

OUTRIGHT SCOTLAND

Constitution

To Unite, Empower & Liberate

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I. AIMS

The Group shall campaign effectively for continuing changes in Scottish society, its laws and institutions so that discrimination against lesbian, gay, bisexual and transgendered people is eradicated.

Outright Scotland's vision is of a world in which lesbian, gay, bisexual and transgender people enjoy all of the developing human rights and civil liberties enshrined in the Universal Declaration of Human Rights, The European Convention on Human Rights and other rights documents.

The Group shall endeavour to defend and protect the human rights and civil liberties of LGBT people in Scotland.

The Group shall support the work of those who defend the human rights of LGBT people overseas.

We believe that personal empowerment is an intrinsic part of securing human rights and civil liberties and therefore the Group should observe and promote the highest standards of democracy, openness and accountability in all its work.

The Group will work to unite, empower and liberate the LGBT people and communities of Scotland.

II. MEMBERSHIP

Membership of the Group is open to all persons or organisations who support the aims of the Group. Excepting life members, all members and affiliated organisations shall pay an annual subscription, the amount being determined from time to time by standing order of the Group by the National Executive Committee (NEC) and subject to the endorsement of the Annual General Meeting (AGM).

Annual subscriptions shall fall due twelve calendar months after the date of receipt of the member's initial or preceding subscription.

The Group shall strive to achieve gender balance within its membership and committees; all members shall be expected to support the Group's Equal Opportunities Policy at *Appendix 1*. Rules governing membership and termination of membership are at *Appendix 2*.

III. OUTLOOK

Outright Scotland is a democratic organisation. Priorities for its work shall be determined by General Meetings and by the National Executive Committee. The Group's effectiveness as a national campaigning organisation derives from its members and affiliated organisations. The Group shall work on a wide range of civil, military, secular and religious issues with the object of protecting those who suffer unfair treatment because of their sexuality or gender identity, provided that any sexual relations are consenting. Joint initiatives with other organisations who share the Group's aims shall be pursued.

IV. MEETINGS

The Group shall meet to conduct its work as follows:

GENERAL MEETINGS

The General Meeting shall be the sovereign governing body of the Group and, subject to the provisions and appendices of this constitution, General Meetings shall determine all matters relating to the conduct of the Group's affairs. The conduct of General Meetings, including the Annual General Meeting (AGM), is set out in *Appendices 3 and 4*

NATIONAL EXECUTIVE COMMITTEE

- i. There shall be a National Executive Committee (NEC) of not less than five and not more than eleven Group members who shall meet between General Meetings to further the aims and policies of the Group.
- ii. The NEC places shall be filled from and by the whole membership of the Group by eliminating ballot at the AGM (or a General Meeting convened for that purpose) as follows: one place by the Convenor and four (4) or more others.
- iii. If fewer than five (5) members are elected to the NEC, that election shall still be valid and those elected shall constitute the NEC subject to co-opting sufficient members to bring its membership up to a minimum of five within forty-nine (49) days of the General Meeting at which it was elected. In the event of the NEC being unable to raise its number to a minimum of five (5) the NEC shall call an Emergency General Meeting with a view to winding up the group.
- iv. The NEC may co-opt to fill vacancies that arise between General Meetings.
- v. From its membership the NEC shall appoint one member to serve the role of Treasurer and one to serve as National Secretary.
- vi. In addition to the aforementioned Officers the roles of members of the NEC shall include convenors or co-ordinators of any sub-committees
- vii. The NEC shall endeavour to include the roles of - Advocacy Secretary, International Secretary, Membership Secretary, and Parliamentary Secretary.
- viii. The NEC shall define the terms of reference, criteria for membership and responsibilities of any sub-groups, or sub-committees through standing orders.
- ix. The NEC may further define the positions, roles and responsibilities of members of the NEC through standing orders.

V. THE MAGAZINE

The Group shall own the title *Gay Scotland* including abbreviations and close derivatives, and may license the title, by a decision of a General Meeting, to a person or Company outwith the Group, on condition that they publish a magazine of that title. A copy of the current Licence may be obtained by writing to, the Secretary at the Group's postal address.

VI. STANDING ORDERS

The National Executive Committee shall have power to adopt standing orders for the group and its committees. Such Standing Orders, which will be consistent with and complementary to the terms of this constitution, shall come into operation upon their adoption by the NEC.

- i. The text and purpose of a proposed standing order, or any amendment to an existing order must be circulated to all members of the NEC at least seven (7) days prior to the meeting at which the order is to be discussed and decided.
- ii. The text of a proposed order or proposed amendment to an order may be altered at a meeting competent to discuss that proposal, subject to the agreement of two-thirds (or the nearest whole number to two-thirds) of the NEC present at the meeting.
- iii. To be adopted, any proposed order or amendment to an existing order must receive the endorsement of two-thirds (or the nearest whole number to two-thirds) of the NEC present at the meeting.
- iv. A complete copy of the standing orders of the organisation must be provided to each member of the NEC, convenors or co-ordinators of sub-committees and be made available to the membership of the Group by the National Secretary.
- v. All standing orders of the organisation shall be subject to review and approval of the Annual General Meeting or any Special General Meeting convened to do so.

