

NEC CONSTITUTION VOTING PROCESS

The NEC Executive Committee has agreed to allow two items of discussion and decision at the Session, prior to voting the proposed new NEC Constitution up or down. These are:

- the total number of delegates allowed at future sessions
- the number of representatives from the BUC who will be included with the NEC Executive Committee

Discussion Item One: The Total Number of Delegates

In Article 6 (a) the proposed new NEC Constitutional includes a cap on the total number of delegates at future Sessions. The reason for the cap, as opposed to the old formula, is to ensure that the constitution doesn't have to be change every time there is a significant change in membership of the conference. The question is, what should be the size of the cap? The figure being proposed is 350, and this is roughly the same as the number we get from the current calculations. So, the motion is:

Whereas Article 6 (a) of the proposed new constitution specifies an upper limit on the total number of delegates of 350, and

Whereas this number is based on the current formula, but there are rational arguments for a slightly higher or a slightly lower number,

PROPOSED

to set the upper limit for the total number of delegates at 350.

A discussion of this figure should consider factors such as: whether more delegates necessarily means better democracy; whether we can get the representation we need from all different groups with that number; and whether the cost of a higher number of delegates is justified.

Discussion Item Two: BUC Representation on the NEC Executive

Whereas Article 8 (a) of the proposed new constitution allows officers of the Trans-European Division and of the General Conference of Seventh-day Adventists to attend all Executive Committee meetings as observers, and

Whereas the General Conference Model Conference Constitution suggests that the officers of the British Union Conference should be full members of the Executive Committee, which is NOT the present position, and

Whereas under UK law this would make them trustees of the charity, and

Whereas the Constitution Committee and General Conference General Counsel take the view that this level of commitment and liability is not strictly necessary, and having these officers as observers would be sufficient, and

Whereas the Constitution Committee recognises that there are different valid views on this,

PROPOSED

to include all three BUC Officers as full members of the NEC Executive Committee.

Discussion Item Three: The Proposed New NEC Constitution

Once the above items have been decided the Session delegates need to discuss the proposed new NEC Constitution as a whole and vote on whether or not they want to accept it. Note that this will require a two-thirds majority.

There are many factors which will need to be considered in this discussion and vote including:

- whether the new version is better than the old one, which will remain the default if the new version is not voted
- whether some of the good suggestions that have been made can be included in policy, notes, or elsewhere, rather than the already rather large constitution document
- whether concerns about other issues are being projected on to the constitution, and if so, whether there are alternative means for resolving them
- whether the constitution should be considered a constant “work in progress” which should be kept in review by the Constitution Committee

Whatever the discussion, the following item should be voted prior to the main vote, for legal and technical reasons:

Three A:

Whereas, as the proposed constitutional changes require the prior approval of the Charity Commission, and

Whereas the appropriate applications were made on behalf of the NEC, in good time, by our solicitors Anthony Collins, and

Whereas the Charity Commission has a heavy backlog of work at the moment, due to software systems issues as well as COVID matters, and

Whereas this could mean that approval will not be received in time for the vote at the NEC Session,

PROPOSED

to record that a vote to approve the proposed new NEC Constitution will be subject to:

- a) approval by the Charity Commission of the changes to the clauses relating to the charitable objects, benefits to charity trustees (NEC Executive Committee) and what happens on the dissolution of NEC and/or
- b) a ruling by the Charity Commission that their approval is not required for any of those changes listed at a) above.