

**THE CONSTITUTION OF
THE FRESH
DEMOCRATIC PARTY**

PREAMBLE

The Fresh Democratic Party exists:

- a) To build and safeguard a fair, free and open society, in which we seek to balance the fundamental values of liberty, equality and community, and in which no one shall be enslaved by poverty, ignorance of conformity.
- b) To champion the freedom, dignity and well-being of individuals. We acknowledge and respect the right of every human being to freedom of conscience and their right to develop their talents to the full.
- c) To spread and distribute power, to foster diversity and to nurture creativity. We believe that the role of the State is to enable all citizens to attain these ideals, to contribute fully to their communities and to take part in the decisions that affect their lives.
- d) To build a nation in which all people share the same basic rights, in which they live together in peace and in which their diverse cultures will be able to develop freely.

We believe that at different periods a particular generation should be responsible for the fate of our country and, therefore each such generation must be given opportunity to fully play its role in the governance of the nation.

Upholding these values of individual and social justice, we reject all prejudice and discrimination based upon race, colour, religion, age, disability, sex and oppose all forms of entrenched privilege and inequality.

Recognizing that the quest for freedom and justice can never end we promote human rights and open government, a sustainable economy which serves genuine need, public services of the highest quality, international action based on the recognition of the interdependence of all the world's people and responsible stewardship of the earth and its resources.

We believe that people should be involved in running their communities. We are determined to strengthen the democratic process and ensure that there is a just and representative system of government with effective legislative institutions, freedom of information, decisions taken at the lowest practicable level and a free and fair voting system for all elections.

We will at all times defend the right to speak, write, worship, associate and vote freely, and we will protect the rights of citizens to enjoy privacy in their own lives and homes.

We believe that sovereignty rests with the people and that authority in a democracy derives from the people. We therefore acknowledge their right to determine the form of government best suited to their needs and commit ourselves to the promotion of a democratic federal framework within which as much power as feasible is exercised by the regions of the nation. We similarly commit ourselves to the promotion of a flourishing system of democratic Local Government in which decisions are taken and services delivered at the most local level which is viable.

We will foster a strong and sustainable economy which encourages the necessary wealth creating process, develops and uses the skill of the people and works to the benefit of all, with a just distribution of the rewards of success. We want to see democracy, participation and the co-operative principle of industry and commerce within a competitive environment in which the State allows the market to operate freely where possible but intervene where necessary. We will promote scientific research and innovation and will harness technological change to human advantage.

We will work for a sense of partnership and community solidarity in all areas of life.

We recognize that the independence of individuals is safeguarded by their personal ownership of property, but that the market alone does not distribute wealth or income fairly. We support the widest possible distribution of wealth and promote the rights of all citizens to social provision and cultural activity. We seek to make public services responsive to the people they serve, to encourage variety and innovation within them and to make them available on equal terms to all.

Our responsibility for justice and liberty cannot be confined by national boundaries; we are committed to fight poverty, oppression, hunger, ignorance, disease and aggression wherever they occur and to promote the free movement of ideas, people, goods and services.

Setting aside national sovereignty when necessary, we will work with other nations towards an equitable and peaceful international order and a durable system of common security. Within the African Union we affirm the values of federalism and integration and work for unity based on these principles.

We will contribute to the process of peace, the elimination of world poverty and the collective safeguarding of democracy by playing a full and constructive role in international organizations which share similar aims and objectives with us. These are the conditions of liberty and social justice which is the responsibility of each citizen and the duty of the State to protect and enlarge.

The FRESH Democratic Party consists of women and men working together for the achievement of these aims.

ARTICLE 1: NAME

The name of the Party shall be FRESH DEMOCRATIC PARTY (FDP) hereinafter referred to in this Constitution as ‘The Party’.

ARTICLE 2: MOTTO

The motto of the Party shall be **DESTINY AND PURPOSE.**

ARTICLE 3: EMBLEM

The Emblem or logo of the Party shall be A CLOCK SET AT 8.00 O’CLOCK.

ARTICLE 4: COLOURS

The Colours of The Party shall be WHITE, GOLD AND GREEN.

ARTICLE 5: SECRETARIAT

The registered office of the Party shall be located at 4, Parke Close, off Aguiyi Ironsi, Maitama, Abuja or any other place as may be approved by the National Executive Council of the party.

ARTICLE 6: AIMS & OBJECTIVES

The Objectives of the Party shall be:-

- (a) To seek to achieve the objects set forth in the Preamble to this Constitution.
- (b) To uphold and defend the Constitution of the Federal Republic of Nigeria
- (c) To promote the unity and stability of Nigeria through due respect for the principle of national and federal character.
- (d) In order to achieve these objects and those in the preamble, to canvass for votes, sponsor candidates for elective offices and to seek to acquire political power in Nigeria through legitimate, democratic and constitutional means.

