decisions made by the NEC; organising and conducting NEC elections at the Quadrennial Congress in accordance with the Rules of Procedure; and, maintaining records of membership of the NEC and its subcommittees.
- 15.4 On receipt of a signed proposal to amend the Party Constitution by ten Party members in Good Standing no fewer than twenty-one days in advance of an Annual Congress or Quadrennial Congress, the Party Secretary is obliged to circulate the proposal electronically to all Party members in advance of the said Congress (and by post to any Party members unable to receive electronic communications in a timely manner).
- 15.5 The Party Secretary is responsible for the maintenance of the Party's Privacy Policy, which shall comply with and ensure compliance with data protection legislation, in particular the Data Protection Act 2018 and General Data Protection Regulation. Until such time as the Interim Committee or the NEC appoint a separate Data Protection Officer, this role shall be held by the Party Secretary.

16 The Party Treasurer

- 16.1 The post of Party Treasurer is required under PPERA 2000 and the name of the Party Treasurer must be registered with the Electoral Commission.
- 16.2 The Party Treasurer shall establish and chair a Finance Committee to be responsible for managing the Party's finances and reporting these to the NEC, in line with the Party's Financial Scheme, as set out in Article 6 above.
- 16.3 The Party Treasurer will prepare annual accounts and present them at the annual Business Meeting.
- 16.4 The Party Treasurer will be responsible for the Party's compliance with all statutes and requirements of the Electoral Commission applicable to financial reporting and probity.

- 16.5 The Party Treasurer may, subject to the approval of the NEC, appoint Deputy Treasurers to assist with the tasks described above.

17 Open Seats and Public Office Members

- 17.1 The Open Seat and Public Office members may be appointed to specific roles, such as Head of Legal, Head of Policy, Head of Communications, Head of Digital, and whatever other such roles as it deems fit to create.

18 Separation of powers

- 18.1 Each of the roles of Party Leader, Deputy Leader, Party Chairman, National Organiser, Party Secretary and Party Treasurer shall be held by a different individual.

19 Standing and temporary committees

- 19.1 The standing committees set up by the NEC shall include a Finance Committee, a Discipline Committee and a Policy Committee. The NEC may from time to time establish such other committees as it deems necessary.
- 19.2 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.
- 19.3 The Discipline Committee shall be chaired by the Party Secretary and shall comprise in addition two voting members of the NEC. Any appeal panel formed for hearing appeals from disciplinary hearings or membership exclusions shall be composed of an independent Chairman and two other Party members independent of the NEC.

20 Discipline

- 20.1 The Discipline Committee of the NEC shall have jurisdiction over and responsibility for all matters pertaining to Party discipline. The NEC may from time to time as it deems appropriate make rules for the composition of discipline panels and management of matters of discipline and appeals, for the conduct of hearings and appeals and for the procedure and evidence to be used by the Committee.
- 20.2 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.
- 20.3 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.
- 20.4 Thereafter the Party Secretary shall likewise act in accordance with the rules made under this Constitution and the rules of natural justice.
- 20.5 Upon the conclusion of any disciplinary hearing, the Discipline Committee may:
- 20.5.1 issue oral or written advice to the member facing proceedings as to future conduct;
 - 20.5.2 give the member facing proceedings a written caution as to future behaviour;

- 20.5.3 suspend the member facing proceedings from membership of the Party for a specified period;
 - 20.5.4 disbar the member facing proceedings from elected Party office and/or candidature for elective office for a specified period;
 - 20.5.5 expel the member facing proceedings from membership for a specified period or permanently;
 - 20.5.6 take any other reasonable and proportionate action that it deems to be warranted by any particular circumstances;
 - 20.5.7 if the member is elected to public office, remove the Party whip; or
 - 20.5.8 take no action.
- 20.6 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 NEC upon their conclusion.
- 20.7 The NEC may cause any disciplinary panel to be chaired by an Independent Chairman and may appoint such a Chairman who need not be a member of the Party. No person who sat on a disciplinary hearing at first instance may be a member of the appeal panel for the matter at hand.
- 20.8 Any member disciplined shall have the right of appeal against such order as is made.
- 20.9 In cases of exceptional gravity and urgency the Party Chairman may, of his own motion, call an Emergency Disciplinary Hearing. The Party Chairman shall, within twenty-four hours of so acting, notify the Party Secretary of his action.
- 20.10 Upon being so notified the Party Secretary shall convene as soon as possible an Emergency Disciplinary Hearing composed of the Party Secretary, and not more than two voting members of the NEC.
- 20.11 The Emergency Disciplinary Hearing may:
- 20.11.1 confirm the order of the Party Chairman, and hold proceedings; or
 - 20.11.2 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
 - 20.11.3 make any order permitted by this Constitution; or
 - 20.11.4 evoked the order of the Party Chairman on the grounds that the action was either appropriate having regard to the circumstances; or
 - 20.11.5 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.
- 20.12 It shall be no defence to any allegation laid under this Article that the Party member was ignorant of the Constitution or the Rules of Procedure.

