



## Constitution and Rules of the Progressive Democratic Party

### 1. Name

The name of the party shall be the Progressive Democratic Party (hereinafter referred to as “PDP”).

### 2. Fundamental Beliefs and Philosophy

#### 2.1 The PDP is a party that;

**2.1.1 is constituted on a fundamental belief and respect for democracy, social justice, equality, the inalienable and unqualifiable right to self-determination of the people of Gibraltar, liberty, social and economic responsibility, individual and collective freedoms, fair and accountable government, sustainable development, public participation and the enhancement of the quality of life of the people of Gibraltar;**

**2.1.2 has as its primary goals the pursuit of progressive political, social and liberal economic policies towards these ends and the achievement of maximum self-government without limitation in accordance with the separate and distinct identity and aspirations of the people of Gibraltar**

### 3. Aims

The main aims and objectives of the PDP are to pursue its fundamental beliefs and philosophy as set out in clause 2 above, provide Gibraltar with a progressive, forward-thinking, radical [where necessary] and democratic political alternative and to foster an inclusive and balanced society based on greater public participation and an environment of opportunity for all to achieve their aspirations and in doing so to strive tirelessly to better the quality of life,

democracy, proper and accountable government, freedom, justice and the political and economic development of Gibraltar

### **3.1 Transitional Provisions**

In furtherance of this aim PDP shall:

- 3.1.1** Establish in the first instance an executive committee consisting of founder members (“the Founder Members”) and thereafter broaden its membership and within 24 months from the founding of the PDP hold elections as per paragraph 6 below;
- 3.1.2** Develop further the conceptual and policy ideas of its founder members across the political spectrum in keeping with PDP aims;
- 3.1.3** Make the public aware of its existence and its aims through all reasonable mediums of communication;
- 3.1.4** Develop its membership and support base;
- 3.1.5** Campaign on all matters that it believes will further its aims;
- 3.1.6** Fund raise as required in furtherance of its aims;

## **4. Members**

A person shall be eligible for membership if he or she subscribes to the Fundamental Beliefs and Philosophy and Aims identified in paragraphs 2 and 3 above and is not currently a member of any other political party in Gibraltar.

## **5. Application for Membership**

- 5.1** Any person, eligible to apply as defined by Clause 4 herein, who wishes to become a member of PDP shall be required to complete and sign PDP’s Membership Application Form that must include a declaration that as a member of PDP he/she subscribes to the Aims and shall abide by the rules of PDP.
- 5.2** All members of PDP shall be required to pay any annual membership fee by the Thirty-First of March in each calendar year. Membership will lapse automatically if a member fails to pay the membership fee by this date. Membership application forms will be available from the Membership Secretary.
- 5.3** Any member who behaves in a manner which in the opinion of the majority of the Executive Committee is contrary to the aims of the Party and/or in breach of the rules of PDP can have their membership terminated by written notice. However such termination should be a last resort option and only if the member in question in the opinion of the Executive Committee is unwilling or unable to change his or her behaviour.

## **6. Membership Fee**

- 6.1** The annual membership fee of the Association shall be no less than £1.00 per annum per member as determined from time to time by the Executive Committee.
- 6.2** The Association's Membership year shall be from the First of January to the Thirty-First of December of each calendar year.

## **7. The Executive Committee**

**7.1** The Founder Members shall form the first Executive Committee ("the Executive"). The Executive is entrusted with managing and directing the PDP in accordance with its beliefs, philosophy and aims.

**7.2** Unless the member of the Executive ("the Executive Member") is also an elected member of the House of Assembly in which case (subject to clause 8.1) he or she will serve until such time as they are no longer an Elected Member each Executive Member shall serve for a maximum term of 24 months after which the Executive Member must stand down and put himself forward for re-election at the next Annual General Meeting ("AGM") should he or she wish to continue as an Executive Member

**7.3** Save for the first Executive the Executive shall be elected at the AGM of PDP by members on a majority basis;

**7.4** In order to be eligible for election to the Executive or to vote at any AGM or extraordinary general meeting persons must have been members of the PDP for a minimum of six months and in the case of members wishing to stand for election to the Executive must have their nomination for election supported by at least one Executive Member and five other ordinary members of the PDP The Executive shall consist of a minimum of eight and a maximum of twenty Executive Members. All members of the Committee shall serve in a voluntary capacity.

