

The Constitution of the New Findhorn Association

(15 March 1999, as updated March 2000 and March 2005 and April 2007 and March 2013)

INSOMUCH as we individually and collectively have responded to a call within ourselves to live and work together in this place, in resonance with its founders' vision and their demonstration of that in daily practice; and that we choose voluntarily to do so and take personal responsibility for our own individual ideas, beliefs and actions in furtherance of that vision: we acknowledge that we are members of a unique, intentional community and agree that this is our formal Constitution.

Definitions

The following definitions (some of which are repeated again in their appropriate sections) shall apply in this Constitution:

- a) "The Association" refers to the body created by this Constitution.
- b) "Set by policy" means decided upon by the process described in Section 4.6.
- c) An "organisation" shall mean a named entity formed by the voluntary, intentional, and on-going grouping of two or more people.
- d) An "Organisation-Member" is an organisation which has become a member of the Association (see Section 3.2).
- e) *deleted*
- f) The "local area" shall be that geographic area which is within 50 miles of the Universal Hall, The Park, Findhorn, Forres, IV36 3TZ, Scotland.
- g) *deleted*
- h) A "Petition" is a formal written appeal addressed to the Council and signed by *Full* Members.
- i) "Policy" means 1) any rule, guideline, or procedure; or 2) the adoption of any program or activity.

Article I -- Type and Name

This Constitution creates an Unincorporated Association under Scottish law. The name of this association shall be the New Findhorn Association or such other name as is set by policy. The New Findhorn Association shall also be referred to as "the Association" within this Constitution.

Article II -- Purpose

Section 2.1 – Purpose: The purpose of the Association is to be a diversity of people showing by example a way of living in the world in alignment with Spirit, in co-operation with each other, and in service to the Earth. The purpose of this Constitution and the bodies it creates is to enable and facilitate that purpose.

Section 2.2 -- Non-profit Status:

The income and property of the Association shall be used solely for the promotion of the purpose of the Association as set out in Section 2.1. The Association shall not pay any dividend, bonus or other form of profit to its members. This shall not prevent any member or employee of the Association, including the Listener-Conveners and Councillors, being paid fair and reasonable remuneration for services rendered to the Association and being reimbursed for expenses incurred on behalf of the Association, except that Councillors shall not be remunerated for performing the normal duties and functions of Council members. A Councillor who works in any paid capacity for the Association shall not vote on any issue related to remuneration for such work. The Council may pay commercial rates of interest on any money lent to the Association by any member, and reasonable and proper rent for the use of premises let by any member to the Association.

If the Association is wound up, any property remaining after payment of all debts and liabilities shall not be distributed to the members of the Association, but shall be given to another Association or Associations with similar objects to the object of this Association, and which similarly prohibits the distribution of its or their income and property among its members. Such Association or Associations shall be chosen by the members of the Association at or before dissolution.

Article III -- Membership

Section 3.1 -- Types of Membership: There shall be two types of membership, 1) Organisation-Members and 2) *Individual* Members.

Section 3.2 -- Organisation-Members:

Section 3.2.1 -- Definitions: For the purposes of this Constitution, an "organisation" shall mean a named entity formed by the voluntary, intentional, and on-going grouping of two or more people.

Section 3.2.2 -- Admission to Organisation-Membership: The Council is empowered to admit to Organisation-Membership those organisations which apply for such membership and satisfy the membership requirements (see Section 3.2.3) according to the judgement of the Council.

Section 3.2.3 -- Requirements for Organisation-Members: An Organisation-Member shall:

- a) be aligned with the purpose of the Association as described in Article II.
- b) agree to abide by this Constitution and all policies duly established on the basis of this Constitution (Section 4.6). Application for Organisation-Membership shall be considered as implicit agreement to so abide.
- c) have formally decided, within its own decision-making procedures, to apply for Organisation-Membership.
- d) provide the Council with the name and contact information of a contact-person within the organisation, and shall inform the Council when the contact-person or any of the contact information changes.
- e) *deleted*
- f) *deleted*
- g) have a public Code of Ethics (or equivalent code) of its own choosing which is consistent with the Community's Common Ground.

Section 3.2.4 -- Rights of Organisation-Members: An Organisation-Member is entitled to:

- a) full participation in the Forum of Organisations (see Section 4.5.1)
- b) indicate in its public communications, according to guidelines set by policy, that it is a member of this Association.
- c) make use of all services provided by the Council for Organisation-Members.
- d) *deleted*

Section 3.2.5 -- Withdrawal from Organisation-Membership: An Organisation-Member may withdraw from Organisation-Membership on 60 days written notice to the Council and to its members. All outstanding obligations of the organisation to the Council must be honoured.

Section 3.2.6 -- Expulsion of an Organisation-Member: An Organisation-Member may be expelled from membership on the grounds of failing to meet any of the requirements in Section 3.2.3 and based on the process described in Section 3.4.

Section 3.2.7 -- Term of Organisation-Membership: The term of Organisation-Membership shall be for as long as the Organisation-Member meets the requirements of Section 3.2.3.

Section 3.3 -- Individual Members

Section 3.3.1 -- Definitions:

- a) *deleted*
- b) The "local area" shall be that geographic area which is within 50 miles of the Universal Hall, The Park, Findhorn, Forres, IV36 3TZ, Scotland.
- c) *deleted*
- d) *deleted*

Section 3.3.2 -- Categories of Individual Members: There shall be at least two categories of *Individual* Members, 1) *Full* Members, and 2) *Temporary* Members. Other categories of non-voting members may be set by policy.

Section 3.3.3 -- Requirements for Full Members: *Full* Members shall:

- a) abide by this Constitution and all policies duly established on the basis of this Constitution. Acceptance of membership shall be considered as implicit agreement to so abide.
- b) be current in the payment of whatever membership fee, if any, is approved by the *Full* Membership.
- c) *deleted*
- d) be resident in the local area *for at least six months* or have a non-local exemption set by policy;
- e) be at least 13 years of age.

Section 3.3.4 -- Rights of Full Members: *Full* Members shall have the right to:

- a) vote in all referenda and all elections based on this Constitution
- b) full participation in all General Meetings, including the right to vote in such meetings
- c) petition the Council as described in Section 4.2.1
- d) if over 16 years of age, stand for election to be a Councillor or a Listener-Convenor
- e) make use of all services provided by the Council for *Full* Members.

Section 3.3.5 -- Admission of Full Members:

Section 3.3.5.1 -- Any person who satisfies the requirements for Full Membership (Section 3.3.3).

Section 3.3.5.2 deleted

Section 3.3.5.3. deleted

Section 3.3.6 --Withdrawal from Full Membership: Any person who would otherwise be a *Full* Member may withdraw from Membership by sending a written notice to Council *or any one of the Listener-Convenors*.

Section 3.3.7 -- Expulsion from Full Membership: A *Full* Member may be expelled from membership on the grounds of failing to meet any of the requirements in Section 3.3.3 and based on the process described in Section 3.4.

Section 3.3.8 -- Term of Full Membership:

Section 3.3.8.1 -- The term of Full Membership shall be until the time for membership renewal as set by the Council, or until the Full Member no longer satisfies the membership requirements, whichever comes first.