ARTICLE 7: MEMBERSHIP

Membership of the Party shall be open to every Nigerian. The member is the basic unit of the Party and irrespective of nationality, citizenship or of place of residence, any person who:-

- (a) has reached the age of 15;
 - (b) subscribes to the Party's Principles and Objects and accepts this Constitution;
 - (c) is not a member of another political Party; and
 - (d) is not a member of, or associated with, any organization, publication or institution the objects or activities of which are declared by the National Steering Council (NSC) of the Party to be injurious to the interests of the Party or inconsistent with its Principles and Objects.
- is eligible for membership.

7.1 GROUP MEMBERSHIP

- (a) Trade unions, sections or divisions of unions that are not themselves group members, professional associations, co-operative societies and other organizations which subscribe to the Party's Principles and Objectives and accept this Constitution are eligible for group membership of the Party.
- (b) Applications for group membership shall be made to the National Executive Council (NEC). Every applicant for group membership shall make through a duly authorized officer, a declaration that the group subscribes to the Party's Principles and Objectives and accepts this Constitution.

- (c) Group members shall pay an annual group membership fee as determined by the National Executive Council (NEC) of the Party from time to time. A group member which has not paid its annual group membership fee by the date in each year fixed for the purpose shall not be represented at any meeting to which it would otherwise be entitled to send delegates. A group member that is 2 years in arrears of payment shall be deemed to have resigned from the Party.
- (d) The National Executive Council (NEC) may refuse to admit any applicant for group membership, and may cancel the group membership of any organization, where it considers that:-
 - i) the organization is not, or is no longer, eligible for group membership, or
 - ii) the objects or activities of that organization are injurious to the interests of the Party or inconsistent with its Principles and Objects.
- (e) A group member may appeal to the Party Convention against a decision to cancel its membership under this Article. The appeal shall be made in the manner specified by the National Executive Committee and the decision of the Party Convention on any such appeal shall be final.

7.2 RIGHTS AND DUTIES OF MEMBERS

- (a) Noting that Wards are the key organizational units of the Party, a member shall belong to and take active part in the life of his Ward of the Party.
- (b) All members shall have the right to one vote each at meetings, to be voted for in any election and shall be entitled to speak on any issue raised at such meetings.
- (c) Members shall pay annual subscriptions, fees, levies and dues as may be prescribed from time to time before they can enjoy any rights or benefit of membership.
- (d) Members shall refrain from publishing and distributing any material purporting to be the view of any faction or tendency within the Party without due authorization.
- (e) Members shall refrain from acts of sabotage against the Party and be loyal to the Party by observing its rules, regulations and

directives and shall not do anything that is inconsistent with the provisions of this Constitution and the manifesto of the Party.

7.3 REGISTER OF PARTY MEMBER

- (a) A register of persons admitted to membership by the National Office or by a ward shall be kept at the National Office on receipt of their names and addresses.
- (b) Ward members may transfer their membership to another Ward, with the consent of that other Ward. Subject to receipt of that consent, National Head Office shall re-register that member accordingly.
- (c) A person whom the National Executive Council (NEC) has decided is ineligible for Party membership shall not be admitted to membership of the Party.
- (d) Subject to paragraph (e), a person shall not be expelled from Party membership save in accordance with the provisions of this Constitution.
- (e) A member who has publicly declared or otherwise made clear an intention to stand as a candidate at an election to which this Constitution applies, notwithstanding a failure either to seek or to secure nomination and ratification as a Party candidate in accordance with the terms of this Constitution may be deemed by decision of the NEC, by virtue of that member's breach of the undertaking referred to in this Constitution (to support the Party's candidates at elections), to have resigned from the Party. The decision of the NEC on any such question shall be final.

7.4 RESIGNATION AND EXPULSION OF MEMBERS

- (a) A member can resign his membership, provided:
 - i) He gives a notice in writing to the Party's Secretariat in his State,
 - ii) He returns all properties of the Party in his possession.
- (b) A member can only be expelled if he commits acts that are inimical to this Constitution, progress and growth of the Party.
- (c) Two-Thirds of registered members of the Party in his Ward may recommend the expulsion of a member, with reasons, in writing to the State Executive Council of the Party in the State where the member is registered and/or reside permanently.
- (d) The Secretary of the State Executive Council shall within 7 (seven) days of receipt of the recommendation, communicate in writing to the

affected member the recommendation for his expulsion and the reasons therein.

- (e) The affected member shall within 30 days of the communication of the charge by the Secretary, state his defense in writing and forward same to the Secretary.
- (f) The Secretary shall summon a meeting of the State Executive Council within 7 days of the receipt of the defense, which Executive Council shall consider the allegation(s) in the recommendation and communicate in writing within 15 days of the conclusion of its deliberations its own recommendation to the National Executive Council.
- (g) Within 7 days of receipt of the recommendation of the State Executive Council, the Secretary of the National Executive Council shall inform the affected member in writing to come in person to its meeting on a date not exceeding 30 days after receipt of the information by the Secretary in order to defend himself.
- (h) The National Executive Council shall decide the recommendation for expulsion by a two-third vote of all its members present, provided a quorum was attained.
- (i) An expelled member is eligible to re-apply for membership only after 365 days of the date of his expulsion.
- (j) The National Executive Council (NEC), shall, without prejudice to the provisions above, have the right to discipline, expel or withdraw membership of a member where it confirms that such member has committed an act inimical to the aims and objectives of the party.

