

FIRST SCHEDULE
BRANCH CONSTITUTION
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FIRST SCHEDULE

BRANCH CONSTITUTION

1. NAME

The name of the Branch shall be the
Branch of the United Bermuda Party.

2. OBJECT

The object of the Branch shall be to promote the Aims and Objectives of the United Bermuda Party in the constituency of in particular and Bermuda in general.

3. MEMBERSHIP

(i) Qualification

Membership shall be open to any resident in the constituency of in particular and Bermuda in general.

(ii) Membership Application

An applicant for membership shall sign an application form confirming that the applicant subscribes to the Aims and Objectives of the Party and is not a member of any other political party in Bermuda. When the form is received by any Officer of the Branch, together with the first year's subscription, and a membership card is issued, the applicant shall become a member of the United Bermuda Party (as well as of the Branch). Any person whose application is refused may appeal to the Central Executive, whose decision shall be final.

(iii) Subscriptions

Subscriptions may be for any multiple yearly period up to but not exceeding five years. The subscription fees owing shall be such sums as the Central Executive may from time to time determine, and shall, except in the case of the initial subscription, be due on or before 31st October of the year in which the membership expires. For the avoidance of doubt, membership shall be deemed to continue up to and including 31st October of each year.

(iv) Membership Roll

It shall be the duty of the Deputy Chairman to maintain a roll of the names and addresses of all persons who have become members of the Branch. A

copy of the current roll of members shall be forwarded to the Secretary of the Party not later than 1st April in each year and quarterly thereafter.

4. GENERAL MEETINGS

(i) Annual General Meeting

- (a) The Annual General Meeting shall be held in November of each year. It shall be at the same time and venue as the Annual General Meetings of the other Branches in the Region. At the Annual General Meeting the Officers and the Branch Committee will be elected.
- (b) In any case where the Annual General Meeting is not held within the month of November, the tenure of office of the Branch Officers and Branch Committee may be terminated by the Central Executive. The Central Executive shall, as soon as practicable thereafter, cause a Branch meeting to be held for the purpose of discharging the business which should have been conducted at the Annual General Meeting.

(ii) Special General Meetings

Special General Meetings of the Branch shall be called by the Branch Committee whenever it considers this necessary or desirable. In addition, a Special General Meeting shall be called by the Branch Committee whenever requested in writing by five members of the Branch who are eligible to vote at Branch meetings, save as provided for in Clause 10 hereof.

(iii) Notice of General Meetings

General Meetings shall be called by notice in the Press or by such means as the Branch Committee may decide. Seven (7) days notice shall be given of such meeting. Such notice shall give the time, date, place and purpose of the meeting, and such other information as the Branch Committee considers necessary or desirable.

(iv) Quorum

At any General Meeting ten (10) members of the Branch who are eligible to vote at Branch Meetings shall form a quorum.

(v) Voting

At Branch General Meetings only those members who are registered as Parliamentary Electors in that particular constituency and who have been members for not less than seven (7) days shall be entitled to vote. Subject to

sub-Clause 6(i) hereof, all decisions at any Branch General Meeting shall be reached by a majority vote of the Branch Members present and voting.

5. BRANCH COMMITTEE

(i) Composition

Subject to the provisions of sub-Clause 5(ii) hereof, the Branch Committee shall consist of the Officers and not less than three members.

(ii) Ex-Officio Members

(a) House of Assembly

Each Member of the House of Assembly for the constituency who accepts the Party Whip shall be an ex-officio member of the Branch Committee;

(b) Senate

Each member of the Parliamentary Group who is a Party Member of the Senate and who is a registered parliamentary elector in the constituency shall be an ex-officio member of the Branch Committee;

(c) Adopted Candidates

Candidates who have been adopted by the Branch shall be ex-officio members of the Branch Committee for the period of their candidacy.

(iii) Election of Branch Committee

The Officers and other members of the Branch Committee shall be elected at the Annual General Meeting by ballot or otherwise as the meeting may decide. During such elections, the Chair shall be taken by a member who is not standing for office in the Branch.

(iv) Officers

(a) The Officers of the Branch shall be a Chairman and a Deputy Chairman.

(b) With the consent of the Central Executive, any Party member who is not resident within the constituency may be an Officer of the Branch.

(c) An Officer of the Branch shall not be a serving Party Officer.

(d) An Officer of the Branch shall not be a serving Officer of a Region.

(e) The Officers shall co-ordinate the activities of the Branch.

(v) Vacancies

Should any casual vacancy occur among the Officers or other members of the Branch Committee, the remaining members of the Committee may appoint another eligible member of the Branch to fill the vacancy.

(vi) Management

The Branch Committee shall be responsible for the general management of the Branch, including recruitment of new members and arrangements for Branch meetings. It shall be the duty of the Branch Committee immediately after publication of the final Parliamentary Register of Electors to ensure that a record of pertinent details is prepared and maintained for every registered voter.

(vii) Frequency of Meetings

The Branch Committee shall meet regularly. The Chairman or Deputy Chairman shall notify each member by telephone or otherwise of the time and place of the meeting.