Section 3.3.8.2 -- Full Membership is automatically renewed so long as the requirements of Section 3.3.3 are met at the time of renewal.

Section 3.3.9 -- Requirements for Temporary Members: The requirements for *Temporary* Members are the same as those for- *Full* Members (Section 3.3.3) except that Section 3.3.3d *is replaced by: -- be resident in the local area for at least one week and at most six months or have a non-local exemption set by policy.*

Section 3.3.10 -- Rights of Temporary Members: *Temporary* Members shall have the right to make use of all services provided by the Council for *Temporary* Members.

Section 3.3.11 -- Admission of *Temporary Members*:

Section 3.3.11.1 -- Any person who satisfies the requirements for *Temporary Membership* (Section 3.3.9)

Section 3.3.11.2 deleted.

Section 3.3.12 -- Withdrawal from *Temporary Membership*: Any person who is a *Temporary Member* may withdraw from *Temporary Membership* by sending a written notice to Council or any one of the *Listener-Convenors*.

Section 3.3.13 -- Expulsion from *Temporary Membership*: A *Temporary Member* may be expelled from membership on the grounds of failing to meet any of the requirements in Section 3.3.9 and based on the process described in Section 3.4.

Section 3.3.14 -- Term of *Temporary Membership*: The term of *Temporary Membership* shall be until the time for membership renewal as set by the Council, or until the *Temporary Member* no longer satisfies the membership requirements, whichever comes first.

Section 3.4 -- Process for Expulsion of Members:

Section 3.4.1 -- Formation of the Investigative Committee: If the Council has reason to believe that an Organisation-Member, a *Full Member*, or a *Temporary Member* (hereafter in section 3.4 referred to as "the Member in question") is failing to meet any of their respective membership requirements, the Council shall appoint a committee (hereafter in section 3.4 referred to as "the Investigative Committee") chaired by a member of the Council to investigate the case, including communicating directly with the Member in question, in accordance with guidelines set by policy. The services of the *Peacemakers* (see Section 4.5.2) shall be available to the Member in question and the Investigative Committee.

Section 3.4.2 -- Actions of the Investigative Committee:

- a) If the Investigative Committee determines that the Member in question meets the appropriate membership requirements, the case shall be dropped.
- b) If the Investigative Committee determines that the Member in question is, in good faith, taking agreed upon steps to meet the appropriate membership requirements, the Investigative Committee shall monitor the completion of those steps, following which the case shall be dropped.
- c) If the Investigative Committee determines that the Member in question fails to meet any of his/her/its membership requirements and is not taking or completing agreed upon steps to meet those requirements, the Member in question may choose to withdraw from membership. If the Member in question does not so choose, the case shall be referred to an Expulsion Hearing (Section 3.4.3).

Section 3.4.3 -- The Expulsion Hearing:

Section 3.4.3.1 – Process: General guidelines for the process of these Hearings shall be set by policy.

Section 3.4.3.2 -- Roles:

- a) A *Peacekeeper* (see Section 4.5.2), agreeable to both the Member in question and the Investigative Committee, shall preside over the hearing and rule on questions of procedure. If the Member in question and the Investigative Committee cannot agree on a *Peacekeeper*, the Council shall choose a *Peacekeeper* for this role.
- b) The Investigative Committee shall present its case to the Hearing, in accordance with the process established on the basis of Section 3.4.3.1, for why it feels that the Member in question is not in good standing with regard to the requirements of membership and should be expelled.
- c) The Member in question, with the assistance of representation of the Member-in-question's choosing, shall present his/her/its case to the Hearing, in accordance with the process established on the basis of Section 3.4.3.1, for why he/she/it feels he/she/it should not be expelled.
- d) The Council, with at least a quorum of Councillors present, shall hear these presentations and decide the case.

Section 3.4.3.3 -- Outcomes: The Council may decide:

- a) to drop the case, or
- b) if the Member in question is willing, to establish a series of steps, with time limits, through which the Member in question can return to good standing, or
- c) expel the Member in question.

The decision of the Council is final.

Section 3.5 -- Readmission of Expelled or Withdrawn Members:

An Expelled or Withdrawn Member may apply to the Council for readmission to the Association. The Council shall take the Member's history into account and require evidence that the conditions which led to the expulsion or withdrawal have since changed. Expelled Members shall wait at least 6 months before applying for readmission. All of the appropriate membership requirements must be satisfied for readmission.

Article IV -- Governance

Section 4.1 -- Jurisdiction

Section 4.1.1 -- Subordinate to Scottish Law: This Constitution is subordinate to Scottish law and shall be interpreted according to the laws and within the courts of Scotland.

Section 4.1.2 – Domain: This Constitution has jurisdiction over matters which concern the Membership as a whole, over the conditions of Membership, and over the affairs of the bodies established by this Constitution.

Section 4.1.3 -- Limitations: This Constitution and all policies duly established on the basis of this Constitution shall not interfere with the rights or internal affairs, as recognised in Scottish law, of any of its *Individual* Members or Organisation-Members.

Section 4.2 -- Powers of the *Full* Membership

Section 4.2.1 -- Petition:

Section 4.2.1.1 -- Definition: A "Petition" is a formal written appeal addressed to the Council and signed by *Full* Members.

Section 4.2.1.2 – Topics: Petitions may be made for requiring that:

- a) a Policy Item be categorised as a Major Policy Item (Section 4.6.2.2); such petitions require signatures by at least 5% of the *Full* Members to be valid; such petitions must be delivered to the validating *Peacekeeper* (Section 4.2.1.3b) no more than 21 days after the Council Meeting at which the item in question was identified and not categorised or categorised as a Minor Policy Item, or as set by policy;
- b) a Constitutional question be referred for decision to the *Peacekeepers* (see Section 4.5.2); such petitions require signatures by at least 10% of the *Full* Members to be valid;
- c) a Major Policy Proposal Under Consideration (see Section 4.6.5) be referred for decision to the next General Meeting; such petitions require signatures by at least 15% of the *Full* Members to be valid; such petitions must be delivered to the validating *Peacekeeper* (Section 4.2.1.3b) no more than 21 days after the start of the Comment Period for the Major Policy Proposal Under Consideration, or as set by policy;
- d) a Special General Meeting be convened at a specified time, date, and place to deal with topics specified in the petition; such petitions require signatures by at least 20% of the *Full* Members to be valid; such petitions must be delivered to the validating *Peacekeeper* (Section 4.2.1.3b) no less than 35 days before the date of the Meeting specified in the Petition, or as set by policy.

Section 4.2.1.3 -- Procedure:

- a) Petitions shall begin with a written proposal that concerns one of the topics permitted under Section 4.2.1.2. This shall be followed by a space for signatures and whatever other information is set by policy. Succeeding pages for signatures may be attached to the first page and shall clearly identify the topic of the Petition at the top of the page and be numbered. Multiple copies of the same Petition may be circulated for signatures.
- b) The initiator(s) of the Petition shall find a willing *Peacekeeper* to oversee the validation of the signatures against the current list of *Full Members*. Signed Petitions shall be delivered to this *Peacekeeper* who, after validation of the signatures, shall certify the percentage of *Full Members* who have signed the Petition and deliver the Petition to the Council.
- c) The Council shall act according to the requirements of any certified valid Petition. In the case of a Petition concerning a Major Policy Proposal Under Consideration, the Council shall refer the decision on that policy to the next General Meeting. In the case of a Petition for a Special General Meeting, the Council shall call the specified Meeting according to the duly established policies for calling General Meetings.