7.5 REVOCATION OF MEMBERSHIP

Membership can be revoked by the National Executive Council when it is satisfied that the particular member has been convicted of criminal offence involving fraud, dishonesty, or felony and/or has engaged in acts subversive of the aims of the Party.

7.6 DISCIPLINE OF MEMBERS

The various executive bodies at each level of the Party shall have powers to discipline members of the Party in its area of jurisdiction who violate the rules of the Party or whose conduct in the opinion of the particular Executive body contravenes the spirit of the Party. Provided that such affected member is accorded a fair hearing. However this power shall not include the power to expel a member from the Party.

Records of violations as well as records of subsequent disciplinary actions must be kept and a copy forwarded to the National Executive Council for ratification.

ARTICLE 8: ORGANS OF THE PARTY

The following shall constitute the organs of the Party:

- (a) Board of Trustees
- (b) The National Convention
- (c) The National Steering Committee (NSC)
- (d) The National Executive Council (NEC)
- (e) The States Congress
- (f) The State Steering Committee (SSC)
- (g) The State Executive Council (SEC)
- (h) The Local Government Area Congress
- (i) The Local Government Executive Council (LGEC)
- (j) The Ward Congress
- (k) The Ward Executive Council (WEC)
- (l) Special Branches

ARTICLE 9: COMPOSITION OF ORGANS

9.1 BOARD OF TRUSTEES

This shall be composed of highly respectable and responsible individuals who have acquired experience in different aspects of human endeavours. Members of the Board of Trustees shall be appointed by the National Steering Committee. The first Chairman of the Board of Trustees shall remain in Office for life and may only vacate the office only where he dies; resigns or he is removed for anti Party activities by a consensus vote of the National Steering Committee. Other members tenure shall be determined by the National Steering Committee of the Party.

9.1.1 Functions of the Board of Trustees

- (a) The Board shall advise the Party on all its policies and programmes including political, economic, religious and other socio-cultural issues.
- (b) It shall be responsible for resolution of conflicts between organs of the Party or between any organ of the Party and government.
- (c) It shall resolve any disagreement on the interpretation and implementation of this Constitution.

- (d) It shall handle any other issue that may be referred to it by the National Chairman, National Steering Committee or the National Executive Council of the Party.

9.2 NATIONAL CONVENTION

Delegates to the National Convention of the Party shall consist of the following:-

- (a) All members of the National Executive Council
- (b) All members of the State Executive Council
- (c) All members of the National Assembly who are members of the Party.
- (d) All members of the State House of Assembly who are members of the Party.
- (e) One delegate elected by the Local Government Congress from each Local Government in Nigeria.

9.2.1 Functions of the National Convention

- (a) To elect the National Officers of the Party
- (b) To amend the Constitution of the Party
- (c) Nominate the Presidential candidate of the Party,,
- (d) The Chairman of the Party shall chair the National Convention.

PROVIDED that the first National Officers of the Party shall stay in office for one term commencing from the date of registration of the Party. The National Convention shall be convened by the National Executive Council.

9.3 NATIONAL STEERING COMMITTEE (NSC)

The NSC shall consist of the following:-

- (a) The President and Vice-President elected under the Party or the Presidential and Vice- Presidential Candidates.
- (b) Members of the National Executive Council.
- (c) Principal Officers of the Senate and House of Representatives who are members of the Party.
- (d) State Governors, Deputy Governors or Gubernatorial and Deputy Gubernatorial Candidates of the Party.
- (e) All State Chairmen of the Party.

9.3.1 Functions of the National Steering Committee

- (a) Approve all guidelines for the running of the Party.
- (b) Determine necessary changes and approve changes in the manifesto of the Party.
- (c) Advise the Board of Trustees on the recommendation of the National Working Committee

The National Steering Committee shall be chaired by the National Chairman and shall meet at least once in a quarter.

9.4 NATIONAL EXECUTIVE COUNCIL (NEC)

This shall be made up of the following:-

- (a) National Chairman
- (b) Deputy National Chairman
- (c) Six National Vice- Chairmen (representing each of the 6 geo-political zones in Nigeria)
- (d) National General Secretary
- (e) Deputy National General Secretary
- (f) National Financial Secretary
- (g) National Treasurer
- (h) National Media and Publicity Secretary
- (i) National Director of Planning and Campaign
- (j) National Director of Research
- (k) National Legal Adviser.
- (l) National Chief Whip
- (m) National Welfare Officer

9.4.1 Functions of the National Executive Council

- (a) Implement the policies and programmes approved by the National Steering Committee.
- (b) Administer the day to day activities of the party.
- (c) Initiate and implement programmes in fulfillment of the aims and objectives and the general improvement of the Party.
- (d) Call and fix date and venue for the National Convention.
- (e) The National Chairman shall chair the Council.

9A.2 The National Chairman

- (a) He shall be the Chief Executive Officer of the Party and shall preside over meetings of the NEC and the NSC.