VII. SECTIONS

I - ESTABLISHING A SECTION

- i. A section of Outright Scotland may be established with the consent of the National Executive Committee (NEC).
- ii. In order to be recognised a section shall:
 - a) Consist of not less than three existing members of Outright Scotland;
 - b) Submit its proposed remit to the NEC for approval.

2 - FUNCTIONS OF A SECTION

- i. Sections shall take no action on matters that do not fit within the aims of Outright Scotland.
- ii. Each member of a Section shall be a member of Outright Scotland.
- iii. Sections will work within the rules and standards of the Constitution and Standing Orders of Outright Scotland.
- iv. On formation sections must elect a Convenor and a Secretary. Such elections must be made annually, prior to the Annual General Meeting of Outright Scotland. The Convenor of a section will be co-opted to serve on the NEC.
- v. No section shall raise or spend funds other than as approved by the NEC.
- vi. Sections must maintain minutes of meetings and full accounts of revenue and

expenditure. Such minutes and accounts must be available to any Outright Scotland member at the sections meetings and must be submitted to each meeting of the NEC.

- vii. A Section can and should contribute to the work of Outright Scotland nationally and the work of other sections but is expected to concentrate on its own geographical or policy area.

3 - CLOSING OR WINDING UP A SECTION

- i. A section may be wound up by a decision of a Section Meeting supported by not less than three-fourths, rounded up, of those present and voting, provided that forty-two (42) days' notice of a motion to this effect has been given to all members of the section and the NEC. Such notice should also be circulated to other sections.
- ii. The NEC may impose sanctions (which may consist of a warning, intervention, temporary suspension, closure or permanent exclusion) on any section if in the NEC's opinion the section does not act within the spirit of Outright's constitution, standing orders or policies, or does not maintain basic activity, or constitutes an immediate threat to the reputation, integrity or operation of Outright Scotland.
- iii. No sanction will be imposed until the concerned section is informed in writing of the grounds of the sanction.
- iv. When closure of a section is the sanction under consideration, all other sections shall be informed in the same manner before an action is taken.
- v. In a case of the NEC forcing closure or permanent exclusion, the section shall be provided with an opportunity to make its case to the NEC within two months before the sanction of closure or permanent exclusion is imposed.
- vi. Once the NEC has agreed to impose a sanction in respect of a section that section may appeal to an Extraordinary General Meeting of Outright Scotland. An Extraordinary General Meeting called for this purpose shall not be empowered to alter the provisions of the constitution.
- vii. During any period of temporary suspension or once closure or permanent exclusion has been agreed, the section, group or members may no longer represent or use the name of Outright Scotland.
- viii. Once a decision to wind-up, close or permanently exclude a section had been made all property, resources and funds of that section will be handed over to the National Secretariat.

VIII. WINDING UP

The Group shall be wound up by a decision of a General Meeting supported by not less than three-fourths, rounded up, of those present and voting, provided that forty-two (42) days' notice of a motion to this effect has been given to all persons entitled to receive notice of the General Meeting.

In such an event, all property, funds and other assets of the Group shall be placed in the hands of Trustees appointed by the Special General meeting for that purpose. The Trustees shall discharge all the group's liabilities out of these assets and thereafter shall donate the remaining assets at their discretion to any body with aims similar to

those of the Group.

Notwithstanding any other provisions of this constitution, a Special General Meeting called for the purposes of winding up the Group shall not be empowered to alter the provisions of this section.

IX. ALTERATIONS TO THE CONSTITUTION

This constitution may be altered by decision of a General Meeting supported by not less than two-thirds of those present and voting, provided that twenty-one (21) days' written notice has been given of any proposed alteration. Any amendments to such alteration or alterations shall be given in writing to all persons attending the General Meeting. No further constitutional amendments may be moved at the General Meeting.

APPENDIX ONE - EQUAL OPPORTUNITIES POLICY

Outright Scotland recognises that there are disempowered and oppressed groups in our society,

The Group is working towards being an equal opportunities organisation.

The Group's policy is to ensure that no person shall be treated less favourably than anyone else on the grounds of race, colour, ethnic or national origin, responsibility for dependants, religion, disability, gender, sex, age, sexual orientation or identity, antibody status, political belief, or by conditions which cannot be shown to be justifiable within the context of this policy,

The Group will take positive action to ensure that its services to and contacts with other groups and individuals reflect its own Equal Opportunities Policy.

The Group will carry out a programme of action to make this policy fully effective and shall ensure that all individuals connected with the provision of its services will actively promote this policy,

Monitoring and evaluation of this policy will be carried out to ensure good practise. Copies of the full version of the Equal Opportunities Policy are kept by the Secretary at the Group's postal address.