Section 4.2.2 -- General Meetings:

Section 4.2.2.1 -- There are two types of General Meetings: 1) the Annual General Meeting (see Section 4.2.2.8) and the Special General Meeting (see Section 4.2.2.10)

Section 4.2.2.2 -- General Meetings shall be open to all *Full* and *Temporary* Members, and to all others whom the Convenor of the Meeting allows to attend.

Section 4.2.2.3 -- The decision-making procedures used for General Meetings shall aim for consensus and the inclusion of all relevant points of view. If consensus can not be found in a reasonable period of time as determined by the Chair of the Meeting, decisions shall be by simple majority of those present unless otherwise specified by this Constitution or set by policy.

Section 4.2.2.4 -- A quorum shall be not less than 15% of the *Full Members*.

Section 4.2.2.5 -- One or both of the Listener-Convenors, or, if neither are available, a Councillor, shall be the Convenor of the Meeting and preside over, as the first item of business, the election of a Chair of the Meeting.

Section 4.2.2.6 -- The Chair of the Meeting shall have a deliberative vote and shall have a casting vote in the event of equality of votes.

Section 4.2.2.7 -- Notice of a General Meeting shall be given in writing not less than 21 days beforehand. The Calling Notice for the Meeting shall indicate the business to be addressed at the Meeting. No business shall be addressed at a General Meeting which is not indicated in the Calling Notice unless it is an item of business required by this Constitution.

Section 4.2.2.8 -- The Annual General Meeting shall be held within one month before or after the Spring Equinox, or as set by policy. In the event of there not being a quorum the Meeting shall be adjourned and recalled within one month on 21 days notice and such Meeting shall be deemed to be duly convened notwithstanding the number of *Full Members* present.

Section 4.2.2.9 -- The business of the Annual General Meeting shall be:

- a) to receive reports from the Council on the activities of the preceding year, including a financial report;
- b) to receive a proposed budget for the coming year from the Council;
- c) to fix the budget for the coming year;
- d) to fix the schedule of annual membership fees;
- e) to decide any policy issues which have been referred to the Meeting;
- f) to conduct any other business, consistent with this Constitution, which has been included in the Calling Notice for the Meeting.

Section 4.2.2.10 -- A Special General Meeting may be called at any time by:

- a) the agreement of both Listener-Convenors; or
- b) a 2/3rds vote of the Council; or
- c) a valid Petition for a Special General Meeting (Section 4.2.1.1d).

Section 4.2.2.11 -- In the event of there not being a quorum, the Meeting shall be adjourned. In the case of a Meeting called on the basis of a Petition, the Meeting shall be re-called. In the case of a Meeting called by the Listener-Convenors or by the Council, recalling of the Meeting is at the discretion of the Council. If the Meeting is recalled, it shall be done so within one month on 21 days notice and such Meeting shall be deemed to be duly convened notwithstanding the number of *Full* Members present. In the case of the Meeting not being recalled at the discretion of the Council, all the business intended for this Meeting shall be carried forward to the next General Meeting.

Section 4.2.2.12 -- The business of a Special General Meeting may include:

- a) adjusting the budget by more than a threshold level set by policy;
- b) deciding any policy issues which have been referred to the Meeting;
- c) conducting any other business, consistent with this Constitution, which has been included in the Calling Notice for the Meeting.

Section 4.2.2.13 -- Additional guidelines and procedures for General Meetings consistent with this Constitution shall be set by policy.

Section 4.2.3 – Referenda: Definition: A Referendum is a secret ballot election to accept or reject this Constitution or amendments to this Constitution (see Section 5) or to accept or reject policies referred to a referendum for decision (see Section 4.6).

Section 4.3 -- The Council

Section 4.3.1 -- Composition and Terms:

Section 4.3.1.1 -- Number: The Council shall be composed of not more than 12 and not less than 3 Councillors depending on the numbers standing for election (see Section 4.3.2.5).

Section 4.3.1.2 -- Term: The term of office of a Councillor shall be *for two years and renewable yearly at an Annual Election*.

Section 4.3.2 -- Election:

Section 4.3.2.1 -- Election Date: The Annual Election of Councillors shall be complete on the Spring Equinox or as otherwise set by policy.

Section 4.3.2.2 -- Election Overseer: The *Peacekeepers* (see Section 4.5.2) shall choose one of their number to be the Election Overseer responsible for the process of the election. The Listener-Convenors may recommend one or more candidates to the *Peacekeepers*.

Section 4.3.2.3 -- Qualifications: Candidates for Councillor shall be:

- a) *Full* Members;
- b) 16 years of age or older;
- c) in good standing with the laws of the country;
- d) planning to be absent from the local area for not more than a time period set by policy;
- e) willing and able to serve if elected; and
- f) whatever other qualifications are set by policy.

All candidates shall submit to the election Overseer with their nomination a written declaration that they have read and understood the Constitution of the Association and agree to be bound by it if elected.

Section 4.3.2.4 – Nominations: Any qualified individual shall become nominated by informing the Election Overseer of their willingness to stand. The closing time for nominations shall be set by policy.

Section 4.3.2.5 Election Process: The single transferable voting system for Councillors will only be used if the total number on Council would exceed the maximum of twelve. If there are less than twelve candidates, then all candidates can be elected by show of hands at the AGM with a minimum support of 75% each from the voting members present.

Section 4.3.2.6 -- Too few nominations: If the number of candidates at the close of nominations is less than 4, then the election shall be postponed until the next Annual General Meeting *or a Special General Meeting*. If that Meeting is not able to elect, by a process set by policy, at least three Councillors then the Association shall be dissolved (Section 6.1).

Section 4.3.2.7 -- Election Process: see 4.3.2.5

Section 4.3.2.8 -- Exclusive Role: A Full Member may stand for election for both the Council and Listener-Convenor, but if elected to both offices must serve only as Listener-Convenor.

Section 4.3.3 -- Withdrawal, Removal, Vacancies and Conflicts:

Section 4.3.3.1 – Withdrawal: A Councillor must withdraw from office if he or she ceases to be a Full Member or is absent from the local area for a time period longer than set by policy. A Councillor may withdraw for whatever reason upon 30 days written notice to the Council, or as set by policy.

Section 4.3.3.2 -- Removal: A Councillor may be removed from office

- a) for negligence, failure to do his or her duty, bringing the Association into public disrepute, or other specific offence set by policy and;
- b) by an 80% majority of those Full Members present at a duly constituted General Meeting which included this question of removal as an item of business in the Calling Notice and;
- c) after a fair hearing at said Meeting under procedures set by policy.

Section 4.3.3.3 -- Vacancies: If, for whatever reason, a Councillor vacates his or her position, the Council shall decide to either:

- a) Allow the position to remain vacant until the next election provided there remain at least three members;
- or
- b) Hold a by-election.