- (b) He shall oversee the day to day management of the Party.
- (c) He shall represent the Party in all external functions to which the Party is invited except he delegates the duty.
- (d) He shall be a signatory to all external correspondence of the Party unless he delegates the duty.
- (e) He shall present a report of the Party at the AGM of the Party except he delegates the duty.
- (f) In the event of a tie during voting at all meeting at which he presides he shall be entitled to a casting vote.
- (g) While in office may run and be elected for a political elective office; and still retains his position as National Chairman.
- (h) He shall be a signatory to the audited National account(s) of the Party.

9.4.3 The National Deputy Chairman (6 No's - each representing the Six Geo - Political Zone

One of these shall deputise for the National Chairman when he is not available and shall perform all duties assigned to him by the National Chairman or the Party.

9.4.4 The Secretary General

- (a) He shall direct and execute all administrative and secretarial functions of the Party.
- (b) He shall keep proper documentation of all correspondence and communication of the Party.
- (c) He shall attend all meetings of the AGM, the NSC and the NEC, take and keep records of the proceedings of such meetings.
- (d) He shall be the custodian of all properties of the Party excluding funds.
- (e) He shall receive quarterly reports from State Chairmen on the activities of the Party in each of the States.
- (f) He shall receive general complaints from the States and pass them on to the NEC.
- (g) He shall prepare in consultation with the National Chairman, a full and comprehensive annual report on the affairs of the Party and for presentation at the AGM.
- (h) He shall perform all other functions that may be designed to him by the National Chairman or the Party.

9.4.5 The Deputy National Secretary General

He shall perform of the functions of the Secretary General in the absence of the Secretary General or when delegated to do so by the Secretary General.

9.4.6 The National Financial Secretary

- (a) He shall direct all funds mobilization efforts of the Party.
- (b) He shall receive all monies due to the Party and shall pay same to the Treasurer within 24 hours after collection or as soon as possible thereafter.
- (c) He shall issue receipts for all monies of the Party received by him.
- (d) He shall prepare all payment vouchers duly approved and ensure that (either) the Chairman or the Secretary General or both authorize such payment.
- (e) He shall maintain a true and accurate record of all receipts and payment and shall present a yearly Financial Report to the National Convention.
- (f) He shall make financial records available to the appointed Auditors on request

9.4.7 The National Treasurer

- (a) He shall receive from the National Financial Secretary all monies of the Party and pay them into the Party account within 24 hours of receipt.
- (b) He shall be signatory to the Party's National accounts.
- (c) He shall pay all expenses duly authorized by the National Chairman and keep a copy of payment vouchers.
- (d) He shall keep an impress account as approved by the NEC from time to time.
- (e) He shall present to the NEC a quarterly statement of the parties account.

9.4.8 The Publicity Secretary

- (a) He shall be Public Relations Officer of the Party.
- (b) He shall be responsible of informing the Party of all important publications affecting the Party and keep records of those publications.
- (c) He shall be responsible for publishing the activities of the Party.

- (d) He shall sign all press releases upon consultation with the National Chairman and the Secretary General.

9.4.9 The National Director of Planning and Campaign

- (a) He shall in conjunction with the Secretary General be responsible for the ideological growth of the Party.
- (b) He shall plan strategies for effective recruitment of Party members.
- (c) He shall advise the Party on the short and long term consequences of its plans and activities.

9.4.10 The National Director of Research

- (a) He shall be responsible for research and policy development.
- (b) He shall liaise with the Secretary General and the Director of Planning and Campaign for effective implementation of the Party's research efforts.

9.4.11 The National Legal Adviser

- (a) He shall be responsible for giving legal advice to the Party
- (b) He shall arrange for the conduct of litigation and defense on behalf of the Party including its organs, officers and officials where the subject of litigation pertains to the Party's interest.

9.4.12 The National Vice Chairman

- (a) There shall be six (6) National Vice-Chairmen in the NSC to be drawn from each of the six zonal areas of the federation.
- (b) They shall be elected at the Convention of the Party.

9.5 STATE CONGRESS

These shall be the Annual meeting of the State Chapter of the Party and it shall consist of:

- (a) Members of the National Executive Council produced by the State.
- (b) Members of the State Executive Council.
- (c) Members of National Assembly from the State produced by the Party.
- (d) All members of the State House of Assembly produced by the Party.
- (e) The State Deputy Governor, all Deputy Chairmen and Speaker (or leader) of the Local Government legislative Council who were elected under the platform of the Party.
- (f) 5 Delegates elected from each Local Government.
- (g) All members of the Local Government executive Council.

- (h) It shall convene yearly provided that it shall not be convened at a date exceeding thirteen months from the date of the preceding meeting and shall be convened at least one month preceding the National Convention of the Party.
- (i) It shall be convened at the instance of the State Executive Council and failing that, a two-thirds majority of the Local Chapter Executive Councils in the State can by agreement convene the State Congress.
- (j) The State Congress shall not be deemed to be fully convened unless a two-third majority of the total number ci expected delegates is present.

