

DATE - 17th November 2021

CONSTITUTION

FUTURE GUERNSEY

Constitution

1. Name

The name of the unincorporated association shall be “*Future Guernsey*” (hereinafter known as “the Party”).

2. Legal Status

- 2.1. The Party is an ‘unincorporated body’ within the meaning of the charities and Non Profit Organisations (Registration)(Guernsey) Law 2008.
- 2.2. The registered address of the Party for the service of documents, process and general postal enquiries is Les Quartiers Farm, Route des Quartiers, St. Sampson’s, Guernsey, GY2 4GB.
- 2.3. The email address of the Party is futureguernsey@gmail.com

3. Definitions

The following definitions apply in this document:

AGM	means an annual general meeting of Members
Party	means the Future Guernsey Party
Deputy	means a Deputy of the States of Deliberation
Founding Members	means the first Members of the Party (which may include Ordinary Members)
Member	means a Member of the Party who is eligible for election or re-election as a Deputy and complies with the provisions of Section 8 of the Reform Law or an Ordinary Member
Ordinary Member	means a Member of the Party who is not a Deputy and does not intend to stand for election as a Deputy
Reform Law	means The Reform (Guernsey) Law, 1948 as amended or otherwise enacted
States	means the States of Guernsey and all of its constituent committees and departments
Civil Service	means the civil service of the States

4. Purpose and Objectives:

The Purpose and Objectives of the Party are;

- 4.1. to bring together as Members and Ordinary Members of the Party individuals who share a public commitment to similar qualities, behaviours and policy objectives in furtherance of the future good government and good governance of the Bailiwick of Guernsey; and
- 4.2. to participate in the management of public affairs, including through presentation of candidates for free and democratic elections to the States of Deliberation; and

- 4.3. to support and endorse, promote, canvass for and advertise the joint endeavour of the Party, its objectives and policies; and
- 4.4. to engage and organise volunteers, make public enquiries and conduct market research, develop and provide policies, procedures and advice, to organise and provide training and to produce, seek and raise (by public donation and other means) campaign resources and materials for Members; and
- 4.5. to maintain a website and such other social media presence as may be thought fit from time to time; and
- 4.6. to register the Party as a political party in compliance with Schedule 4 of the Reform Law; and
- 4.7. to do all and any such things as may be necessary or desirable in furthering or attaining any or all of the foregoing objectives, and to do the same as simply, efficiently and cost-effectively as possible.

5. The Committee:

- 5.1. There shall be a Committee (“the Committee”) whose duty it shall be to carry out the general policies of the Party and to provide for its administration.
- 5.2. The initial Committee members shall be drawn from the Founding Members of the Party.
- 5.3. The Committee will comprise not less than three (3) members and no more than five (5) members.
- 5.4. The Committee may appoint working parties and/or officers to the Party or sub-committees as they see fit.
- 5.5. All and any decisions are to be made by a majority of the Committee members in attendance at a meeting or by unanimous written resolution.
- 5.6. Constitution and functions of the Committee:-
 - 5.6.1. The roles of Chairman, Secretary and Treasurer may be held by any member of the Committee;
 - 5.6.2. The Committee has a duty to ensure that there are measures in place to enable the Party to achieve its Purpose and Objectives effectively, to fulfil its other obligations under this Constitution and to discharge any legal obligations to which it is subject;
 - 5.6.3. The Committee has a duty to review the activities of the Party, as well as its own performance, from time to time to ensure that the Party continues to achieve its purpose and Objectives effectively, to fulfil its other obligations under this Constitution and to discharge any legal obligations to which it is subject;
 - 5.6.4. The Committee has a duty to ensure that the financial position of the Party is satisfactory and prudent for the purposes of the Party’s Objectives, in particular that disbursements are subject to appropriate checking and controls in accordance with agreed policies and procedures;
 - 5.6.5. The Committee has a duty to ensure that it maintains proper records and safeguarding of personal data in accordance with the relevant data protection legislation;

- 5.6.6. Committee members must be resident in Guernsey and must meet the qualifying criteria for a States Deputy under section 8 of the Reform Law;
- 5.6.7. Save in exceptional circumstances, Committee Members may serve for no longer than 7 years in accordance with accepted standards of Corporate Governance.
- 5.6.8. Retiring members may be replaced by appointment by the remaining Committee and shall serve until the following Annual General Meeting of the Party at which their appointment must be put to the Meeting for ratification.
- 5.6.9. A member of the Committee may be removed by the vote of a majority of all the remaining members of the Committee provided such majority includes the Chairman.
- 5.7. A member of the Committee:
 - 5.7.1. shall disclose any potential, perceived or actual conflict of interest to the Committee at the earliest opportunity; and
 - 5.7.2. shall not receive remuneration except for out-of-pocket expenses which are compliant with any rules or regulations in force from time to time; and
 - 5.7.3. shall be a person of integrity and probity, with appropriate skills and experience; and
 - 5.7.4. shall act with the utmost good faith in all matters relating to the Party, and only within the powers afforded by this Constitution; and
 - 5.7.5. shall be a Member of the Party.
- 5.8. The Committee shall meet at least twice a year and also as and when required, physically, or via video or audio conference or a mixture any of the foregoing by which means they may speak and be heard by others present.