Section 4.3.3.4 -- By-elections:

- a) The date of any by-election shall be set by Council.
- b) The by-election shall be postponed until the next Annual Elections if these are within 90 days. If there are more than 90 days to the next Annual Election, a Special General Meeting shall be called to elect a Councillor according to the procedures set by policy in relation to section 4.3.2.6.
- c) The procedures for the by-election shall be the same as those for the Annual Election as set out in sections 4.3.2.2 to 4.3.2.4 and 4.3.2.7.

Section 4.3.3.5: In the event of a conflict between Councillors, the Listener-Convenors shall call upon the services of the *Peacekeepers* to mediate.

Section 4.3.4 -- Officers:

Section 4.3.4.1 – Co-Chairs: The Co-Chairs of the Council shall be the Listener-Convenors or as otherwise provided for in Section 4.4.5.2.

Section 4.3.4.2 -- Other Officers: The Council shall appoint a Treasurer, a Secretary, and such other officers as are set by policy.

Section 4.3.5 -- Powers: The Council shall have the following powers:

Section 4.3.5.1 -- General: All the affairs of the Association shall be managed by the Council unless otherwise specified in this Constitution or set by policy.

Section 4.3.5.2 -- Policy: The Council shall address all policy issues within the jurisdiction of the Association according to the process described in Section 4.6.

Section 4.3.5.3 -- Membership: The Council shall decide on the admission of any organisation to Organisation-Membership as described in Section 3.2.2. The Council shall be involved in the expulsion of Members as described in Section 3.4. The Council shall decide on the readmission of expelled or withdrawn Members as described in Section 3.5.

Section 4.3.5.4 – Accounts: The Council shall be empowered to authorise the Treasurer to open such bank accounts, etc., as shall be deemed suitable and shall determine the requirements for operation thereof. The Council shall be responsible for the keeping of proper books of accounts on behalf of the Association. The Council shall be entitled to require the books of accounts to be presented to the Council on demand.

Section 4.3.5.5 -- Budget: The Council shall be empowered to collect and to spend those funds specified in a duly approved budget, and to accept donations and grants on behalf of the Association. The Council shall prepare a proposed budget for presentation to the Annual General Meeting. The Council shall be empowered to adjust the budget by less than the threshold level, set by policy, referred to in Section 4.2.2.12.

Section 4.3.5.6 – Contracts: The Council shall be empowered to negotiate contracts with other parties for any purpose consistent with the duly approved budget, including the borrowing of funds. The Council shall be empowered to appoint a Guarantor or Guarantors to act on behalf of the Association as part of a contract should such be required.

Section 4.3.5.7 -- Property: The Council shall be empowered to appoint a Trustee or Trustees to hold property on behalf of the Association.

Section 4.3.5.8 – Personnel: The Council shall be empowered to create any sub-committee (hereafter referred to as a "Subgroup") to assist in the conduct of the Association's business. The existence and membership of each Subgroup may be reviewed by Council at any time, and especially following each annual election. Any such Subgroup shall have at least one Councillor as a member, be answerable to the Council, and the Council shall be responsible for its actions on its behalf.

In addition, the Council shall be empowered to:

- a) appoint and dismiss the members of any such Subgroup;
- b) to appoint and dismiss the members of the Global Elders group (see Section 4.5.4);
- c) to appoint and dismiss the members of the Neighbourly Relations group (see Section 4.5.3);
- d) to appoint the members of the *Peacemakers* group (see Section 4.5.2);
- e) to appoint and dismiss the staff for any activity or function administered by the Council.

Section 4.3.5.9 -- Research: In support of these powers the Council shall be empowered to carry out, and to delegate to its subgroups the carrying out, of research within guidelines set by policy. The Members, both *Individual* Members and Organisation-Members, shall assist in this research by supplying pertinent information within the constraints of Scottish law.

Section 4.3.5.10 -- Delegation: The Council shall be empowered to delegate any of its administrative or managerial functions, or other functions as set by policy, to other parties of its own choosing, who shall be answerable to the Council and the Council shall be responsible for their actions on its behalf.

Section 4.3.5.11 -- Other Powers: The Council shall have all other such powers as are granted to it by the Membership through a General Meeting or a Referendum and which are consistent with this Constitution and Scottish law.

Section 4.3.6 -- Meetings:

Section 4.3.6.1 – Openness: All meetings of the Council and its subgroups shall be open to *Full* Members as silent observers except that the Council and its subgroups may go into closed session for the discussion of personnel and contracting items, or as otherwise set by policy. All decisions of the Council and its subgroups are to be made in open session. Participation beyond silent observation by attending *Full* Members shall be at the discretion of the Chair of the Meeting. Minutes shall be kept and made available to the Membership for all open sessions and shall include all decisions. The files and records of the Association shall be open to the Membership except as set by policy.

Section 4.3.6.2 -- Quorum: A quorum shall be the nearest whole number, with .5 rounded up, to 50% of the total number of Councillors at that time.

Section 4.3.6.3 -- Frequency: Meetings of the Council shall be at least once per quarter.

Section 4.3.6.4 -- Special Meetings: Meetings of the Council may be called at any time by a) the agreement of the Listener-Convenors, or b) by agreement of a majority of the Councillors.

Section 4.3.6.5 -- Decision-Making: The decision-making procedures used by the Council shall aim for consensus and the inclusion of all relevant points of view. If consensus can not be found in a reasonable period of time as determined by the Chair of the Meeting, decisions in the Council and its Subgroups shall be by simple majority of those present unless otherwise specified by this Constitution or set by policy.

Section 4.3.6.6 -- Conflict of Interest: Any Councillor with a significant personal interest in a topic under discussion will disclose that interest to the Council. The Council will decide whether any Councillor should stand aside from the decision-making concerning a topic because of a conflict of interest. Guidelines concerning conflict of interest will be set by policy.

Section 4.3.6.7 – Procedures: Additional guidelines, procedures and rules for Council Meetings and meetings of subgroups appointed by the Council shall be set by policy consistent with this Constitution.

Section 4.4 -- The Listener-Convenors

Section 4.4.1 -- Composition and Terms:

Section 4.4.1.1 – Composition: There shall be two Listener-Convenors, a man and a woman not in a primary relationship with each other. Should they choose to form a primary relationship with each other during their term one of the pair shall resign.

Section 4.4.1.2 – Terms: The term of office shall be for two years except that, of the two Listener-Convenors elected in March 1999, one shall serve for only one year. The Listener-Convenor elected at that time with the highest rank shall choose either the two-year or the one-year term. Thereafter terms shall be staggered so that the election for the male Listener-Convenor shall alternate, year by year, with the election for the female Listener-Convenor.

Section 4.4.2 -- Role: The Listener-Convenors serve the Association by listening to the members, sensing the pulse of the Association, being spiritually attuned to its purpose, identifying key issues, and focusing appropriate Association attention on these. Their function is to accelerate the evolution of the Association and its members toward their highest potential through the achievement of the Association's Purpose (Article II).

