

## **The Constitution of the Scottish National Party**

(version agreed 22 March 2025)

### **CHANGES TO THE CONSTITUTION MADE BY MARCH 2025 CONFERENCE**

National Conference, meeting as Constitutional Conference on 22 March 2025, enacted a number of the recommendations arising from the work of the Governance and Transparency Review, and the subsequent efforts of the Implementation Group. These focussed on a number of issues relating to governance and financial affairs at a national level, and made no changes to the operation of constituency and branch organisations.

These changes update the Constitution that was substantially overhauled in 2018 and was most recently altered in 2022 with the re-establishment of National Council. Key changes arising from the resolutions and connected amendments relate to the size of National Conference and National Council; the introduction of a National Office Bearers Committee; the establishment of a Finance, Scrutiny, Audit and Risk Committee; and the updating of the criteria for nomination as Leader or Depute Leader.

These changes will take effect in the following ways:

#### **NATIONAL CONFERENCE**

The overall minimum delegate entitlement to any meeting of National Conference is reduced to 750, and establishes fixed minimum entitlement for branches and affiliated organisations.

This will take effect at the next meeting of National Conference following the Annual Conference in October 2025.

#### **NATIONAL COUNCIL**

The requirement for three meetings of National Council is reduced to two in circumstances when National Conference has met more than once in that year. The overall size of meetings of National Council is reduced by the removal of individual delegate entitlement to parliamentarians and councillors.

This will take effect immediately, meaning that there will be one further meeting of National Council (in addition to the meeting rescheduled for 21 June 2025) prior to the end of 2025. The removal of individual delegacy to councillors and parliamentarians takes effect at that later meeting too.

#### **NATIONAL ASSEMBLY**

Rather than a fixed number of meetings of National Assembly each year, it will now meet a minimum of eight times across a Scottish Parliament election cycle.

This will come into effect following the Scottish Parliament election on 7 May 2026.

## **MEMBERSHIP OF NATIONAL OFFICE BEARER COMMITTEE AND NATIONAL EXECUTIVE COMMITTEE**

The current size of the National Executive Committee is reduced, while establishing a National Office Bearers Committee to take forward the work of the NEC between meetings. The functions of the National Office Bearers Committee and the authority for the NEC to delegate functions under any scheme of delegation is established.

The creation of the National Office Bearer Committee, and the changes in attendance at NEC will take effect at the first meeting of NEC following Annual National Conference. Re-named Office Bearer positions will be elected at Annual National Conference.

## **LEADERSHIP ELECTION THRESHOLD**

The nomination threshold for Party Leader and Depute Leader positions are updated from those agreed in constitutional changes dating from 2004. This changes the threshold to a percentage rather than fixed number, so that it will automatically vary with the current membership total.

This takes effect for non-incumbents to seek nomination for the post of Leader or Depute Leader prior to Annual National Conference in October 2025.

## **FINANCIAL PROVISIONS**

The Financial Scrutiny, Audit and Risk Committee is established as a standing committee of the Party, with membership to be appointed by the National Executive Committee after an open application process. The duties of the Committee would exceed that current role of the Finance and Audit Committee, and absorb some duties currently undertaken by the National Treasurer.

All changes took effect after the April meeting of the NEC – the first following the Constitutional Conference. The process for appointment to the FSARC will be agreed by NEC with a view to the committee being operational by autumn 2025.

## **MISCELLANEOUS AMENDMENTS**

A number of textual and grammatical corrections to the existing constitution, as well as a number of clarifications where the existing constitution was not explicit in its meaning, were agreed, including the addition of the Gàidhlig and Scots language versions of the Party's name.

All changes took effect following the April meeting of the NEC.

# CONSTITUTION

## The Party

### 1 Name

The Party's name is 'Scottish National Party' (Gàidhlig: *Pàrtaidh Nàiseanta na h-Alba*; Scots: *Scots National Pairty*).

### 2 Aims

The aims of the Party are—

- (a) Independence for Scotland— that is the restoration of Scottish national sovereignty by restoration of full powers to the Scottish Parliament, so that its authority is limited only by the sovereign power of the people of Scotland to bind it with a written constitution and by such agreements as it may freely enter into with other nations or states or international organisations for the purpose of furthering international co-operation, world peace and the protection of the environment; and
- (b) the furtherance of all Scottish interests.

### 3 Policy and Direction

The Policy and Direction of the Party is that laid down in accordance with this Constitution, and Rules made under it.

## Members

### 4 Membership

4.1 The rights of membership include—

- (a) voting in elections for Leader and Depute Leader of the Party;
- (b) contributing towards development of the Party's policies;
- (c) voting in elections for office bearers at Branch level;
- (d) contributing to local campaign activities;
- (e) voting to select the Party's candidates at public elections;
- (f) seeking to stand in internal elections for offices in the Party;
- (g) being considered as a candidate able to stand for the Party in public elections;

- (h) attending National Conference, National Council and National Assembly; and
- (i) receiving information on the Party's operation and campaigns.