**7.5** The main purpose of the Executive shall be to do such things that are lawful to further the aims of PDP as outlined in Clauses 2 and 3 above.

**7.6** The Executive shall have the power to co-opt up to six further members to assist them with furthering the aims of the Party . These co-opted members shall serve on the Executive for as long as the Executive determines, in an advisory capacity and shall not be entitled to vote.

**7.7** The Executive shall meet at least ten times in each calendar year.

**7.8** The decisions of the Executive shall be by a majority of full members present and voting. In the event of a tie the Chairperson of PDP shall have the final and casting vote.

**7.9** The quorum for meetings of the Executive shall be six Executive Members and must include at least 50% of any Elected Members who are then members of the Executive. Co-opted members do not count towards the quorum. Without a quorum present the Executive meeting cannot consider any business or make any decisions, on behalf of PDP. In the event that the Executive meeting does not have a quorum present, the meeting shall be reconvened fourteen days from the date of that meeting at the same time and the same place at which the quorum shall be five Executive Members to include 50% of any Elected Members.

**7.10** The Executive shall have the power to set up sub-committees as necessary, from time to time, to assist the work of the Executive. A sub-Committee shall consist of at least one Executive Member. A sub-Committee will be formed to look into a specific matter or for a specific purpose. It does not have the power to take decisions; rather it shall act in an advisory capacity and make recommendations to the Executive.

**7.11** The Executive may by a majority of 75% of all of the voting members of the Executive amend this constitution, aims and rules from time to time but such amendment shall only be effective if ratified by a majority of the members at the AGM as provided in paragraph 10 below.

**7.12** the event the PDP is required to prepare audited accounts, the Executive shall appoint an independent fully qualified and certified auditor to undertake the audit.

## **8 Officers of PDP:**

**8.1** The Officers of the Executive shall be elected by the Executive at its first meeting following the signing of this constitution by the Founder Members and thereafter on the expiry of every period of 24 months and at the first meeting of the Executive following the Annual General Meeting and shall consist of:

**8.2** The Party Chairperson (“Chairperson”) who shall chair the annual general meeting, general meetings, extraordinary general meetings and Executive meetings. He/she should seek to achieve a consensus amongst members at each and every meeting. In the event that a matter must be put to the vote the Chairperson shall only cast a vote in the event of a tie.

**8.3** The General Secretary (“General secretary”), who shall ensure that members are advised of meetings of the PDP; take minutes of the annual general meetings, extraordinary general meetings, and Executive meetings and circulate these; and receive and manage the correspondence and place all relevant correspondence before each meeting of PDP. The General Secretary will be responsible for giving notice of meetings as follows;

**8.3.1** Notice of all general meetings of the Party shall be given twenty-one days prior to the date of the meeting and shall be published in the media accordingly.

**8.3.2** At least seven days notice of an Executive meeting shall be given unless it is deemed to be urgent by the General Secretary or any other Officer of the Party in which case such notice as is possible will be given and as a first item of that meeting the majority of the Executive Members present must agree that business of the Executive can be transacted.

**8.4** The Membership Secretary (“Membership Secretary”) who shall be responsible for looking after the interests of members of PDP, processing the membership applications and assisting the General Secretary as required.

**8.5** The Treasurer (“Treasurer”) who shall receive, administer and account for the funds of PDP. He/she must be a signatory on all the accounts held by the

Association at any bank, building society or financial institution. He/she must maintain good and proper records of all income and expenditure and shall present a statement of account at each AGM that has been independently validated. In the event that the accounts require auditing, he/she shall be responsible for ensuring that all financial records are made available to the auditor appointed by the Executive.

**8.6** Leader of the PDP (“Leader”) who will be identified as the political leader of the PDP and the person who when not an Elected Member is identified as the person who will lead the PDP into the next General Election. No person shall hold office as Leader of the PDP for a period longer than twelve years unless the Executive by 75% majority has decided to extend such period as it deems appropriate whereupon the decision by the Executive to extend the term of office shall only be effective if adopted by majority of the members at the next available AGM. If the PDP is elected to Government at any successive general election no person shall hold the office of Chief Minister for longer than eight consecutive years.

**8.7** Deputy-Leader of the PDP (“Deputy-Leader”) who will be identified as the political deputy-leader of the PDP and the person who when not an Elected Member is identified as the person who will be the deputy-leader of the PDP into the next General Election.