6. Committee meetings

- 6.1. shall be held only after the advance notification of all Committee members, (except in case of emergency);
- 6.2. are to be held with, in as far as is possible, all Committee members present in person or remotely but with a quorum of at least two;
- 6.3. are to be minuted or recorded, and these records are to be the property of the Party;
- 6.4. the Committee shall act by unanimous consensus but in the case of a vote by show of hands, shall be considered carried by simple majority with the Chairman holding a casting vote;
- 6.5. the duties and powers of the Chairman, Secretary and Treasurer are contained in the attached appendices.

7. Membership Rules:

- 7.1. Membership of the Party is open to any individual at the absolute discretion of the Committee, who may reject or invite or suspend any Member at any time.
- 7.2. The Committee shall maintain a list of Members.

- 7.3. The Chairman shall be responsible to investigate and rule on any dispute or complaint against the Party or a Member. The Chairman may co-opt two committee members to assist him. In the event that a dispute or complaint is made against the Chairman then the investigation and ruling will be undertaken by unconnected committee members.
- 7.4. The Committee is empowered to take such external advice as it considers necessary.

8. Meetings:

- 8.1. The Committee may call meetings of Members
- 8.2. Members may attend meetings in person or remotely.
- 8.3. An Annual General Meeting requires 21 days' prior notice. Resolutions passed at an AGM will be passed by a majority of not less than two thirds of those voting in person or by proxy. Proxy votes must be received no later than 24 hours before an AGM.
- 8.4. An Extraordinary General Meeting requires 14 days' prior notice. An EGM may be called by the Committee.
- 8.5. A request for an EGM will be accepted if requested by 15 or more members.
- 8.6. Resolutions passed at an EGM will be passed by a majority of not less than 75% of those voting in person or by proxy.
- 8.7. Proxy votes must be received no later than 48 hours before an EGM.

9. Finances:

- 9.1. The Party may accept donations, legacies, subscriptions or other monies as the Committee sees fit, always in accordance with statutory and financial services regulations relating to money laundering and the countering of financial crime and terrorism and relevant electoral law.
- 9.2. A bank account may be opened at the Committee's discretion.
- 9.3. Any and all expenditure is to be approved by the Committee.
- 9.4. Management Accounts are to be kept and presented to Committee Meetings.
- 9.5. The Party's Financial Year End will be 31st December annually.
- 9.6. Either the Committee or the Members may elect whether the annual financial statements should be independently audited or verified or otherwise inspected.

10. Public statements:

- 10.1. Press releases and or publications are to be made only after their approval by the Chairman and at least one other Committee member, or in the absence of the Chairman at least two Committee Members.
- 10.2. Interviews and public appearances on behalf of the Party may only be made by a spokesperson appointed or authorised by the Committee.
- 10.3. This Constitution or its amended form shall be available to any member of the public upon request.

11. Ownership of IP:

- 11.1. The Website and other related material, internet presence, domains, email accounts, logos and related copyright is owned by the Party.
- 11.2. Login and account details are to be held by authorised members of the Committee or their appointed representatives.

12. General:

- 12.1. 'Notice' may be given to Members by email or in writing.

13. Variation:

- 13.1. The Committee may prepare amendments to this Constitution as it sees fit from time to time for submission to Members.
- 13.2. Any such amendments shall require assent of the Members at an AGM or EGM to come into force, such assent to be signified by the vote of at least two thirds of the Members present and voting at the meeting in person or by proxy.

14. Dissolution:

- 14.1. The Party may at any time be dissolved by Resolution passed by a three-quarters majority of those present and voting at an Extraordinary General Meeting of the Members of the Party of which at least fourteen clear days' notice shall have been sent to all Members of the Party.
- 14.2. Any property or funds remaining after the satisfaction of all debts and liabilities of the Party shall be paid to or distributed to such charity or charities as the Committee shall decide and approve.

Signed by the following Founder Members on the (date) _____

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APPENDIX

1. Duties of the Chairman

- 1.1. The first Chairman will be Gavin St Pier.
- 1.2. The Chairman is responsible for the leadership of the Party, ensuring its effectiveness in all aspects of its objectives and the setting of its agenda.
- 1.3. The Chairman shall ensure he/she will:-

1.3.1. Meetings

- 1.3.1.1. Chair Committee and AGMs.
- 1.3.1.2. Run the Committee and maintain its effectiveness in all aspects of its role, including regularity and frequency of meetings.
- 1.3.1.3. Set the committee agenda, taking into account the issues and concerns of all members. The agenda should be forward looking, concentrating on strategic matters.
- 1.3.1.4. Ensure that there is appropriate delegation of authority from the committee to officers and Members as required.
- 1.3.1.5. Ensure that the Committee members receive accurate, timely and clear information, including that on the Party's current performance, to enable the Party to take sound decisions, monitor effectively and provide advice to promote the success of the organisation.
- 1.3.1.6. Manage the Committee to allow enough time for discussion of complex or contentious issues. The Chairman should ensure that Committee members have sufficient time to consider critical issues and obtain answers to any questions or concerns they may have and are not faced with unrealistic deadlines for decision making.