4.2 Members must—

- (a) be over the age of 16;
- (b) endorse the Aims of the Party;
- (c) abide by the Policy and Direction of the Party;
- (d) accept the Constitution, Rules and Standing Orders of the Party; and
- (e) pay a subscription to the Party.

4.3 Members must not—

- (a) breach a Code of Conduct;
- (b) contest, or declare an intention to contest, any parliamentary or local government election except as an authorised Party candidate;
- (c) be a member of a political party expected to contest elections in opposition to the Party; or
- (d) be a member of any organisation inconsistent with Party membership.

4.4 Membership ceases when a member—

- (a) intimates their resignation to the Party;
- (b) publicly resigns;
- (c) contests, or declares an intention to contest, any parliamentary or local government election except as an authorised Party candidate;
- (d) leaves a Party Group in the UK or Scottish Parliament, or on a local authority;
- (e) becomes a member of a political party expected to contest elections in opposition to the Party;
- (f) becomes a member of any organisation inconsistent with Party membership;
- (g) does not pay their subscription to the Party;

(h) becomes ineligible for membership; or

(i) is expelled from the Party.

4.5 Rules of the Party must provide for life membership and the conferring of honorary life membership.

4.6 A person may be an associate member of the Party if they are —

(a) under the age of 16; or

(b) an individual falling into a description of persons set out by National Conference.

4.7 Associate members have all the rights and duties of ordinary members, except that they may not —

(a) vote in any body of the Party or in any selection contest;

(b) be a delegate to any body of the Party; or

(c) stand for election to any position in the Party where the position is to be filled before their sixteenth birthday.

4.8 Associate members over the age of 14 may vote at Branch meetings.

4.9 The rights and obligations of membership are subject to further provisions which are made in this Constitution, and in the Rules of the Party.

## 5 Codes of Conduct

5.1 The National Executive Committee must draw up and maintain a Code or Codes of Conduct for members, office bearers, candidates and publicly-elected members setting out minimum standards of behaviour.

5.2 The National Executive Committee may draw up and maintain Codes of Conduct for other classes of members.

5.3 The Code of Conduct for Members and any amendments must be submitted by the National Executive Committee to National Conference or National Council for approval.

## 6 Member Conduct

6.1 Allegations that a member has breached a Code of Conduct or has otherwise breached the requirements of membership are considered by the National Secretary.

- 6.2 The National Secretary may suspend a member from exercising any or all rights of Membership while allegations are being investigated and considered by the Party. In all cases where this action has been taken, the suspension will be regularly reviewed.
- 6.3 The Member Conduct Committee hears complaints by the National Secretary to take disciplinary action in relation to an allegation.
- 6.4 On a finding that an allegation has been established in whole or in part, the Member Conduct Committee may impose one or more of the following sanctions—
- (a) admonish the member;
  - (b) restrict the member's exercise of any membership right for a specified period;
  - (c) suspend the member from exercising all membership rights for a specified period;
  - (d) expel the member;
  - (e) require the member to agree to an appropriate restorative action, such as an apology, as a condition on the exercise of any or all membership rights;
  - (f) require the member to undertake appropriate training connected to the breach; and
  - (g) impose any other proportionate sanction or requirement on the member.
- 6.5 The Member Conduct Committee imposes sanctions having regard to a Standards Breach Policy approved by the National Executive Committee. A member may agree with the National Secretary to accept a specified sanction.
- 6.6 The member has a right of appeal to the Conduct Appeals Committee against a decision of the Member Conduct Committee to make a finding of breach, or to impose any sanction which is excessive.
- 6.7 The Member Conduct Committee and the Conduct Appeals Committee are elected by Annual National Conference. No member may be a member of both committees. No member of the National Executive Committee may be a member of either committee.

## Candidates

### 7 Mainstreaming Equality of Opportunity

- 7.1 The National Executive Committee must establish and maintain a strategy to deliver equality of opportunity in the selection of candidates.
- 7.2 The equality strategy must aim to ensure the Party fields a balanced list of candidates, aiming towards 50/50 gender-balanced representation and increasing the number of candidates drawn from under-represented groups.
- 7.3 The implementation of the equality strategy must be monitored by the National Executive Committee.
- 7.4 The National Executive Committee must also agree a plan for each election, which may include the use of equality guarantees approved by National Conference or National Council.

### 8 Approval of Candidates

- 8.1 The National Executive Committee is responsible for the drawing up of a list of approved candidates for elections contested by the Party through the Candidate Assessment Committee, which must apply assessment criteria agreed by the National Executive Committee.
- 8.2 Members have a right of appeal, in circumstances prescribed by the National Executive Committee, to the Candidate Appeals Panel against any decision not to approve them as a candidate.

### 9 Number of Candidates

The National Executive Committee is responsible for determining if any election is to be contested and, in multi-member wards, how many candidates are to stand.