(viii) Quorum

A quorum shall be one-half of the membership of the Branch Committee.

(ix) Delegates to Central Council

(a) Appointment of Branch Delegates

At its first meeting, which shall be held within twenty-one (21) days after the Annual General Meeting in each year, the Branch Committee shall elect by ballot or otherwise a member or members to serve as Delegates to the Central Council in accordance with the provisions of sub-Clause 6(ii) of the Party Constitution. The Delegate shall report back to the Branch Committee and, if deemed necessary, to the members in a General Meeting, any recommendations or decisions made by the Central Council. The Delegate shall also present to the Central Council the opinions and resolutions of the Branch Committee and Branch.

(b) Alternate Delegate

A member of the Branch Committee who has not been elected as a Delegate may be appointed an Alternate Delegate by the Branch Chairman in accordance with sub-Clause 6(iii) of the Party Constitution.

(c) Notice to Central Office

The Chairman shall give notice in writing to the Secretary of the Party of the names of the Delegate or Delegates and any Alternate Delegate to the Central Council.

(x) Delegates to Branch Candidate Selection Committee(a) Ex-officio Members

The Officers of the Branch are ex-officio members of the Branch Candidate Selection Committee.

(b) Appointment of Members

At its first meeting after the Annual General Meeting in each year, the Branch Committee shall elect by ballot or appoint three members of the Branch to serve on the Branch Candidate Selection Committee.

(c) Notice to Central Office

The Chairman shall give notice in writing to the Secretary of the Party of the names of the Members of the Branch Candidate Selection Committee within seven (7) days of their election or appointment.

6. DISCIPLINE(i) Member's Conduct

A Branch may decide that the name of a member, who is guilty of undesirable conduct, should be referred to the Central Executive to be removed from the roll of members. The decision of the Branch shall be by a two-thirds majority of the members attending and voting at a Special General Meeting.

(ii) Notice

Any such member shall be given seven (7) days written notice of the Special General Meeting and shall be entitled to attend and be heard.

7. BRANCH CANDIDATE SELECTION COMMITTEE

(i) Responsibility

The Branch Candidate Selection Committee shall be responsible for considering and determining applications for approval as an Approved Candidate which are submitted by any person who desires to offer themselves in the Constituency as a Parliamentary Election Candidate for the Party. They shall also be responsible for selecting a Parliamentary Election Candidate in the event of a Bye-Election or after a writ of General Election has been issued when there is no Adopted Member or Members.

(ii) Composition

The Branch Candidate Selection Committee shall consist of:

the two Officers of the Branch
 three members of the Branch elected or appointed in accordance with sub-Clause 5(x)(b) hereof
 the Party Chairman
 four members of the Party Campaign Committee elected in accordance with sub-Clause 14(iii) of the Party Constitution.

(iii) Chairman

The Chairman of the Party shall act as the Chairman of the Branch Candidate Selection Committee.

(iv) Voting

All members of the Branch Candidate Selection Committee shall have a vote except the Party Chairman, who shall only have a vote in the event of a tie. All voting by the Branch Selection Committee for the approval or otherwise of a candidate shall be conducted by way of a secret ballot.

8. CIRCUMSTANCES REQUIRING THE ADOPTION OF CANDIDATES

(i) Election Readiness

The Branch Committee shall ensure that there is an Adopted Candidate or Candidates for the constituency at all times.

(ii) Vacancy in House of Assembly

Whenever any seat in the House of Assembly for the constituency becomes vacant, an Adopted Candidate shall without further process become the Parliamentary Election Candidate for that seat, subject to sub-Clause (iv) and (v) hereof. Where there are two or more Approved Candidates contesting that seat, a Primary Election shall be held to select the Parliamentary Election Candidate, except in the case of a sudden occurrence through the death or immediate resignation of a Sitting Member of Parliament, which requires a Bye-Election wherein the Parliamentary Election Candidate will be selected by the Branch Candidate Selection Committee.

(iii) Challenge

- (a) An Approved Candidate for the constituency may, at any time subject to the terms of sub-Clause 8(iii)(b) hereof, with the written support of at least ten persons, who at that date have been Members of the Branch for the previous one hundred and eighty (180) days and who are registered Parliamentary Voters in that constituency, give written notice to the Branch Chairman of his intention to stand for adoption or to challenge a Member of the Legislature or an Adopted Candidate who is not a Member of the Legislature.
- (b) No Primary Election shall be held within the period of twelve (12) months following the date of a General Election, a Bye-Election in the constituency or a Primary Election in the constituency, or during the period of sixty (60) days immediately following the presentation of a Budget Statement.
- (c) A challenge may, at the option of all Approved candidates submitting challenges, be made only against an Adopted Candidate who is not a Member of the Legislature. Any challenge made against a Member of the Legislature shall also be deemed to be a challenge against an Adopted Candidate who is not a member of the Legislature. Where there are two Members of the Legislature, any challenge made shall be deemed to be made against both Members, provided that this provision shall not apply to the Speaker or the Deputy Speaker of the House.
- (d) Whenever notice of a challenge is submitted to a Branch Chairman, he shall convene a meeting of the Branch Committee within fourteen (14) days from the date of the submission of such challenge to arrange for a Primary Election. The Primary Election will be held no earlier than forty-five (45) days and no later than ninety (90) days after the date on which the challenge is submitted. Notice of such Primary Election shall be given forthwith to all Approved Candidates for the constituency. Any

Approved Candidate for the constituency, subject to compliance with sub-Clause 8(iii)(a) hereof, shall be entitled to be a candidate in the Primary Election if notice of such intent is given to the Chairman of the Branch Committee at least seven (7) days prior to the date of the Special General Meeting referred to in sub-Clause 9(iii) hereof.