9.5.1 Functions and Powers

- (a) The State Congress shall have the power to elect the State Officers of the Party and to remove them from office subject to provision of this Constitution on the procedure for their removal from office.
- (b) The State Congress shall receive a report of the activities of the party from the State Chairman shall present the report.
- (c) It shall receive a financial report from the State Financial Secretary at its Annual Convention.
- (d) Voting at the State Congress shall be by ballot and only financial member shall be entitled to vote and shall be entitled to one vote each.

9.6 STATE STEERING COMMITTEE (SSC)

- (a) It shall consist of the State Executive Council. The Chairmen and Secretaries of all the Local Branch Executive Council.
- (b) The State Secretary shall serve as Secretary to the SSC and the State Chairman shall preside at its meetings.
- (c) A quorum of the SSC shall be attained when a majority of the members are in attendance.
- (d) The SSC shall be convened by either the State Secretary at the instance of the State Chairman or by agreement of a majority of members of the State Executive Council, provided that where it becomes impracticable to do so, a majority of the entire members of the SSC can by agreement convene the meeting.
- (e) Voting at every meeting of the SSC shall be by ballot and each member shall be entitled to one vote.
- (f) Save as otherwise provided, decisions of the SSC shall be by a majority vote of members present at its meetings.

9.7 STATE EXECUTIVE COUNCIL

It shall be the controlling body of the State Chapter of the Party and shall be established in all the States of the Federation including Abuja and shall consist of:

9.7.1 The State Chairman

- (a) He shall be the Chief Executive Officer of the State chapter and shall preside at meetings of the State Steering Committee and the State Executive Council.
- (b) He shall oversee the day to day running of the State Chapter.
- (c) He shall represent the State Chapter at the National Steering Committee.
- (d) He shall be a signatory to the State Chapters Account.
- (e) He shall make representations to the National Executive Council from time to time as to the progress of the Party in the State.
- (f) He shall present a report of the Party's activities in the State at the Annual Meeting.
- (g) In the event of a tie voting at meetings of the State Steering Committee or State Executive Council, he shall have a casting vote.
- (h) He shall perform such other functions as may be assigned to him by the National Executive Council or the State Executive Council from time to time.

9.7.2 The State Vice Chairman

- (a) He shall deputise for the State Chairman whenever he is unavailable.
- (b) He shall attend all meetings of the State Steering Committee and the State Executive Council.

9.7.3 The State Secretary

- (a) He shall direct and execute all administrative and secretarial functions of the Party.
- (b) He shall attend all meetings of the State Executive Council and the State Working Committee.
- (c) He shall be the custodian of the Party's properties in the State excluding funds.
- (d) He shall keep an inventory of Party properties in the State and shall make a copy available to the State Chairman quarterly or upon request.

- (e) He shall receive reports of complaints from the Local Chapters in the State and pass them on to the State Executive Council.
- (f) He shall in conjunction with the State Chairman prepare a comprehensive report of the State Chapter's activities for presentation to the National Executive Council quarterly and to the State Congress annually.
- (g) He shall be a signatory to the State accounts.

9.7.4 The State Assistant Secretary

He shall deputize for the State Secretary when he is unavailable.

9.7.5 The State Financial Secretary

- (a) He shall receive all monies due to the State Chapter and shall hand it over to the State Treasurer within 24 hours of collection or as soon as possible thereafter.
- (b) He shall direct all fund mobilization effort of the State Chapter.
- (c) He shall issue receipts of all monies of the Party received by him.
- (d) He shall prepare all payment vouchers duly approved by the State Chairman and ensure that the State Chapter properly authorizes such payments.
- (e) He shall maintain a true and accurate record of all receipts and payments and shall present quarterly financial reports to the State Executive Council.
- (f) He shall make financial records available to appointed Auditors on requests.

9.7.6 State Treasurer

- (a) He shall receive from the State Financial Secretary all monies of The State Chapter of the Party and pay same into the Party's account(s) in the State within 24 hours.
- (b) He shall be a signatory to the State Chapter's accounts
- (c) He shall pay all expenses duly authorized by the State Executive Council and keep a copy of the payment vouchers.
- (d) He shall keep an impress account of an amount to be determined by the State Executive Council from time to time.
- (e) He shall present to the State Executive Council a quarterly statement of accounts.

9.7.7 State Publicity Secretary

- (a) He shall be the Public Relations Officer of the State.
- (b) He shall be responsible for publicizing the activities of the Party in the State.
- (c) He shall be responsible for informing the Party of all important publications affecting the State Chapter of the Party and keep records of these publications.
- (d) He shall sign Press releases in the State upon consultation with the State Chairman and the State Secretary.

9.7.8 The State Legal Adviser

- (a) He shall be responsible for giving legal advice to the Party.
- (b) He shall arrange for the conduct of litigation and defense on behalf of the Party including its organs, officers and officials where the subject of litigation pertains to the Party's interest.

9.8 LOCAL GOVERNMENT LEVEL: LOCAL GOVERNMENT AND WARDS.

WARD shall mean a sub-division of a Local Government Area.