### 10 Selection of Candidates

- 10.1 Candidates for parliamentary and local government elections are to be chosen, and where necessary ranked, through election by all the members resident within the electoral area concerned using a single transferrable voting and counting system.
- 10.2 The National Executive Committee determines the timetable and process for the selection of candidates for a particular election and issues rules for the selection of candidates at each election, which may –

- (a) specify requirements for candidates to be nominated for a selection contest;
- (b) limit the involvement of party office bearers and officials in any contest;
- (c) prescribe the contact which candidates may make with members during the contest through email and other channels;
- (d) otherwise set out limits on how candidates for selection may campaign;
- (e) set down the process for the balloting of members and for the counting of their votes;
- (f) contain processes for the deselection of candidates; and
- (g) provide for the selection of any candidate by the National Executive Committee in circumstances where no candidate has been selected and an election is anticipated within two calendar months.

10.3 Rules must require that where a candidate has been selected by the National Executive Committee and the selection is to a proposed party list, the candidate is to be placed below all candidates already on the proposed list.

10.4 Any decision on the certification of candidates to be returned on a party list on a vacancy arising is made by the National Executive Committee.

## **Local Organisation**

### **11 Branches in Scotland**

11.1 Branches are the basic level of organisation for the Party, each being responsible for the Party's activity within a defined geographical area of operation.

11.2 A Branch must—

- (a) have the minimum number of members required by Rules of the Party;
- (b) have paid any levies required by the National Executive Committee;

- (c) have the necessary arrangements in place to conform with political party registration and the accounting requirements of current legislation; and
- (d) have a constitution that conforms with Rules of the Party.

11.3 A Branch with the same boundaries as a Scottish Parliament constituency is known as a Constituency Branch.

11.4 Branches have authority to conduct their own affairs, subject to this Constitution and the Rules of the Party, and any specific direction given to them by the National Executive Committee.

11.5 Branches conduct their business in accordance with, and contribute to, the Party's strategic aims and operational objectives, whether determined by National Conference, National Council, the National Executive Committee, its Constituency Association or relevant Westminster Campaign Committee, Council Campaign Committee or Regional Steering Committee.

11.6 Branches may organise their members into Groups for the purposes of more efficient organisation.

## 12 Other Branches

12.1 A member who does not desire to be a member of a branch with a geographic area of operation, or is otherwise unable to be a member, may be a member of Headquarters Branch.

12.2 Branches may be established for members residing outwith Scotland.

## 13 Constituency Associations

13.1 The Branches within each constituency for the Scottish Parliament form a Constituency Association, responsible for —

- (a) co-ordinating the work of the Branches within the constituency;
- (b) co-ordinating the Party's electoral activities and developing the Party within the constituency; and
- (c) acting as a point of liaison between an elected Member of the Scottish Parliament or UK Parliament and the Party.

13.2 Constituency Associations have responsibility for an election to the UK Parliament or to a local authority, where the boundaries of either or both of these are the same as the boundary of the Scottish Parliament constituency.

13.3 Constituency Associations are composed of an equal number of delegates from all of the Branches within the constituency.

#### 14 Meetings and Organisation

14.1 All meetings of the Party must take place in appropriate and accessible venues.

14.2 The National Executive Committee maintains a list of which Branches, Constituency Branches and Constituency Associations comprise the Party organisation in each area of Scotland.

14.3 The National Executive Committee may make alterations to the list —

- (a) in implementation of a request by the bodies affected; or
- (b) after consultation with all bodies affected and on giving reasons.

14.4 The alterations which the National Executive Committee may make are to—

- (a) establish any branch;
- (b) dissolve any branch;
- (c) rename any branch;
- (d) adjust the boundaries of any branch;
- (e) dissolve a Constituency Branch and establish a Constituency Association and branches in the Scottish Parliament constituency;
- (f) dissolve a Constituency Association and all branches in the associated Scottish Parliament constituency and establish a Constituency Branch;
- (g) suspend the operation of a Constituency Association, a Constituency Branch or a Branch; and
- (h) take any consequential action, including reallocating responsibilities and funds to continuing Party bodies.

#### 15 Westminster Campaign Committees

- 15.1 Westminster Campaign Committees are responsible for the conduct of campaigns to the UK Parliament.
- 15.2 Westminster Campaign Committees are composed of delegates from all of the Branches with areas within the UK Parliament constituency, using a formula in conformity with Rules of the Party.
- 15.3 Westminster Campaign Committees will meet as directed by the National Executive Committee.
- 16 Council Campaign Committees
  - 16.1 Council Campaign Committees are —
    - (a) responsible for preparing a local government manifesto in conjunction with the Council Group; and
    - (b) co-ordinating activities associated with local government elections.
  - 16.2 Council Campaign Committees are composed of delegates from all of the Branches with areas within the local authority, using a formula in conformity with Rules of the Party.
  - 16.3 Council Campaign Committees will meet as directed by the National Executive Committee.
- 17 Other Local Campaign Bodies
  - 17.1 The National Executive Committee may authorise the establishment of other local campaign bodies with organisational powers.
  - 17.2 The constitution of other local campaign bodies must be approved by the National Executive Committee.