21 Candidates for election to public office

- 21.1 The Party shall establish lists of approved candidates for elections to public office. The NEC (or Interim Committee) may from time to time make such rules as it deems fit for the establishment of such approved lists and will establish a robust process for candidate selection in 2021, which will be open amendment at the subsequent Congress. Persons holding elective office shall have no automatic right to reselection or to a place on such approved candidates lists.
- 21.2 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, personal or professional (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 NEC shall issue guidance on disclosure.
- 21.3 Once selected, candidates remain, without reservation or qualification, under a continuing duty fully to disclose to the Party Chairman any material fact, political, personal or professional (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.
- 21.4 Any failure to disclose such a material fact shall be a matter in respect of which disciplinary proceedings under Article 20 hereof may be initiated against the candidate. The Party Leader or the Party Chairman shall automatically refer such a matter to the Party Secretary who may then act under Article 20 and the rules made thereunder.
- 21.5 The Party Chairman may suspend any candidate from the approved list or remove any candidate from a list of candidates to be nominated or, if allowed by law, having been nominated, if, in his opinion the inclusion and possible election of that candidate will or may damage the reputation or interests of the Party. If the removal of a candidate occurs after the official publication of candidate lists by the electoral body running that election, including the name of this candidate alongside the name of the Party, including on printed ballot papers, the Party Chairman shall ensure that all measures are taken to ensure the public knowledge that the candidate no longer represents the Party in that election.
- 21.6 The fact of such suspension shall be notified forthwith to (a) the NEC and (b) the candidate.
- 21.7 Thereafter the NEC may proceed to determine whether or not the candidate shall be removed from or restored to the list of approved candidates or remain nominated by the Party.
- 21.8 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 NEC (after consultation with the relevant Constituency Association or Branch) shall select a new candidate, should time permit. For the avoidance of doubt, all decisions to appoint candidates for Scottish Parliament, UK Parliament or supranational parliamentary elections shall be taken by the NEC after consultation with the relevant Constituency Association or Branch.

- 21.9 A candidate who is removed from the approved candidates list or whose nomination is withdrawn shall have the right to an appeal according to rules made by the NEC pertaining to candidates.
- 21.10 The NEC may from time to time as it deems appropriate make rules concerning all matters relating to the selection, training, nomination, ranking, conduct, removal and organisation of candidates.
- 21.11 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.
- 21.12 In the case of a by-election (other than local government by-elections and other by-elections to local public office) the selection of a candidate will be made by the NEC in consultation with those Constituency Associations or Branches whose territorial jurisdiction overlaps with that of the relevant parliamentary constituency or region.
- 21.13 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. Where no applicable Constituency Association or Branch exists, selection shall be the responsibility of the Party Chairman. The Party Chairman may at any time refer the selection to the NEC.
- 21.14 The NEC may from time to time as it deems necessary and appropriate make:
- 21.14.1 Codes of Conduct for those holding elective office in the Party's name;
 - 21.14.2 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.
- 21.15 It shall be the duty of any member of the Party who is elected to any elective office to abide at all times by any such Code of Conduct and the Rules drawn up under Article 21.14.
- 21.16 Any breach of such Code of Conduct, Rules or failure to observe Article 21.15 may be treated as a matter falling within Article 7.7.
- 21.17 The NEC shall refer any breach of any Code of Conduct or Rules made under Article 21.14 to the Disciplinary Committee according to the provisions of Article 21 whereupon those provisions shall be followed as if the matter was an ordinary matter pertaining to discipline.
- 21.18 Notwithstanding any legal waivers, immunities, or dispensations granted by virtue of a candidate's election to public office, the NEC shall have the right to regard all undertakings signed by candidates prior to their election or subsequent to it as morally binding and binding under this Constitution and the Rules of Procedure 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.