9.8.1 Local Government Congress

- (a) This shall be the Annual meeting of the Local Government Chapter of the Party and shall consist of all members of the Party at the local unit.
- (b) A Chairman elected at the Chapter shall preside over the business of the Local Government Congress.
- (c) It shall be convened yearly provided that it shall not be convened at a date exceeding thirteen (13) months of the last convention, It shall be convened at least one (1) month preceding the date of the State Congress
- (d) It shall be convened at the instance of the Local Government Chapter Executive Council.
- (e) The Local Government Congress shall not be deemed to be fully convened unless a majority of the total number of the delegates is present.
- (f) Delegates to the Congress shall be made up of the following:
 - i) All members of the Local Government Executive Council
 - ii) All members of the National and State Congress of the Party from the Local Government Area

- iii) All members of Ward Executives
- iv) All Councilors produced by the Party
- v) Two (2) delegates elected from each Ward.

9.8.2 Functions and Powers

- (a) The Local Government Congress shall have powers to elect the Chapter Officers of the Party and to remove them from office subject to the provisions of this Constitution on the procedure for their removal from office.
- (b) The Local Government Congress shall receive a report of the Party from the Local Government Executive Council at every annual meeting of the Local Government Congress. The Chairman shall present the report.
- (c) The Congress shall receive a financial report from the Financial Secretary of the chapter at the annual meeting
- (d) Voting at the Local Government Congress shall be by ballot.

9.8.3 Local Government Executive Council

- (a) Chairman
- (b) Deputy Chairman
- (c) Secretary
- (d) Assistant Secretary
- (e) Treasurer
- (f) Financial Secretary
- (g) Publicity Secretary.

9.8.4 Functions of the Local Government Executive Council

- (a) To administer the day to day activities of the Party.
- (b) To implement all policies of the Party.
- (c) To carry out any other function as may be directed by the National or State Executive Council of the Party.

9.9 WARD CONGRESS

Delegates to the Congress shall include all members of the Party from the Ward.

9.9.1 Functions of the Ward Congress.

- (a) To elect members of the Ward Executive Council.
- (b) To elect delegates to the Local Government Congress.

9.9.2 Ward Executive Council

This shall consist of the following:

- (a) Chairman
- (b) Deputy Chairman
- (c) Secretary
- (d) Assistant Secretary
- (e) Treasurer
- (f) Financial Secretary
- (g) Publicity Secretary.

9.9.3 Functions of the Ward Executive Council

To administer the day to day activities of the Ward.

9.10 SPECIAL CHAPTERS

The National Executive Council may create chapter of the Party outside Nigeria. The structure and manner of administration shall be determined by the NEC, depending on the peculiar reality of any chapter. Such Chapters shall be entitled to send delegates to the National convention as may be determined. Such delegates shall have full rights like any other delegate at the convention.

ARTICLE 10: MISCELLANEOUS

10.1 TENURE

- (a) Except as otherwise provided under this Constitution, all elected National, State, Local government and Ward Officers of the Party shall hold office for a period of Four (4) years after which they will be eligible for re-election.
- (b) No officer of the Party shall hold a particular office for more than two (2) consecutive terms, provided that an officer who holds an office for two (2) consecutive terms is eligible to vie for another office at the expiration of the two terms.
- (c) An officer of the Party who replaces another before the expiration of the term of that other shall be deemed for the purpose of this Article to have assumed office at the time his predecessor resumed office.
- (d) The above provisions do not apply to employees of the Party.

10.2 ELECTIONS

- (a) All elections at all levels of the Party shall be won by the candidate with the highest votes polled.

- (b) The election of the National Officers of the Party shall be conducted at the Annual General Meeting (National Convention).
- (c) The election of the State Officers of the Party shall be conducted at the State Congress.
- (d) The election of the Local Government Officers shall be conducted at Local Government Congress of the Party.
- (e) Only registered members who are not in default as to obligations shall be eligible to vote and be voted for.

10.3 ELECTION COMMITTEE

- (a) Members of the Election Committee for election into National Offices shall be appointed by the State Executive Councils of each State and Abuja at the State Congress. Each State Executive Council being entitled to nominate one member.
- (b) The Election Committee for the election into the State Executive Council shall consist of Seven (7) members and shall be appointed by the National Executive Council and shall exclude any officer of the Party at the State level.
- (c) The Election Committee of the Local Government Executive Council shall consist of five (5) members and shall be appointed by the State Executive Council and shall exclude any officer of the Party at the Local Government Chapter.
- (d) All Election Committees shall be appointed on a one time basis only and reconstituted as and when necessary.
- (e) The returning officer of each Election Committee shall be elected by members of the Committee.