## **Regional Organisation**

- 18 Regional Steering Committees
  - 18.1 There is a Regional Steering Committee for each Scottish Parliamentary electoral region.
  - 18.2 The roles of Regional Steering Committees include —
    - (a) sharing best practice across the region;

- (b) identifying the training needs and development requirements of members in the region and working to ensure that those needs and requirements are met;
- (c) acting as a point of liaison for regional members of the Scottish Parliament; and
- (d) the facilitation of cross-region, cross-authority and cross-constituency campaigning.

18.3 The voting members of a Regional Steering Committee are two delegates from each Constituency Association or Constituency Branch in the region.

18.4 The following are entitled to attend meetings of a Regional Steering Committee—

- (a) Council Group Leaders where any part of the local authority area is within the region;
- (b) Regional Members of the Scottish Parliament for the region;
- (c) Constituency Members of the Scottish Parliament with constituencies in the region;
- (d) Members of the UK Parliament where any part of their constituency is within the region;
- (e) National Office Bearers;
- (f) Ordinary Members of the National Executive Committee;
- (g) A representative of each Affiliated Organisation, who must be resident in the region; and
- (h) A representative of each group on the National Equalities Forum, not otherwise represented, who must be resident in the region.

18.5 Regional Steering Committees are co-chaired by the members of the National Executive Committee elected for that region and must meet at least quarterly.

18.6 The National Executive Committee, on a request by a Regional Steering Committee, Constituency Association, Constituency Branch, or Branch may agree cross-border responsibilities for particular elections.

## **National Policy Making**

## 19 National Assembly

### 19.1 National Assembly —

- (a) meets at least eight times during an ordinary Scottish Parliament election cycle;
- (b) provides a forum for members of the Party to exchange ideas for attaining the aims of the Party;
- (c) considers, reviews and debates Party policy;
- (d) agrees draft resolutions and policy statements for consideration by the Policy Development Committee;
- (e) provides an opportunity for training; and
- (f) performs such other functions as may be delegated to it by National Conference or National Council.

19.2 Any member of the Party is entitled to attend meetings of National Assembly.

## 20 National Conference

20.1 National Conference is the supreme governing and policy-making body of the Party.

### 20.2 The responsibilities of National Conference include —

- (a) determining the Party's policy;
- (b) holding National Office Bearers, the Office Bearers' Committee and the National Executive Committee to account;
- (c) receiving reports from:
  - (i) National Office Bearers,
  - (ii) Parliamentary groups,
  - (iii) Affiliated Organisations; and
- (d) delegating such powers and giving such directions as it thinks fit to other bodies of the Party.

### 20.3 The delegate entitlement for National Conference must include —

- (a) delegates from each Branch;
- (b) delegates from each Constituency Association;
- (c) members of the National Executive Committee;
- (d) all parliamentarians who are members of a parliamentary group;
- (e) delegates from each Council Group; and
- (f) delegates from each Affiliated Organisation.

20.4 The number of delegates from each Branch is —

- (a) a minimum of two delegates;
- (b) additional delegates based on the membership of the Branch; and
- (c) subject to any delegate limit.

20.5 The number of delegates from each Affiliated Organisation is —

- (a) the number of delegates the organisation would be entitled to if it were a Branch, with members of the organisation counting towards the calculation only if they are also members of the Party; and
- (b) subject to a fixed minimum and maximum delegate limit.

20.6 National Conference meets on dates and at a place fixed by the National Executive Committee. It must meet once a year as Annual National Conference.

20.7 The delegate entitlement for National Conference is as determined by the National Executive Committee having regard to the capacity of the selected venue. The minimum total delegate entitlement is 750 delegates.

20.8 The quorum for National Conference is one third of those registered as delegates.

20.9 All elections at Annual National Conference are conducted using a single transferable voting and counting system.

## 21 National Council

21.1 National Council is the governing and policy-making body of the Party and holds National Office Bearers, the National Office Bearers' Committee and

the National Executive Committee to account between meetings of National Conference.

21.2 National Council is composed of—

- (a) eight delegates from each Constituency Branch;
- (b) two delegates from other Branches;
- (c) two delegates from each Constituency Association;
- (d) the National Office Bearers;
- (e) the ordinary members of the National Executive Committee;
- (f) the members of the Policy Development Committee;
- (g) the members of the Conferences Committee;
- (h) two delegates from each parliamentary group;
- (i) one delegate from each Council Group; and
- (j) six delegates from each Affiliated Organisation.

21.3 Branches, Constituency Associations and Affiliated Organisations are expected to gender balance their delegates to National Council.