22 Branches and Constituency Associations

- 22.1 The NEC has the power to create, nominate or recognise a Branch, Constituency Association or Group for the purpose of organising the activities and representing the interests of the Party covering any area both at home or abroad that it sees fit.
- 22.1.1 Under this Constitution, a Branch is a sub-committee of the NEC. The members of such a sub-committee are directly appointed by the National Organiser. A Branch therefore does not exist as a separate legal entity and shall have no authority or rights save those accorded it by the NEC. A Branch may not possess separate finances, unless otherwise decided by the NEC.
- 22.1.2 A Constituency Association shall have the right to elect its own committee, including its Chairman. It shall not maintain separate finances, unless so decided by the NEC. Where a Constituency Association does maintain its own finances, it shall do so in accordance with this Constitution and all relevant laws and regulations, and the Party Treasurer shall register an Accounting Unit for it with the Electoral Commission. A Constituency Association may be obliged to pay an annual due to the Party, according to rules set out in the Rules of Procedure.
- 22.2 The establishment, disestablishment, recognition and non-recognition of a Branch or Constituency Association, or the change of the status of any Branch to a Constituency Association, or vice versa, may only be determined by a majority vote of the Interim Committee or NEC.
- 22.3 Any member of the Party in Good Standing who ordinarily resides in and is registered with the NEC at an address within the jurisdiction of a particular Branch or Constituency Association shall enjoy full rights to participate in the activities of the same.
- 22.4 No member of the Party may be a member of more than one Branch or more than one Constituency Association. Before accepting a Party member into membership of a Branch or Constituency Association, the Branch or Constituency Association shall give notice to the National Organiser of the said member's application, to allow for the unilateral annulment of the said member's membership of any other Branch or Constituency Association.

23 The Constitution

- 23.1 This Constitution first comes into force following a declaration of its approval by a unanimous vote of the Interim Committee taken on 13th November 2020.
- 23.2 For as long as the Interim Committee remains in existence, the Committee may make such amendments to the Constitution as it sees fit providing that such amendments are enacted following their unanimous approval by all members of the Interim Committee, and are formally announced within one working day.
- 23.3 Both Article 3.1 and the present Article are unamendable. Any proposed future amendment to this Constitution which is repugnant to the present Article shall be deemed null and void.

- 23.4 Except as in Article 23.2 above, amendments to this Constitution may be made only during an Annual Congress or Quadrennial Congress of the Party.
- 23.5 In order for this Constitution to be amended in any way, proposed amendments must be:
- 23.5.1 Approved for debate by a two-thirds majority of the NEC;
 - 23.5.2 Circulated in advance of the Annual Congress or Quadrennial Congress of the Party, by the Party Secretary, either electronically or by post, to all members of Good Standing at least 14 days in advance of the first day of the said Annual Congress or Quadrennial Congress;
 - 23.5.3 Debated at a plenary session of the said Annual Congress or Quadrennial Congress; and
 - 23.5.4 Approved by a two-thirds majority of Party members.
- 23.6 Such amendments shall come into force seven days after the result of such an affirmative vote is declared.
- 23.7 The NEC 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 Party members in Good Standing voting at an Annual Congress or Quadrennial Congress.

24 The Rules of Procedure

- 24.1 The operational activity of the Party shall be regulated by Rules of Procedure which shall be drafted, approved, amended and maintained by the NEC.
- 24.2 The Rules of Procedure shall be made under this Constitution, shall be read in conjunction with it, and where the Rules are repugnant to the Constitution, the latter shall prevail.

25 Dissolution of the Party

- 25.1 The Party may only be dissolved in two circumstances which are as follows:
- 25.1.1 By due operation of law through insolvency processes; or
 - 25.1.2 The unanimous vote of all members of the NEC or
 - 25.1.3 By a 50% vote of all Party members in Good Standing at an EGM specially called for the purpose with the quorum requirement for the latter EGM being 50% of all members in Good Standing.
- 25.2 The Rules of Procedure shall make further provision with respect to the Party dissolution processes referenced in Article 25.1.2.

Approved unanimously by the Interim Committee, Restore Scotland, on 14th November 2020.

Schedule of Amendments

14 November 2021	Version 1.0	First version
15 February 2021	Version 1.1	Article 7.1.4 adjusted.