10.4 MEETINGS

- (a) Save as otherwise provided, decisions at all meetings of the Party shall be reached either by general consensus or by a simple majority vote.
- (b) Save as otherwise provided, meetings shall be summoned by the various secretaries for their individual organs acting on the request of the Chairman.
- (c) Where it becomes impracticable for the NEC to hold meetings, The National Steering Committee shall direct the affairs of the Party.
- (d) Where it becomes impracticable for the State Executive Council to hold meetings, The Chairmen and Secretaries of the various Local Government chapters shall meet to direct the affairs of the Party

- (e) Where it becomes impracticable for the Local Government Executive Council to hold meetings, The State Steering Committee shall appoint a sole administrator to manage the affairs of the Executive Council for a period not exceeding 180 days or as such time a new Local Government Executive Council may be formed.
- (f) Where it becomes impracticable to hold elections into the National Offices at the National Convention of the Party the National Steering Committee shall meet within 90 days to elect among them the National Executive Council.
- (g) Save as otherwise provided the quorum at any meeting of the Party shall be one-third of registered members of that chapter in attendance.
- (h) Notice of meeting shall be sent out at least 14 days before the meetings by the various Secretaries of the individual Chapters of the Party provided that notice of the National Convention, the State and Local Government Congresses must be sent out at least 21 days before the meetings.

ARTICLE 11: Nomination of Candidates for Election

- i) The procedure for the nomination of candidates for various elective positions shall be by direct indirect primaries.
- ii) The National Executive Council of the Party shall at its meeting or extra ordinary meeting determine whether direct or indirect procedure will be adopted for the purpose of nominating candidates for the elective positions.
- iii) Where the direct primaries procedure is adopted, the Electoral Committee set up for that purpose shall ensure that all aspirants who are not disqualified under this constitution and by any other existing law are given equal opportunity of being voted for by members of the party.
- iv) Where the indirect primaries is adopted the Electoral Committee shall, in the case of nominations to the position of Presidential Candidate;
 - a) Hold conventions in each of the 36 states of the federation and FCT where delegates shall vote for each aspirant at designated centres in each state capital:
 - i. A National Convention shall be held for the ratification of the candidate with the highest number of votes;

- ii. The candidate with the highest number of votes at the end of voting in the 36 States of the Federation and FCT shall be declared the National Convention shall forward the winner of the Presidential Primaries of the Political Party and the aspirants name to the NEC as the Candidate of the Party after ratification.
- b) In the case of nomination to the position of Governorship Candidate:
 - i) hold special congress in each of the Local government areas of the state with delegates voting for each of the aspirants at the congress to be held in designated centres on specified dates;
 - ii) The aspirant with the highest number of votes at the end of voting shall be declared the winner of the primaries and his name shall be forwarded to the NEC as the candidates of the party for the state.
- c) In the case of nominations to the position of a Senatorial Candidate, House of Representatives and State House of Assembly the party shall:
- d) In the case of position of Chairman Candidate of an Area Council the party shall:

Hold special congresses in the Area Councils with delegates voting for each of the aspirants at designated centres on a specific date;

 - i. The aspirant with the highest number of votes at the end of voting shall be declared the winner of the primaries and his name shall be forwarded to the INEC as the candidates of the party for the state.
 - ii. In the case of a councillorship candidate, the procedure for the nomination of the candidate shall be by direct primaries in the ward and the name of the candidate with the highest number of votes shall be submitted to the INEC as the candidate of the party.
- e) In the event that there is only one aspirant for any of the elective positions mentioned in 4(a) (b) (c) (d) the party shall hold a special convention or congress at a designated centre in a specified date for the confirmation of such aspirant and the name of the aspirant shall be forwarded to the INEC as the candidate of the party.
- f) In the event that there is only one aspirant for any of the elective positions mentioned in 4(a) (b) (c) (d) the party shall hold a special convention or congress at a designated centre in a specified date for

the confirmation of such aspirant and the name of the aspirant shall be forwarded to the INEC as the candidate of the party.

ARTICLE 12: FINANCE

12.1 The Party shall raise funds through:-

- (a) Subscription and membership fees
- (b) Annual dues
- (c) Donations and grants
- (d) Proceeds from Party investments.

12.2 The NEC shall be entitled to 30% of all income accruing to the Party at the State and Local Government Levels.

12.3 State Chapters shall transmit all membership fees due to the National Head Office not later than the 31st April in each year.

12.4 Local Government Chapters shall transmit all membership fees due to the National Head Office to the State Secretariat not later than the 28th February in each year.

12.5 The NEC shall have the discretion to make special grants, donations or loans (without interest) to any organ of the Party.

12.6 The budget of the Party at any level shall be approved by the appropriate Executive Council and authorization of all expenditures therein shall be vested in the appropriate Chairman.

12.7 The Party at all levels shall operate bank accounts in financial institutions approved by the appropriate Executive Council. The signatories to the Party account at each level shall be the Chairman, the Secretary and the Treasurer.

12.8 No withdrawals shall be made without the signatures of at least two of the signatories.

ARTICLE 13: AUDITORS

The accounts of the Party shall be audited by professional Auditors appointed at the National Convention on recommendation of the NEC.

There shall also be internal Auditors employed by each organ of the Party.

ARTICLE 14: RULES

The organs of the Party at various levels shall have power to make rules and bye- laws for the effective operation of the Party provided such rules and bye-laws do not contravene the provisions and the spirit of this Constitution.