21.4 National Council meets at least three times a year or twice a year when there are two or more National Conferences.

21.5 The quorum for National Council is 150 delegates.

## 22 Policy Development Committee

22.1 The Policy Development Committee—

- (a) promotes discussion on Party policy at all levels of the Party;
- (b) offers advice on the development of policy resolutions for submission to the Conferences Committee;
- (c) encourages discussion of Party policy at National Assembly;
- (d) develops policy ideas from National Assembly with a view to having them debated in a resolution at National Conference or National Council;

- (e) identifies areas where Party policies could be updated;
- (f) encourages members to use online forums for initiating policy discussion and proposals; and
- (g) reviews policy proposals from members submitted on online forums.

## 22.2 The Policy Development Committee comprises —

- (a) the Depute Leader (as co-convenor);
- (b) the Policy Development Convenor (as co-convenor);
- (c) sixteen ordinary members, who are not parliamentarians, elected by Annual National Conference; and
- (d) one representative elected by Annual National Conference from delegates representing Branches outwith Scotland, who may not be a parliamentarian.

## 22.3 Regional representatives—

- (a) must be resident in the electoral region;
- (b) are elected at Annual National Conference by members of the National Executive Committee, parliamentarians, councillors and delegates from Constituency Associations and Branches resident or constituted within each Scottish Parliament electoral region; and
- (c) for each region, are one member elected from an all-female list and one member from an open list. 22.4 Regional representatives cannot also be Members of the National Executive Committee, but may stand for both positions and, if elected to the National Executive Committee, are to be regarded as withdrawn from the election as a regional representative on the Policy Development Committee.

## 22.4 Regional representatives cannot also be Members of the National Executive Committee, but may stand for both positions and, if elected to the National Executive Committee, are to be regarded as withdrawn from the election as an ordinary member of the Policy Development Committee.

# 23 Conferences Committee

## 23.1 The Conferences Committee sets the agenda for National Conference and National Council and—

- (a) receives all resolutions and amendments proposed for debate at National Conference and National Council, including resolutions submitted by individual members and supported by at least 500 members;
- (b) establishes criteria for resolutions and amendments to be debated;
- (c) provides information on why a particular resolution or amendment has not been selected for debate;
- (d) allows delegates to rank resolutions by priority for debate;
- (e) keeps under review the Standing Orders for National Conference and National Council, which contain the rules on the conduct of debates, and submits any proposals to amend to the body concerned; and
- (f) draws up and maintains rules and procedures for elections at Annual National Conference, which may include provision to facilitate job sharing.

23.2 The Conferences Committee comprises —

- (a) the Depute Leader;
- (b) the Policy Development Convener;
- (c) the National Secretary (as Convener)
- (d) two members elected annually by the National Executive Committee from among their own number; and
- (e) ten ordinary members elected by Annual National Conference, who must not be members of the National Executive Committee, five of whom are elected from an all-female list and five of whom are elected from an open list.

23.3 Rules of the Party may provide for joint working arrangements between the Policy Development Committee and the Conferences Committee.

## **National Organisation**

### **24 National Office Bearers**

24.1 The National Office Bearers are —

- (a) President,

- (b) Leader,
- (c) Depute Leader,
- (d) National Secretary,
- (e) National Treasurer,
- (f) SNP Convener,
- (g) Campaigns Convener,
- (h) Local Government Convener,
- (i) Policy Development Convener,
- (j) Member Engagement Convener,
- (k) Women's Convener,
- (l) Equalities Convener,
- (m) Disabled Members Convener;
- (n) BAME (Black, Asian and Minority Ethnic) Convener.

24.2 National Office Bearers do not receive remuneration for their work.

24.3 The National Secretary and the National Treasurer may, subject to the approval of the National Executive Committee, appoint a named member to assist them in their work. Any appointment must be reconfirmed at the first meeting of the National Executive Committee after Annual National Conference.

## 25 President

The President is elected in recognition of distinguished service to the Party.

## 26 The Leader —

- (a) sets the political direction of the Party;
- (b) leads election and other campaigns;
- (c) approves manifestos for parliamentary elections;
- (d) articulates the argument for an independent Scotland; and

- (e) is Leader of the Scottish Parliamentary Group, and nominee when the Group nominates for First Minister.

27 The Depute Leader —

- (a) is next in seniority to the Leader;
- (b) is responsible for directing the Party's policy-making processes and for the preparation of manifestos for parliamentary elections;
- (c) acts as Leader if the office of Leader is vacant until such time as a new Leader is elected by the Party;
- (d) is Leader of the Scottish Parliamentary Group if the Depute Leader is a Member of the Scottish Parliament but the Leader is not; and
- (e) is Depute Leader of the Scottish Parliamentary Group if the Depute Leader and the Leader are both Members of the Scottish Parliament.

28 The National Secretary —

- (a) acts as guardian of the Constitution of the Party;
- (b) issues adjudications on the interpretation of the Constitution, the Standing Orders and the Rules of the Party;
- (c) reports to each National Conference and National Council, jointly with the Chief Executive, on progress in the implementation of all internal resolutions previously passed by National Conference and National Council;
- (d) assists in resolving disputes between bodies of the Party;
- (e) is responsible for disciplinary issues; and
- (f) prepares the agenda for meetings of the National Executive Committee and the National Office Bearer's Committee.