Section 4.4.3 -- Election:

Section 4.4.3.1 -- Election Date: The regular election of Listener-Convenors shall be at the same time as the election of Councillors (Section 4.3.2.1). Should a Special Election for a Listener-Convenor be required, the date shall be set by the Council.

Section 4.4.3.2 -- Qualifications: Candidates for Listener-Convenor shall be: a) *Full* Members; b) 16 years of age or older; c) in good standing with the laws of the country; d) planning to be absent from the local area for not more than a time period set by policy; e) willing to serve if elected; f) after March 1999, of the same gender as the Listener-Convenor they are a candidate to replace; and g) whatever other qualifications are set by policy.

Section 4.4.3.3 -- Nominations: Any qualified individual shall become nominated by informing the Election Overseer of their willingness to stand. A closing time for nominations shall be set by policy.

Section 4.4.3.4 -- No nominations: If there are no candidates at the close of nominations, then the election shall be postponed until the next General Meeting *or a Special General Meeting*. If that Meeting is not able to elect, by a process set by policy, a Listener-Convenor, then the Meeting may consider the following items even if they were not included in the Calling Notice for the meeting: proposing amendments to the Constitution according to the process in Section 5.1, and proposing Voluntary Dissolution according to the process in Section 6.2.

Section 4.4.3.5 -- Election Process: If there are *more than two* nominations, the election shall be by secret ballot using the Highest Average Rank system (Section AA.2). The *Peacemakers* (see Section 4.5.2) shall choose a person who is not a member of the Association to serve as an Observer during the vote counting. *If there are two candidates the election will be by show of hands and the candidate supported by the majority of voting members present shall be elected.*

Section 4.4.3.6 -- One nomination: If there is only one nomination *the election shall be by show of hands and the candidate will need the support of 75 % of the voting members present to be elected. If no candidate is elected* the process described in Section 4.4.3.4 shall be invoked.

Section 4.4.4 -- Withdrawal, Removal, Vacancies:

Section 4.4.4.1 -- Withdrawal: A Listener-Convenor must withdraw from office if he or she ceases to be a *Full* Member; or is absent from the local area for a time period longer than set by policy. A Listener-Convenor may withdraw for whatever reason upon 30 days written notice to the Council, or as set by policy.

Section 4.4.4.2 – Removal: A Listener-Convenor may be removed from office:

- a) for negligence, failure to do his or her duty, bringing the Association into public disrepute, or other specific offence set by policy and;
- b) by an 80% majority of those *Full* Members present at a duly constituted General Meeting which included this question of removal as an item of business in the Calling Notice and;
- c) after a fair hearing at said Meeting under procedures set by policy.

Section 4.4.4.3 – Vacancies: If, for whatever reason, a Listener-Convenor vacates his or her position, the Council shall hold a by-election for that position unless there are fewer than 60 days to the next annual election, in which case it may be left vacant for that period.

Section 4.4.4.4 -- By-elections:

- a) If there is no candidate, the election shall be postponed until the next Annual Elections if these are within 60 days. If there are more than 60 days to the next Annual Election, a Special General Meeting shall be called to elect a Listener-Convenor according to the procedures set by policy in relation to section 4.4.3.4.
- b) The procedures for the by-election shall be the same as those for the Annual Election as set out in sections 4.4.3.2, 4.4.3.3 and 4.4.3.5.

Section 4.4.5 – Powers: In addition to any powers granted elsewhere in this Constitution or powers set by policy, Listener-Convenors have the following powers:

Section 4.4.5.1 -- Initiate Awareness-Raising: The Listener-Convenors, by their joint agreement, may convene meetings or initiate other processes within the Association to focus attention on key issues they have jointly identified.

Section 4.4.5.2 -- Co-Chair Council Meetings: The Listener-Convenors shall jointly or, by their joint agreement, individually chair the Council Meetings. They shall have no vote in the Council or in any Council Subgroup. The Listener-Convenors may, by their joint agreement, delegate all or part of the chairing of a Meeting to a person or persons of their choosing.

Section 4.4.5.3 – Unavailability: If the Listener-Convenors are unavailable, unable to delegate, and have not delegated the chairing at the time of a Council Meeting, the Council shall elect one of its members as Temporary Chair. The Temporary Chair shall not vote and shall not participate, while Temporary Chair, as a member of a Council Subgroup. The Temporary Chair shall be empowered to make the decisions which this Constitution and duly established policy requires of the Listener-Convenors. The Temporary Chair shall not assume any of the other aspects of the Listener-Convenor role unless set by policy. The role of Temporary Chair shall cease as soon as a Listener-Convenor is available.

Section 4.4.6 -- Rules:

Section 4.4.6.1 -- Decision-Making: In all places in this Constitution where it calls for the Listener-Convenors to make a decision by "joint agreement" both Listener-Convenors must agree on the decision for it to be properly made except in such cases where 1) there is only one Listener-Convenor because of an unfilled vacancy or 2) only one Listener-Convenor is available and the Council has decided by a 2/3rds vote of at least a quorum of Councillors that a decision by the Listener-Convenor must be made.

Section 4.4.6.2 -- Procedures: Additional guidelines, procedures and rules for Listener-Convenors shall be set by policy consistent with this Constitution.

Section 4.4.6.3 -- Proxy Listener-Convenor: Whenever a Listener-Convenor is absent from the Community for any reason or is otherwise unable to carry out his or her duties, or whilst there is a vacancy for a Listener-Convenor, the Listener-Convenors may appoint a Proxy Listener-Convenor from amongst the Councillors. Such proxy shall have all the duties, privileges and powers of a Listener-Convenor. He or she shall not have a vote on Council or Subgroup decisions whilst acting as a Proxy. In the event of prolonged absences, Council may consider remunerating the Proxy for his or her work as Listener-Convenor.

Section 4.5 -- Other Mandated Groups

Section 4.5.1 -- Forum of Organisations:

Section 4.5.1.1 -- Membership: All and only Organisation-Members shall be members of the Forum of Organisations and entitled to send representatives of their choosing to Meetings of this Forum.

Section 4.5.1.2 -- Governance: The Forum of Organisations is free to organise its internal affairs according to the wishes of its members and to call on the assistance of the Listener-Convenors and the Council in so doing. At the request of a majority of the Organisation-Members, the rules governing its internal affairs may be set by policy.

Section 4.5.1.3 -- Role: The Forum of Organisations advises the Council and undertakes activities, consistent with the Purpose of this Association, which are for mutual benefit of its members.

Section 4.5.2 -- Peacekeepers:

Section 4.5.2.1 -- Composition and Term: The Council shall appoint at least three people, *Full Members of the NFA*, with skills in mediation and conflict resolution as *Peacekeepers*. *Peacekeepers* cannot be Listener-Convenors. The Council shall appoint a Councillor to serve as the Council's liaison with the *Peacekeepers*.

Section 4.5.2.2 -- Withdrawal, Removal, and Vacancies:

a) A *Peacekeeper* must withdraw from office if he or she ceases to be a Full Member. A *Peacekeeper* may withdraw for whatever reason upon 30 days written notice to the Council, or as set by policy.