**8.8** From time to time as required in anticipation of a General Election the Executive will elect from the Executive or its membership sufficient candidates (“Candidates”) for the purposes of standing at any general or bye-election in Gibraltar.

**8.9** The Leader, Deputy-Leader or Candidates whilst Elected Members will be subject to re-election as Executive Members or officers of the Party at any time before the period prescribed in clause 8.1 if two-thirds of the Executive in a specially convened meeting for that purpose decide that they should stand for re-election as Officers of the Party or as members of the Executive at the earliest opportunity. Such a meeting will not take place unless requested of the Chairperson by 50% of the Executive in writing.

**8.10** Following the resignation of any officer of the Party the General Secretary will convene the Executive to elect a person to that post at the earliest opportunity.

**8.11** All contested elections and any vote under clause 8.9 shall be by secret ballot.

## **9. Funds of PDP**

**9.1** The PDP shall have the power to open such bank, building society or other account, as it deems necessary in order to hold and secure its financial assets. There shall be three signatories to the accounts, the Chairperson, Treasurer and one other officer of PDP. Two of the three signatories shall be required to authorise the withdrawal or payment of funds on behalf of PDP.

**9.2** All monies belonging to PDP shall be held in bank accounts, with the exception of such monies as shall be necessary to undertake the day to day work to further the aims of PDP as outlined in Clauses 2 and 3 herein. The Treasurer

shall have the main responsibility for managing the funds of PDP and shall account for them as outlined in Clause 8.5 above.

**9.3** The PDP's financial year-end shall be the Thirty-First of March in each calendar year.

## **10. General Meetings**

PDP shall convene General Meetings as follows:

**10.1** Ordinary General Meetings may be called as and when the Executive considers that there is any business or matter that must be placed before the membership of PDP.

**10.2** The Annual General Meeting that shall be convened once a year, to be held within three months of the end of the financial year end, on a date, at a time and a place to be determined by the Executive.

The agenda of the Annual General Meeting shall be:

**10.2.1** Minutes of previous Annual General Meeting

**10.2.2** Matters Arising

**10.2.3** Chairperson's Report

**10.2.4** Treasurer's Report and Financial Statement

**10.2.5** Leaders Report

**10.2.6** Election of Executive

**10.2.7** Motions

**10.2.8** Any Other Business

### **10.3** Extra-ordinary General Meetings

**10.3.1** The Executive shall convene an extraordinary general meeting at the petition of the members provided that such petition, stating the reasons for calling such a meeting, is made in writing to the Committee and is signed by at least of 25% of the members of the PDP having the right to vote at such meetings from time to time.

**10.3.2** No business other than that for which the meeting has been specifically petitioned and convened shall be considered at an extraordinary general meeting.

**10.4** A minimum of twenty-one days notice shall be given in writing to members in advance General Meetings stating the place, date and time of the meeting, type of meeting and business to be discussed.

**10.5** A quorum of at least 25% of the members, shall be required to be present to

enable the General Meeting to proceed. Where a quorum is not attained the General Meeting shall be reconvened twenty-one days from the date of that General Meeting at the same time and the same place.

**10.6** At the reconvened General Meeting the quorum shall be 15% of the members of PDP to enable the meeting to proceed.

**10.7** All motions to be considered at General Meetings of PDP must be given in writing and proposed and seconded by 10 members of PDP twenty-one days prior to the meeting at which they are to be considered. At the General Meeting, if required and to achieve a consensus, amendments to motions may be made from the floor, at the discretion of the Chairperson. Motions passed at the AGM shall be declaratory in nature. The manner and timing of their implementation or otherwise shall be decided by the Executive.

## **11. Amendments to the Constitution**

Motions submitted by the Executive at General Meetings of PDP that seek to amend any part of the constitution must be passed by a two-thirds majority of those present and eligible to vote.

## **12. Winding up of PDP**

PDP shall be wound up if:

**12.1** The number of members of the PDP is five persons or less.

**12.2** The members of PDP convene an Extra-ordinary General Meeting of the PDP as outlined in Clause 9(iii) and present a motion to that effect that is passed by seventy-five per cent of those present and eligible to vote.

In the event that PDP is wound up, the Officers of PDP shall ensure that PDP meets its financial and other obligations prior to winding up and if it is still holding any monies or assets, these shall be donated to a registered charity or charitable organisation with a similar aim.