29 The National Treasurer —

- (a) ensures the sound management of the Party's finances;
- (b) reports to the National Executive Committee, National Council, and National Conference on the finances of the Party;
- (c) provides any necessary guidance and directions to other Treasurers in the Party; and

- (d) maintains the Party's Financial Scheme and ensures systems are in place for compliance with party and election finance legislation.

30 The SNP Convener—

- (a) is appointed by the Leader, with the appointment being approved by the National Executive Committee at its first meeting after appointment, and annually at the first meeting of the National Executive Committee after Annual National Conference;
- (b) chairs the National Executive Committee, the National Office Bearers' Committee, National Council and National Conference, or nominates another person from the National Executive Committee to do so; and
- (c) oversees operational matters of the Party, including membership, campaign co-ordination and internal affairs.

31 Election of National Office Bearers

31.1 The National Office Bearers, with the exception of the Leader, the Depute Leader, and the SNP Convener, are elected at Annual National Conference.

31.2 If the position of a National Office Bearer, or a position on an elected national committee, falls vacant before Annual National Conference, or a member becomes ineligible to hold a position, it may be filled by the National Executive Committee.

31.3 The positions of Leader and Depute Leader –

- (a) are available for election in advance of Annual National Conference;
- (b) are filled following a ballot of all members of the Party;
- (c) require nomination, except for incumbents, by at least 2.5% of the party membership, who must be drawn from a minimum of 20 Branches; and
- (d) when vacant, are filled under a timetable and process fixed by the National Executive Committee.

32 National Executive Committee

32.1 The National Executive Committee is the governing and policy-making body of the Party between meetings of National Conference and National Council and is, in particular, responsible for—

- (a) the strategic management and political direction of the Party, including agreeing strategic aims and political and operational objectives;
- (b) ensuring the decisions of National Conference and National Council are implemented;
- (c) oversight and interpretation of policy between meetings of National Conference and National Council;
- (d) agreeing detailed job descriptions for the National Office Bearers and any specific workstreams to be undertaken by them;
- (e) co-ordinating and monitoring the work of the National Office Bearers;
- (f) organising and directing national campaigns;
- (g) employment and direction of staff;
- (h) approval of the Party's annual statement of accounts;
- (i) ownership of the Party's assets and management of the Party's financial affairs; and
- (j) any other matters expressly delegated to it by National Conference or National Council.

32.2 The National Executive Committee is responsible for ensuring the highest standards of good governance are applied across all of the Party's activities, and is accountable, as a body, to the Party membership for upholding these standards.

32.3 The National Executive Committee and any National Office Bearer may delegate any power under this Constitution and under the Rules of the Party to another person, body or sub-committee as described in a Scheme of Delegation.

32.4 Any Scheme of Delegation ceases to have effect at the end of the first meeting of the National Executive Committee after Annual National Conference, unless renewed at that meeting.

32.5 The National Executive Committee is composed of—

- (a) the members of the National Office Bearers Committee;

(b) sixteen regional members elected by Annual National Conference, who are not parliamentarians, though only one member from each region may attend the NEC at a given time;

(c) one member of each of the Party's parliamentary groups, nominated by that parliamentary group;

(d) one member of the Association of SNP Councillors nominated by that association; and

(e) one member of each of the Party's Affiliated Organisations, nominated by that Affiliated Organisation.

32.6 All members of the National Executive Committee must be members of the Party.

### 33 National Office Bearers Committee

33.1 The National Office Bearers Committee is the governing body of the Party between meetings of the National Executive Committee and is composed of—

(a) National Office Bearers;

(b) Leader of the Scottish Parliamentary Group,

(c) Leader of the Westminster Parliamentary Group,

(d) Convener of the Association of SNP Councillors; and

(e) the Chief Executive (non-voting).

33.2 The National Office Bearers Committee—

(a) reports on its work to each meeting of the National Executive Committee;

(b) takes direction from the National Executive Committee, and allows its decisions to be scrutinised;

(c) prepares papers for decision by the National Executive Committee;

(d) carries out any functions expressly delegated to it by the National Executive Committee, National Council or National Conference, including;

- (e) bi-directional communications to members, press and others;
- (f) management of Conferences and other national events;
- (g) fundraising strategies and guidance on this to branches;
- (h) information technology; and
- (i) campaigning strategy, tactics and budgets.

#### 34 Association of SNP Councillors

34.1 Every Party member who is also a member of the SNP Group on a Scottish local authority, is a member of the Association of SNP Councillors.

34.2 The aims of the Association of SNP Councillors include—

- (a) exchanging best practice between councillors and across Council Groups;
- (b) articulating a collective view on local authority issues to the Local Government Convener and national bodies of the Party; and
- (c) co-ordinating the work of the Party's Councillors in achieving the Party's aims and advancing its policies.