- b) A *Peacekeeper* may be removed from office: 1) for negligence, failure to do his or her duty, bringing the Association into public disrepute, or other specific offence set by policy and; 2) by an 80% majority of those *Full Members* present at a duly constituted General Meeting which included this question of removal as an item of business in the Calling Notice and; 3) after a fair hearing at said Meeting under procedures set by policy.
- c) If, for whatever reason, a *Peacekeeper* vacates his or her position and that vacancy brings the number of *Peacekeepers* below three, then the Council shall appoint another qualified person to fill that position.

Section 4.5.2.3 -- Powers: In addition to any powers granted elsewhere in this Constitution or powers set by policy, *Peacekeepers* have the following powers

- a) To mediate disputes within the Association which are not purely within one Organisation-Member.
- b) To, as a group, decide disputes over interpretation of the constitution. Constitutional questions requiring resolution can be brought to the *Peacekeepers* by 1) the joint agreement of the Listener-Convenors; 2) agreement of 1/3 of the Councillors; or 3) a petition of at least 10% of the *Full Members*.

Section 4.5.2.4 -- Rules and Procedures: The rules and procedures governing the *Peacekeepers* shall be set by policy unless otherwise specified by this Constitution.

Section 4.5.3 -- Neighbourly Relations

Section 4.5.3.1 -- Composition: The Council shall appoint, and can remove, the members of this group. The Chair shall be a Councillor and at least half of the other members shall be residents of the local area who are not Members of the Association.

Section 4.5.3.2 -- Role: This group is to advise the Council on matters concerned with the relationship between the Association and its local neighbours.

Section 4.5.4 -- Global Elders

Section 4.5.4.1 -- Composition: The Council shall appoint, and can remove, the members of this group. They shall be not more than five persons who are not resident in the local area.

Section 4.5.4.2 -- Role: This group is to bring a global perspective to both the Council and the Association through their advice and observations.

Section 4.6 -- Policy-Making Process (See diagrams in Appendix C)

Section 4.6.1 -- Definitions: For the purposes of this Constitution, "policy" means 1) any rule, guideline, or procedure; or 2) the adoption of any program or activity. Items requiring decisions which are concerned with the ongoing management of the Association as defined in this Constitution (including Sections 4.3.5.3, 4.3.5.4, 4.3.5.5, 4.3.5.6, 4.3.5.7, 4.3.5.8, and 4.3.5.9) and/or as defined in existing policy shall not be considered policy items.

Section 4.6.2 -- Major, Minor and Initiatory Policy Items:

Section 4.6.2.1 -- The following items shall be treated as Major Policy Items: all policies which are referred to in this Constitution by the phrase "set by policy"; any proposed budget items which differ from the existing budget by more than a threshold set by policy; and all other policy items categorised as Major Policy Items by any of the processes described in Section 4.6.2.2.

Section 4.6.2.2 -- Any policy item can be categorised as a Major Policy Item by: a) the joint agreement of the Listener-Convenors; b) agreement of at least 25% of the Council; or c) a petition to that effect signed by at least 5% of the *Full Members*.

Section 4.6.2.3 -- All policy items not explicitly classified as Major Policy Items are Minor Policy Items. The Council is empowered to make decisions on Minor Policy Items in any manner it sees fit provided it is otherwise consistent with this Constitution.

Section 4.6.2.4 -- Any policy which is referred to in this Constitution by the phrase "set by policy" and which is needed to allow the application of a part of the Constitution may be temporarily set by the Council as if it were a Minor Policy Item, and, if so set, shall be known as an Initiatory Policy. The Council shall, in the same Meeting at which the Initiatory Policy is set, start the same policy item through the decision-making process for Major Policy Items starting with Section 4.6.4.3. The Initiatory Policy shall stand as Duly Established Policy until the decision-making process for that Major Policy Item has produced a Duly Established Policy replacement for it.

Section 4.6.3 -- Identification of Policy Items: The decision-making process for policy items begins by the Council identifying a policy item about which a decision could be made. Such items may be brought to the attention of the Council by any Member, by a Listener-Convenor, by any Councillor, or by instruction from a General Meeting.

Section 4.6.4 -- Assignment of Policy Items:

Section 4.6.4.1 -- The Council shall proceed with each policy item (except those brought to the Council by instruction from a General Meeting) by deciding (see Section 4.6.2.2) whether the items is:

- a) a Major Policy Item, in which case the considerations of Section 4.6.4.3 apply;
- b) a Minor Policy Item, in which case the considerations of Section 4.6.2.3 apply;
- c) not in its jurisdiction; d) not to be addressed at this time.

Section 4.6.4.2 -- Items brought to the Council by instruction from a General Meeting shall be treated as Major Policy Items unless otherwise instructed by the General Meeting.

Section 4.6.4.3 -- The Council shall proceed with each Major Policy Item by either

- a) assigning it to a Council Subgroup with the instruction to formulate a proposal or a series of proposals to address the policy item; or
- b) immediately formulating a proposal or a series of proposals within the Council to address the policy item.

Section 4.6.5 -- Formulated Proposal: Once the Council has a Formulated Proposal, or a series of proposals, on a Major Policy Item before it, the Council is free to discuss, modify, and vote on that proposal according to the Council's rules as set by policy. The Council may also refer the proposal to a Council Subgroup for further consideration. If the proposal is voted on and gains less than 1/4th support from those Councillors present at the Meeting, no further action needs to be taken on the proposal. If it gains 1/4th support or more, the proposal becomes a Major Policy Proposal Under Consideration and enters the Member Comment Period.

Section 4.6.6 -- Member Comment Period: All Major Policy Proposals Under Consideration shall be made available to the Membership by means set by policy. The Membership shall have a period of not less than 21 days from the publication of a Major Policy Proposal Under Consideration to send comments on the proposal to the Council and/or to gather a petition requiring that the decision on the proposal be made at the next General Meeting (see Section 4.2.1.1a).

Section 4.6.7 -- Disposition by the Council:

Section 4.6.7.1 -- If by the end of the Member Comment Period there is no valid petition requiring that the decision on the proposal be made at the next General Meeting, the proposal shall return to the Council. After whatever discussion and modification of the proposal the Council chooses (in accord with the Council's rules as set by policy) the Council shall dispose of the proposal in one of the following ways:

- a) refer the proposal to a General Meeting for decision;
- b) refer the proposal to a Referendum for decision, in which case the Council shall arrange for the Referendum which may be held in conjunction with the next general election or otherwise at the Council's discretion;
- c) vote on the proposal according to the Council's rules as set by policy.

Section 4.6.7.2 -- If the Council votes on the proposal and the proposal:

- a) does not pass, no further action is required on the proposal;

- b) does pass and there have been only minor modifications to the proposal, it becomes Duly Established Policy;
- c) does pass and there have been major modifications, it must go through another Member Comment Period (Section 4.6.6).

Section 4.6.7.3 -- The Listener-Convenors shall rule, by their joint agreement, or if neither is present the Chair of the Meeting shall rule, that the modifications, if any, to the proposal since its last publication as a Major Policy Proposal Under Consideration are minor for them to be considered minor. This ruling is final.