- (e) The Branch Chairman shall notify the Party Chairman of any challenge and the proposed date of the Special General Meeting and the Primary Election within forty-eight (48) hours of the Branch Committee Meeting held in accordance with sub-Clause 8(iii)(d) hereof.
 - (f) In the event that the Branch Chairman wishes to participate in a Primary Election, his duties and responsibilities hereunder shall be undertaken by the Deputy Chairman of the Branch or some other member of the Branch not directly involved in the Primary Election as the Branch Committee shall select.
 - (g) In the event of a Bye-Election arising from the sudden occurrence of the death or immediate resignation of a Sitting Member of Parliament, the Parliamentary Election Candidate will be determined by the Branch Candidate Selection Committee.
- (iv) Adoption of Sitting Member

An elected Member of Parliament shall be considered an Adopted Candidate unless the elected Member of Parliament has:

- (a) been successfully challenged in accordance with the procedure set out in sub-Clause 8(iii) above;
- (b) given the Branch Committee written notice of intention not to seek re-election;
- (c) resigned the Party Whip and not been reinstated by the Parliamentary Group within a period of six (6) months of such resignation;
- (d) had the Party Whip removed and within a period of six months of such removal not been reinstated by the Parliamentary Group;
- (e) ceased to be a member of the Party;

- (f) lost the confidence of at least two-thirds of the members of the Branch Committee who consider the elected Member of Parliament to be unsuitable to represent the Party at a General Election and who furthermore consider it to be in the interest of the Party to bring the matter before Branch members in General Meeting; or
- (g) lost the confidence of a majority of the members of the Branch who at that date have been Party members for the previous six (6) months and who are also registered electors and have agreed in a General Meeting that the elected Member of Parliament is unsuitable to represent the Party in any General Election.

In any of the above cases, the Branch Committee shall schedule a Special General Meeting (or a Primary Election, if required) as soon as practicable and in accordance with sub-Clause 9(ii) hereof to adopt a candidate for the seat of that elected Member of Parliament.

In the event that an elected Member of Parliament dies or resigns his or her seat in the House of Assembly, the Branch Candidate Selection Committee will determine the Parliamentary Election Candidate for the ensuing Bye-Election.

(v) Adoption of Parliamentary Election Candidates

An Adopted Candidate for the constituency shall be considered a Parliamentary Election Candidate unless the Adopted Candidate has:

- (a) been successfully challenged in accordance with the procedure set out in sub-Clause 8(iii) above;
- (b) given the Branch Committee written notice of intention not to seek election;
- (c) ceased to be a member of the Party;
- (d) lost the confidence of at least two-thirds of the members of the Branch Committee who consider the Adopted Candidate to be unsuitable to represent the Party at a General Election and who furthermore consider it to be in the interest of the Party to bring the matter before Branch members in General Meeting; or
- (e) lost the confidence of a majority of the members of the Branch who at that date have been Party members for the previous six (6) months and who are also registered electors and have agreed in a General Meeting

that the Adopted Candidate is unsuitable to represent the Party in any General Election.

In any of the above cases, the Branch Committee shall schedule a Special General Meeting (or a Primary Election, if required) as soon as practicable and in accordance with sub-Clause 9(ii) hereof to adopt a candidate for the seat.

9. PROCEDURE FOR ADOPTING CANDIDATES

(i) Duty and Definition

A Branch shall adopt candidates as required by the provisions of this Constitution. A candidate so adopted shall be referred to as an Adopted Candidate.

(ii) Procedure

The adoption of any candidate shall be conducted at:

- (a) a Primary Election, when a challenge has been made under the provisions of sub-Clause 8(iii); or otherwise at
- (b) a Special General Meeting where voting shall be by secret ballot. The result shall be immediately notified to all candidates who sought adoption.
- (c) In the circumstances of a writ for a General Election or Bye-Election having been issued or the death or immediate resignation of a sitting Member of Parliament, the Parliamentary Election Candidate will be determined by the Branch Candidate Selection Committee where there is no Adopted Candidate or Candidates.
- (d) Approved Candidates seeking adoption shall be bound by the Code of Conduct as set out in the Fourth Schedule of the Party Constitution.

(iii) General Meeting Prior to Primary Election

In the event of an adoption to take place by Primary Election, candidates shall be entitled to attend and address a Special General Meeting convened at least three (3) days and not more than seven (7) days prior to the date of the Primary Election.