#### 35 Women's Forum

The Women's Forum is brought together by the Women's Convener and is open to all women members.

#### 36 National Equalities Forum

36.1 The National Equalities Forum is brought together by the Equalities Convener and is made up of representatives of each of the party networks representing groups which have been under-represented in political life in the past.

36.2 The aims of the National Equalities Forum include—

- (a) maximising participation at all levels of the Party of under-represented groups;
- (b) encouraging and supporting members from under-represented groups to come forward as candidates for the Party; and
- (c) raising issues affecting under-represented groups in the Party.

## 37 Members' Interest Groups

- 37.1 Members of the Party wishing to cater for specific political interests or beliefs widespread within the Party may apply, in a manner set out in Rules of the Party, to National Conference or National Council for recognition of a Members' Interest Group.
- 37.2 The constitution of a Members' Interest Group, and any amendments to their constitution, must be approved by the National Executive Committee. The Members' Interest Group must operate in terms of its constitution.
- 37.3 National Conference or National Council, on the motion of the National Executive Committee, may resolve to dissolve any Members' Interest Group.

## 38 Affiliated Organisations

- 38.1 Members, or potential members, of an organisation which represent members with particular protected characteristics, or sectoral interests, that agrees with the aims of the Party and wish to associate the organisation with the Party, may apply, in a manner set out in Rules of the Party, to National Conference or National Council for recognition as an Affiliated Organisation.
- 38.2 The constitution of an Affiliated Organisation, and any amendments to its constitution, must be approved by the National Executive Committee. The Affiliated Organisation must operate in terms of its constitution.
- 38.3 National Conference or National Council, on the motion of the National Executive Committee, may resolve to disaffiliate any Affiliated Organisation.

## Finance

### 39 Financial Scrutiny, Audit and Risk Committee

- 39.1 The Financial Scrutiny, Audit and Risk Committee —
  - (a) advises the National Treasurer, the Office Bearers' Committee and the National Executive Committee on their financial powers and duties, and monitors the implementation of all financial controls;
  - (b) makes recommendations on the Party's budget;
  - (c) has oversight of the appointment and remuneration of external auditors;

- (d) appraises the performance of the Chief Executive;
- (e) undertakes other financial scrutiny work on their own initiative, and as requested by the National Treasurer, the Office Bearers' Committee or the National Executive Committee; and
- (f) is responsible for risk management policies; regularly reviews the strategic and operational risk register maintained by the Chief Executive; and reports on significant risk to the Office Bearers' Committee.

39.2 The members of the Financial Scrutiny, Audit and Risk Committee are—

- (a) the National Treasurer;
- (b) one other member of the National Executive Committee, elected from among their members;
- (c) a minimum of four, and a maximum of six, members appointed by the National Executive Committee, who are qualified accountants, or retired qualified accountants, or have experience as members of similar committees; and
- (d) the Chief Executive (non-voting).

39.3 Rules for the committee must—

- (a) provide for the appointment of a convener among the membership, but excluding the National Treasurer;
- (b) include provision limiting the term of members of the committee, other than the National Treasurer and the Chief Executive; and
- (c) have minimum requirements for the regularity of meetings and the ability of members of the committee to require that the committee meet outwith its previously agreed schedule of meetings.

## 40 General Financial Provisions

40.1 The National Executive Committee has full control over all monies, funds, property, investments and securities of any kind belonging to the Party.

40.2 The Financial Scheme sets out how the Party will regulate its financial affairs for the purpose of compliance with legislation.

- 40.3 The activities of all bodies of the Party must comply with the Financial Scheme.
- 40.4 The National Treasurer may take appropriate remedial measures, including financial measures, against any body of the Party which has failed to comply with the Financial Scheme or a direction issued by the National Treasurer.
- 40.5 The National Executive Committee provides funding for the reasonable costs required by disabled members to remove the barriers to equal participation in the activities of the Party.
- 40.6 The National Executive Committee may charge members and delegates to attend national events.
- 40.7 If any body within the Party ceases to exist, all assets, at the option of the National Treasurer, become property of the Party.

#### 41 Borrowing and Debt

- 41.1 The National Executive Committee has power to borrow money on behalf of the Party where necessary to finance the Party's activities.
- 41.2 No body within the Party may enter into borrowing unless prior agreement has been reached with the National Treasurer.
- 41.3 The National Secretary may deny any body mentioned in the Constitution which has a debt to the Party its entitlement to send delegates to National Conference or National Council until the debt is cleared.

#### 42 Membership Subscriptions

- 42.1 National Conference or National Council determines the level of minimum membership subscription, the concessionary rate, and the rate for associate membership for individuals under 16, on a resolution submitted in the name of the National Executive Committee.
- 42.2 Branches and affiliated organisations are credited with a share of membership subscriptions agreed by National Conference or National Council.
- 42.3 Regional Steering Committees, and local campaign bodies, have power to request the diversion of membership subscriptions which would be otherwise payable to Branches in their area of responsibility to purposes agreed with the National Executive Committee.