Section 4.6.8 -- Disposition by a General Meeting

Section 4.6.8.1 -- If by the end of the Member Comment Period there is a valid petition requiring that the decision on the proposal be made at the next General Meeting, the proposal shall go to the next General Meeting. After whatever discussion and modification of the proposal the Meeting chooses in accord with the Meeting's rules as set by policy and so long as the proposal, in the opinion of the Chair of the Meeting, still addresses the same Major Policy Item, the Meeting shall dispose of the proposal in one of the following ways:

- a) refer the proposal to a Referendum for decision, in which case the Meeting shall instruct the Council to arrange for the Referendum, which instructions may include the date and other particulars of the Referendum;
- b) refer the proposal back for Member Comment (Section 4.6.6);
- c) vote on the proposal according to the Meeting's rules as set by policy.

Section 4.6.8.2 -- The Chair of the Meeting shall, within this item of business, entertain only proposals which, in the Chair's opinion, address the original Major Policy Item.

Section 4.6.8.3 -- If the Meeting votes on the proposal and the proposal:

- a) does not pass, no further action is required on the proposal;
- b) does pass, it becomes Duly Established Policy;

Article V -- Amendments

Amendments to this Constitution shall be treated as Major Policy Items except that:

- a) the final decision on a proposed amendment shall be made by a Referendum and the amendment must gain at least 2/3rds of the votes cast in the Referendum to pass;
- b) if the amendment is referred to the Referendum by the Council, 2/3rds of the Councillors present at the Meeting must approve the motion to do so;
- c) if the amendment is referred to the Referendum by a General Meeting, at least 2/3rds of the *Full* Members present must approve the motion to do so.

Article VI -- Dissolution

Section 6.1 -- Forced Dissolution:

If under the provisions of Section 4.3.2.6 the Association is forced to dissolve, the General Meeting at which those provisions take effect shall choose one or more organisations with purposes aligned with the purpose of the Association and shall apportion and make over the remaining assets of the Association to those organisations

Section 6.2 -- Voluntary Dissolution:

Section 6.2.1 -- If the conditions which would require a Forced Dissolution do not apply, a proposal for dissolution shall be treated as a Major Policy Item except that:

- a) the final decision on such a proposal shall be made by a Referendum and the proposal must gain at least 2/3rds of the votes cast in the Referendum to pass;
- b) if the proposal is referred to the Referendum by the Council, 2/3rds of the Councillors present at the Meeting must approve the motion to do so;

c) if the proposal is referred to the Referendum by a General Meeting, at least 2/3rds of the *Full* Members present must approve the motion to do so.

Section 6.2.2 -- The proposal for dissolution shall specify to whom the assets of the Association shall be made over.

Appendix A -- Voting Systems

Section AA.1 -- Single Transferable Vote:

Section AA.1.1 -- Description: The Single Transferable Vote (STV) voting system is an election method applicable to multi-seat elections (such as for the Council in this Constitution). It is increasingly being used in governmental and organisational elections around the world and has been used for some time in Australia and the Republic of Ireland. Its primary strengths are that, compared to traditional "first past the post" systems, it allows a more refined representation of voter preference and avoids "wasted" votes.

In the traditional system, votes are "wasted" either by voting for a candidate who is so popular that he or she did not need your vote to get elected or by voting for a candidate who does not get elected. In STV, with minor exceptions, every voter contributes a vote to a candidate the voter prefers and who does get elected. Here, in broad terms, is how STV works. (A more detailed set of rules starts in Section AA.1.2.)

In an STV election the voters rank the candidates on the ballot by assigning 1 to their first preference, 2 to their second preference, etc., on down to their Nth preference, where N is the number of seats to be filled in the election. Thus if there are 12 seats to be filled and 20 candidates all together, the voter will put in ranking numbers from 1 to 12 and leave the least preferred candidates blank.

Once the election period is over and all the ballots are collected, the counting process can begin. The first step is to count the total number of valid ballots and then divide this by the number of seats to be filled. This gives the "quota" of votes that a candidate needs to be elected. (E.g. 360 valid ballots and 12 seats to be filled gives $360/12 = 30$ for the quota.) The next step is to count the first preference votes (marked with a "1" on the ballot) which each candidate has received. Normally, some candidates will receive more than a quota of first preference votes. These candidates are thereby elected and any votes which they have beyond the quota form a surplus. (E.g. If candidate John gets 40 first preference votes and the quota is 30, John has a surplus of 10 votes.)

The next step is to distribute the surplus votes by transferring each one to the highest ranking candidate on each surplus ballot who has not yet been elected. (E.g. on one of John's surplus ballots Jane, who has also been elected, is the second preference, but Tom, who has not yet been elected, is the third preference. The ballot therefore gets transferred to Tom.) If this elects still more candidates, their surplus is also transferred and the process continues until all the seats have been filled or (the more likely case) there are still seats to fill but all the surplus has been distributed.

At this point attention shifts to the lowest ranking candidate who is eliminated from the competition and all of his or her ballots are transferred to candidates who are still in the running, again with each ballot going to the highest ranking candidate on that ballot who has neither been elected or eliminated (called a "continuing candidate"). The process continues by distributing the surplus of any newly elected candidates, if there are any, or eliminating the lowest ranking continuing candidate. This goes on until the combination of elected and continuing candidates equals the number of seats to be filled at which point all the remaining continuing candidates are declared elected and the process is complete. The net result is that essentially every ballot has gone towards a candidate who is the highest preference for that voter among those candidates that both needed that ballot to be elected and were electable.

Section AA.1.2 -- Rules for Implementing Single Transferable Vote: There are a number of different ways to implement STV, some are more mathematically complicated and suitable for computerisation and others are simpler and suitable for hand counting. The following set of rules, which are a simple form suitable for hand counting, shall be the method used in the Association unless otherwise set by policy.

Section AA.1.2.1 -- Definitions:

- a) A valid "ballot" is a paper, card, or electronic form, on which a voter has marked one candidate or numerically ranked one or more candidates. A ballot form with no marks or with more than one non-numeric marks is invalid.
- b) A "continuing candidate" is a candidate who is not yet elected or eliminated.
- c) To "transfer" a ballot is to assign it to its highest-ranked continuing candidate.
- d) A "transferable ballot" is a ballot which lists or designates at least one continuing candidate.
- e) As a noun, a "transfer" is an instance of transferring one or more ballots.
- f) "N" represents the number of seats in the election.
- g) "The quota" is the number of valid ballots cast in the election divided by N, rounded to the nearest whole number, with .5 rounded up.
- h) "A quota" is a vote total numerically equal to the quota.

Section AA.1.2.2 -- Vote Counting Process:

With all ballots assembled for counting, assign each ballot, one at a time, to its highest-ranked continuing candidate. If that assignment of that ballot gives a candidate a quota of votes, that candidate is elected and thereafter has no more votes assigned to him or her.

If, after all ballots have been so assigned, there are not N candidates elected, then the candidate with the fewest ballots is eliminated and, one at a time, each of his or her ballots is assigned to its highest-ranking continuing candidate. Again, candidates are elected and no longer assigned ballots as soon as their vote count reaches the quota.