APPENDIX TWO - MEMBERSHIP RULES

Any person, who fails to pay the annual subscription within three months of the date of the renewal request, 28th December, shall cease to be a member of the Group. However, at the discretion of the Executive Committee, any such person may be re-admitted to membership on payment of arrears up to one year's subscription,

Life members are those individuals, not corporate members, who pay or have paid fifteen (15) years' subscription at the current rate. Such members shall pay in one lump sum or by Banker's Standing Order in fifteen equal monthly instalments,

Corporate membership rates shall be determined on a multiple of the ordinary individual membership subscription thus: small organisations (less than 250 members), three times the ordinary rate; medium-sized organisations (251 – 1000) five times the ordinary rate; large organisations (above 1000 members), ten times the ordinary, individual rate.

In this constitution (and its appendices), the word "person" includes any association of persons, whether incorporated or unincorporated. While these associations are members they shall be referred to as "corporate members". Corporate members shall be entitled to be represented at General Meetings by up to, two delegates.

APPENDIX THREE - CONDUCT OF GENERAL MEETINGS, INCLUDING THE AGM

The Annual General Meeting (AGM) shall be held not more than thirteen (13) months after the preceding AGM. Except within the constraints of the following notice periods and conflicting demands on the Group and the NEC, the AGM shall be held in the month of May. At least forty-two (42) days' notice in writing, specifying the date, time and venue shall be given to all members. Notice shall be sent by letter post, or personally delivered, to the last notified address of each member,

Additional General or Special General Meetings to conduct specific items of business shall be held at the Group's expense, and such meetings may be called by the Executive Committee or by ten percent (10%) of the total membership of the Group giving notice in writing to the National Secretary.

The quorum at any General Meeting, including the AGM, shall be ten (10) or ten percent (10%) of the membership, whichever is the smallest number..

To be eligible for a vote, or to be eligible for nomination to any office including the Executive Committee, a member must have joined or renewed, if falling due, at least forty-two (42) days before the General Meeting,

If a motion of which no prior notice has been given to all members is passed at a General Meeting, it may be ratified by a postal ballot provided seven (7) or more members rise and object at the meeting itself or object in writing to the National Secretary within seven (7) days of the meeting. Postal ballot notifications shall be accompanied by short statements for and against the motion. Ballot papers must be returned to the National Office within fourteen (14) days to be counted.

Each delegate of a corporate member shall have the same voting rights as an individual member. In cases where a delegate is also an individual member of the Group, they shall exercise a single vote on behalf of their organisation and an individual vote.

A Returning Officer shall be appointed at each AGM, to hold office until replaced at a future General Meeting.

Honorary office-bearers, including an auditor, may be appointed at any AGM.

Business at General Meetings shall be conducted in accordance with the Standing Orders a copy of which may be obtained from the National Secretary.

APPENDIX FOUR - NOTICES & MOTIONS FOR GENERAL MEETINGS

Notice of meetings shall be sent by post or personal delivery. The rules for notice of meetings and motions are as follows:

Action	Notice Period	Method / Guidance
Notice of date & venue of the AGM	42 days	Postal or hand delivery to all eligible members.
Constitutional Motions, Ordinary Motions, date & venue of a GM when elections are to be held	21 days	As above; invite nominations for elections.
Amendments to Motions	At meeting	Must be in writing with individual copies at the start of the meeting to all those present
Emergency Motions	At meeting	Chair puts such motions to the meeting for a decision as to whether or not to have a debate. Motions which are non-typical or not deemed as "Emergency Motions" shall not be debated. Procedure for motions not discussed or motions passed but to which sufficient members rise and object are covered in <i>Appendix Three</i> .

APPENDIX FIVE - CONDUCT & SCOPE OF EXECUTIVE COMMITTEE MEETINGS

There shall be a National Executive Committee (NEC) of not less than five (5) and not more than eleven (11) seats to be filled from and by the whole membership of the Group as follows: one place by the Convenor and four (4) or more others. At each AGM, NEC members shall be elected for one year, or until the next AGM, but shall be eligible for re-election.

The principal duties of the NEC shall be to further the aims and policies of the Group by:

- (a) Promoting membership of the Group in the community at large;
- (b) Fundraising to support the NEC's duties and the organisation's work;
- (c) Overseeing and ensuring the proper organisation of GMs of the Group;
- (d) Maintaining the Group's records and accounts and presenting an annual report and audited accounts;
- (e) providing a central contact point for press enquiries and providing press statements on behalf of the Group;

In order to carry out the above duties, the NEC may appoint, from within its members or from the membership as a whole various office-bearers, and shall advise the membership accordingly.

The NEC may employ one or more persons to assist in the carrying out of its duties, at such payment as is reasonable and affordable by the Group. However, no member of the NEC shall receive any cash remuneration (except for the reimbursement of

expenses legitimately incurred on behalf of the Group).

Not more than sixty (60) days shall elapse between meetings of the NEC.

The NEC quorum shall be half the number, rounded up to a whole number of serving NEC members. Vacancies may be filled by co-option.

Proposed by Convenor and Depute Convenor (Ian Dunn and John Wilkes), this Constitution was adopted by the AGM 18th May 1996 with immediate force.

It was amended by the AGM 13th May 2000 and further amended by the AGM 2nd June 2001 and the AGM 13th July 2002 as proposed by the Executive Committee.