#### 43 Levies

- 43.1 Each Branch and Constituency Association must pay to the Party such levies as may be required by the National Executive Committee.
- 43.2 Rules of the Party may provide for Party bodies to levy other Party bodies for the purpose of campaign-related activities.
- 43.3 Every parliamentarian must pay a sum agreed by National Conference or National Council to the Party, which is ring-fenced for national campaigning purposes.

#### 44 Finance for Candidates at Parliamentary Elections

- 44.1 When a General Election to the UK Parliament is called, or a seat becomes vacant, all funds held by Branches and Constituency Associations become the property of the Westminster Campaign Committee for the purpose of contesting the election, using proportions determined by the National Executive Committee and based on the electorate in each area falling within the UK Parliament constituency.
- 44.2 When a notice of election for a member of the Scottish Parliament is issued, all funds held by Branches within the constituency become the property of the Constituency Association for the purpose of contesting the election.
- 44.3 When a Constituency Association or a Westminster Campaign Committee exercise their rights under this paragraph, any excess funds must be returned to the respective organisations in proportion to the funds gathered within 35 days of the poll.

### **Constitution, Standing Orders and Rules**

#### 45 Group Standing Orders

- 45.1 A proposal may be made by a parliamentary group to amend their Standing Orders, or by the Association of SNP Councillors to amend the Standing Orders for Council Groups.
- 45.2 The National Executive Committee may amend any Group Standing Orders if the proposal is supported by two thirds of the members of the proposing organisation present and voting at a specially-notified meeting.
- 45.3 Amendments are made to the appropriate Group Standing Orders if supported by two thirds of the members present and voting at the meeting of the National Executive Committee.

## 46 Rules and Standing Orders

- 46.1 Standing Orders providing for rules on the conduct of debates at National Conference may only be amended by National Conference as the highest authority of the Party.
- 46.2 Rules providing for the constitution of Branches, Constituency Branches and Constituency Associations may only be amended by National Conference or National Council.
- 46.3 The National Executive Committee must draw up and maintain Rules of the Party and Standing Orders covering the following —
- (a) membership processes;
  - (b) conduct of office bearers, candidates, publicly-elected members and other classes of members;
  - (c) party discipline;
  - (d) the constitution and operation of bodies within the Party, other than Branches and Constituency Associations;
  - (e) election of the Leader or Depute Leader;
  - (f) approval and selection of candidates to stand at any election in the name of the Party; and
  - (g) any other aspect of the Party's activities which it considers appropriate.
- 46.4 All Rules of the Party and Standing Orders must be based on the principles laid down in this Constitution, read widely.
- 46.5 All Rules of the Party and Standing Orders may also be amended by National Conference or National Council. The National Executive Committee, in exercising its powers to draw up and maintain Rules, may not amend any rule which has the effect of reversing a decision of National Conference, other than a decision to adopt a new set of Standing Orders or Rules of the Party.
- 46.6 All Rules of the Party and Standing Orders have the same status as if they were incorporated in this Constitution and are binding on the structures and procedures of the person or body to which they refer.

46.7 In the event of a conflict between Standing Orders or the Rules of the Party and this Constitution, the Constitution prevails.

#### 47 Amending the Constitution

47.1 This Constitution can only be amended by a vote of at least two thirds of the delegates present and voting at National Conference.

47.2 Amendments to the constitution take effect from the end of the first meeting of the National Executive Committee following the National Conference when the amendment was passed, unless the resolution contains its own provisions on commencement.

47.3 The National Executive Committee may give directions to ensure an orderly transition from existing provisions in the constitution to any new constitutional arrangements.

47.4 All Transitional Directions cease to have effect at the end of the next Annual National Conference after the amendment is passed, unless the period is extended by internal resolution. The period may be extended on one occasion only, and may not be extended beyond the end of the following year.

#### 48 Interpretation

48.1 Should any question arise at a meeting regarding the interpretation of the Constitution, Rules of the Party or Standing Orders of the Party, the convener of the meeting may adjudicate on the question and their reasonable interpretation is final, unless a motion is passed requiring the person to vacate the chair.

48.2 Where such a question arises between meetings, the National Secretary has the final say on the interpretation of the Constitution, the Rules of the Party and Standing Orders of the Party.

#### 49 Availability of Rules, etc.

The National Secretary must arrange for the following to be made available to members on the Party's website in a current form —

- (a) this Constitution;
- (b) Codes of Conduct, Standing Orders and Rules of the Party;
- (c) Schemes of Delegation;

- (d) Transitional Directions;
- (e) the detailed job descriptions for the National Office Bearers;
- (f) the Financial Scheme and guidance and directions by the National Treasurer to other treasurers of the Party of general application;
- (g) any ruling by the National Secretary on the interpretation of the Constitution, Rules of the Party or the Standing Orders of the Party of general application; and
- (h) the Outcomes of Business of National Conference, National Council, and the National Executive Committee.