If there are two or more candidates tied with the lowest vote count, the candidate with the lowest average rank on his or her ballots is eliminated first. E.g. John and Tom both have eight votes, the lowest vote count at that time. John has three 1st preference votes, two 2nd preference votes, and three 3rd preference votes, so his average rank is 2, i.e. $(3*1 + 2*2 + 3*3)/8 = 2$. Tom has five 1st preference votes, one 5th preference vote, and two 7th preference vote, so his average rank is 3. Tom's average rank of 3 is a lower rank (higher numbers are lower in rank) than John's average rank of 2, so Tom is eliminated first.

If there are two or more candidates tied on both the lowest vote count and the same average rank, and eliminating them all would not bring the number of non-eliminated (i.e. elected plus continuing) candidates below N, then all of these candidates shall be eliminated together. If eliminating them all would bring the number of non-eliminated candidates below N, the candidate with the lowest average rank on the ballots of the other candidate(s) in the tie shall be eliminated first. If the candidate is not ranked on a ballot the next available rank will be assigned for the purposes of this test. E.g. John and Tom are tied with eight votes and each has the same average rank on their own ballots. On John's ballots, Tom has the following rankings: two 3rd preference, four 4th preference, and two 5th preference. Tom's average rank on John's ballots is thus 4. On Tom's ballots, John has the following rankings: two 3rd preference, four 6th preference, and two blanks which are then assigned as 13th preference. John's average rank on Tom's ballots is thus 7. John thus has the lower average rank and is eliminated.

This process of elimination and transfer is continued until either N candidates have been elected, or until only N candidates remain un-eliminated (in which case those N are declared elected), whichever happens first.

Section AA.2 -- Highest Average Rank:

Section AA.2.1 -- Description: The Highest Average Rank (HAR) voting system is an election method applicable to single-seat elections (such as for Listener-Convenor in this Constitution). Its strength is that, compared to traditional "first past the post" systems, it gives preference to candidates who have broad support among all the voters as opposed to those candidates who are polarising, with strong support among some voters but strong opposition among others.

In the HAR system, voters rank all the candidates standing for the office, putting a "1" next to their first choice, "2" by their second choice, and so on. Votes are counted by finding the average rank of each candidate on all the ballots. The candidate with the highest average rank is elected. E.g. Suppose that John and Tom are both candidates in an HAR election with a total of six candidates. If John gets 60% of the 1st preference vote and 40% of the 6th preference vote (i.e. a polarised split), his average rank is 3, i.e. $1 \cdot .6 + 6 \cdot .4 = 3$. If Tom gets 100% of the 2nd preference vote, his average rank is 2, higher than John's, and if no other candidate has a higher rank than Tom's, Tom would be elected.

Section AA.2.2 -- Rules for Implementing Highest Average Rank:

Section AA.2.2.1 -- Definitions:

- a) A valid "ballot" is a paper, card, or electronic form, on which a voter has marked one candidate or numerically ranked one or more candidates. A ballot form with no marks or with more than one non-numeric marks is invalid.
- b) An "incomplete ballot" is a ballot on which all applicable candidates have not been ranked. Incomplete ballots are still valid.
- c) "Average remaining rank" is the average value of the ranks which have not been assigned on an incomplete ballot. E.g. Suppose that on a ballot with six candidates, only "1", "2", and "3" have been marked. This leaves ranks 4, 5, and 6 whose average value is 5.

Section AA.2.2.2 -- Vote Counting Process: Begin by determining the total number of valid ballots. For any incomplete ballots, assign the average remaining rank to all those candidates who were not ranked on that ballot. Next, using all the valid ballots, determine the average rank of each candidate. The candidate with the highest average rank is elected.

Appendix B -- Highlights of the New Findhorn Association Constitution

PURPOSE

The Constitution describes the community's purpose as: to be a diversity of people showing by example a way of living in the world in alignment with Spirit, in cooperation with each other and in service to the Earth. The Constitution creates a community-wide structure designed to facilitate and enable this purpose, primarily by improving communications, understanding, and cooperation within the community.

MEMBERSHIP IN THE ASSOCIATION

Our community is not all on one piece of land and can't be defined geographically. The Constitution defines the community instead through the organisations that are part of it. These can include charities (e.g. The Findhorn Foundation, Trees for Life); businesses (e.g. Findhorn Flower Essences, Phoenix Community Stores); associations (e.g. Findhorn Bay Community Association); or informal groupings (e.g. The Youth Project, a crafts persons' network). Organisations that fulfil certain basic requirements and choose to join the community become organisation-members.

The Constitution recognises *Full* members as the community's highest embodied authority. We, who have chosen to work and live here in alignment with the community's purpose, are able, through the Constitution, to exercise our authority through the right to vote in referenda and for candidates, to stand for election, to raise petitions, to amend the Constitution should the need arise, to participate in membership meetings and to use those community services which the new structure will develop.

LISTENER-CONVENORS

The facilitation of better communications and cooperation within the community begins with this unusual role. These two elected, paid, people, "a man and a woman not in a primary relationship with each other"; serve the community by listening to the members, sensing the pulse of the community, being spiritually attuned to its purpose, identifying key issues, and focusing appropriate community attention on these. They have the power to

convene meetings, initiate games, catalyse new groups, and in other ways help the community take its next steps in areas as diverse as economic development and connection to Spirit. Their function is to accelerate the evolution of the community and its members toward their highest potential. They are also the non-voting co-chairs of the Council (see below), focusing the Council's attention on the issues that truly concern the community.

THE COUNCIL

This is a voluntary body of *a minimum of three and a maximum of twelve* members, elected by the members. It addresses policy issues related to the whole community, prepares the annual budget for approval by the membership, and otherwise manages the community-wide structure. The Council admits Organisation-Members and can, as a last resort, with due process, expel individuals and organisations from membership.

The Council also appoints groups with advisory or special roles that serve the community. Chief among these are *Peacekeepers*, who mediate disputes which are not completely within a single organisation; *Neighbourly Relations*, a group that includes local non-members and establishes and maintains good relationships with others nearby, in the immediate Findhorn-Kinloss-Forres vicinity; and *Global Elders*, three to five individuals living further afield who are respected, willing and available to bring a global perspective to community affairs.

FORUM OF ORGANISATIONS

Organisation-members do not have voting rights or decision-making powers in the community-wide structure, but they can participate in a regular Forum with fellow organisations, in order to devise, explore and put into practice mutually beneficial ideas that also serve the community's Purpose. This Forum will advise the Council on a regular basis.

Appendix C

(Please look at the graphic files "Decision 1" of this page and "Decision 2" for the next page.)

Appendix D -- Signatures of the Constitutional Committee

We, the undersigned, confirm that this document is the Constitution which we, as the elected Constitutional Committee, have prepared on behalf of the community who shall now become the members of the New Findhorn Association. With gratitude for our chance to serve in this way, we offer, on this day, 15 March, 1999, this Constitution to that membership, to the larger world, and to Spirit, which has guided us in our process.

Fabien Barouch, Rowan Ducek, Bill Grant, Elizabeth Hill, Malcolm Hollick, Katherine Inglis, Dürten Lau, Richard Mark-Coates, Rory O'Connell, Jeremy Slocombe, Bram van den Berg, Julia Zalazar.