1.3.2. General

- 1.3.2.1. Uphold the highest standards of integrity and probity
- 1.3.2.2. Set the agenda, style and tone of Committee discussions to promote effective decision making and constructive debate.
- 1.3.2.3. Ensure that they are fully informed about all issues on which the Committee will have to make a decision.
- 1.3.2.4. Ensure effective implementation of Committee decisions.
- 1.3.2.5. Promote effective relationships and open communication between Committee Members both inside and outside the Committee room,
- 1.3.2.6. Build an effective and complementary Committee, and initiate change and plan succession in Committee appointments (except that of a successor as chairman) subject to Committee and membership approval.
- 1.3.2.7. With the assistance of the Secretary, promote the highest standards of governance
- 1.3.2.8. Ensure an appropriate balance is maintained between the interests of
- 1.3.2.9. members and other stakeholders
- 1.3.2.10. Ensure the long-term sustainability of the Party.
- 1.3.2.11. Ensure the continual improvement in quality and calibre of the Committee.

- 1.3.2.12. Establish a close relationship of trust with the Treasurer, Secretary and other officers providing support and advice while respecting their individual responsibilities.
- 1.3.2.13. Provide coherent leadership of the Party, including, in conjunction with the Committee, representing the Party to the media and other stakeholders the community and the public.

2. Duties of the Treasurer:

- 2.1. overseeing, and presenting budgets, accounts, management accounts and financial statements to the Party Committee;
- 2.2. ensuring that proper accounts and records are kept, ensuring financial resources are expended and invested in line with Party policy, good governance, legal and regulatory requirements;
- 2.3. being instrumental in the development and implementation of financial, reserves and investment policies;
- 2.4. liaising, where applicable, with the Chairman, committee members or other appropriate officers responsible for the financial activities of the organisation;
- 2.5. liaising with the Party's auditors or independent examiner, where appropriate;
- 2.6. monitoring and advising on the financial viability of the Party after liaising with the Party's auditors, if any;
- 2.7. creating sound financial instruments for the control of Party assets;
- 2.8. implementing and monitoring specific financial controls and systems and ensuring that they are adhered to;
- 2.9. advising on the financial implications of the Party's strategic plan;
- 2.10. acting as a counter-signatory on Party cheques (including any electronic transactions) and any applications for funds;
- 2.11. maintaining sound financial management of the Party's resources, ensuring expenditure is in line with the Party's constitution;
- 2.12. contributing to the fundraising strategy (if any) of the organisation and helping to ensure that fundraising targets are aligned to the overall purpose of the Party and its agreed strategy; and
- 2.13. providing leadership and support to the Committee, where appropriate.

3. Duties of the Secretary:

- 3.1. Maintaining the Party's statutory books, including:
- 3.2. a register of present and past committee members and secretaries,
- 3.3. a register of any charges on the Party's assets,
- 3.4. minutes of general meetings and committee meetings.
- 3.5. Filing the return of electoral expenses pursuant to Article 45(1A) of the Reform (Guernsey) Law 1948 within 14 days of the election
- 3.6. Filing annual accounts with the Greffe in accordance with Section 8 of Schedule 4 of the Reform (Guernsey) Law 1948 as amended;

- 3.7. Filing annual returns at Guernsey Registry/Income Tax. Other documents which must be filed include the Committee's report and auditors' report (unless the Party is exempt), and financial statements, including details of the Party's assets and liabilities.
- 3.8. Arranging meetings of the Committee and Members Meetings (AGM/EGM). This responsibility will involve the issue of proper notices of meetings, preparation of agenda, circulation of relevant papers and taking and producing minutes to record the business transacted at the meetings and the decisions taken.
- 3.9. Maintaining a Conflicts of Interest Register.
- 3.10. Informing Guernsey Registry of any significant changes in the Party's structure or purpose, for example a change in the Not For Profit status.
- 3.11. Establishing and maintaining the Committee's registered office as the address for any formal communications. Ensuring that all the Party's business stationery carries its name, registered number, country of registration and registered address. These details must also appear on the Party's website, emails, order forms and invoices.
- 3.12. Ensuring the security of the Party's legal documents, including for example, the certificate of incorporation and constitution of the Party.
- 3.13. Deciding on the Party's policy for the filing and retention of documents.
- 3.14. Advising Committee members on their duties and ensuring that they comply with applicable legislation and the constitution of the Party.
- 3.15. Working with the Chairman to ensure high standards of Governance.
- 3.16. Maintenance and renewal of any insurances.
- 3.17. Compliance with data protection.
- 3.18. Managing policies and procedures.