ARTICLE 15: REMOVAL FROM OFFICE

15.1 Any elected member of the NEC, SEC and LGEC shall be removed from office whenever he is found to have committed one or more of the following offences:

- a. Persistent refusal to carry out basic membership duties as enshrined in this Constitution.
- b. Persistent refusal to carry out official duties stipulated in his office as outlined in this Constitution.
- c. Gross violation of the rules of the Party.
- d. Misconduct which is likely to undermine the standing or tarnish the image of the Party in the eyes of the public.
- e. Anti-Party activities or any actions which undermine the Party's objectives, aims, interest and principles.

15.2 An elected officer of the Party shall be removed from office whenever:-

- (a) In the case of a National Officer a written allegation (of any offences in paragraph 14.1 above from any registered member of the Party is sent to the National Steering Committee.
- (b) The National Steering Committee shall then setup a Disciplinary Committee of twelve (12) members, 2 members from each of the six (6) zones of the country. This Committee shall not include more than 2 members of the NEC.
- (c) The Disciplinary Committee shall within seven days invite the affected officer to defend himself in person or writing.
- (d) The Disciplinary Committee shall within 6 weeks of sending out the said invitation to the affected officer consider the allegation(s) and the defense (if any) of the affected officer and then report its finding back to the National Steering Committee.

PROVIDED that the Disciplinary Committee shall have powers to suspend such officer from office if it deems it fit pending its report being sent back to the National Steering Committee. And, if the Disciplinary Committee decides to suspend the officer affected, he shall be paid full emoluments or benefits until the National Steering Committee considers and votes on his case.

- (e) The National Steering Committee shall as soon as possible consider the report of the Disciplinary Committee. If a two-third majority of its members present vote in favour of the removal of the officer from office, a motion to that effect shall be sent to the National Convention for approval.
- (f) The affected officer shall stand removed from office where a two-third majority of the National Convention votes in favour of his removal from office. Provided that if the affected officer is not removed from office by the National Convention, he shall be entitled to the full emoluments and benefits forfeited by him while on suspension.

15.3 In the case of an officer of a SEC a written allegation of any offences in paragraph 14.1 above from any registered member of the Party is sent to the SSC:-

- (a) The SSC shall setup a Disciplinary Committee of nine members with proportionate representation of all parts of the State, which committee will not include more than two members from the SEC.
- (b) The Disciplinary Committee shall within seven days invite the affected officer to defend himself in person or writing.
- (c) The Disciplinary Committee shall within 60 days of sending out the said invitation to the affected officer, consider the allegation(s) and the defense (if any) of the affected officer and then report its finding back to the SSC.

PROVIDED that the Disciplinary Committee shall have powers to suspend such officer from office if it deems it fit pending its report being sent back to the State Steering Committee. And, if the Disciplinary Committee decides to suspend the officer affected he shall be paid full emoluments or benefits during a period no more than 180 days beginning from the time of his suspension, after which, the suspension shall be without any further emolument or benefits until the SSC considers and votes on his case.

- (d) The SSC shall as soon as possible consider the report of the Disciplinary Committee. If a two-third majority of its members present vote in favour of the removal of the officer from office, a motion to that effect shall be sent to the State Congress for approval.
- (e) The affected officer shall stand removed from office if a two-third majority of the members of the State Congress vote in favour of his removal from office. Provided that if the affected officer is not removed from office by the State Congress, he shall be entitled to the full emoluments and benefits forfeited by him while on suspension.

15.4 In the case of an officer of a LGEC a written allegation of any offences in paragraph (a) above) from any registered member of the Party is sent to the LGEC:

- (a) The LGEC shall setup a Disciplinary Committee of seven (7) members with proportionate representation of all parts of the Local Government, which committee will not include more than two members from the LGEC.
- (b) The Disciplinary Committee shall within fourteen (14) days invite the affected officer to defend himself in person or writing.
- (c) The Disciplinary Committee shall within 6 weeks of sending out the said invitation to the affected officer consider the allegation(s) and the defense (if any) of the affected officer and then report its finding back to the LGEC.

PROVIDED that the Disciplinary Committee shall have powers to suspend such officer from office if it deems it fit pending its report being sent back to the LGEC. And, if the Disciplinary Committee decides to suspend the officer affected he shall be paid full emoluments or benefits during a period no more than 180 days beginning from the time of a suspension, after which, the suspension shall be without any further emolument or benefits until the LGEC considers and votes on his case.

- (d) The LGEC shall as soon as possible consider the report of the Disciplinary Committee. If a two-third majority of its members present vote in favour of the removal of the officer from office, a motion to that effect shall be sent to the State Congress for approval.

- (e) The affected officer shall stand removed from office a two-third majority of the members of the State Congress vote in favour of his removal from office. Provided that if the affected officer is not removed from office by the State Congress, he shall be entitled to the full emoluments and benefits forfeited by him while on suspension.

ARTICLE 16: AMENDMENT OF THE CONSTITUTION

- 16.1 Any registered member who wishes that a part or whole of this Constitution be altered abrogated or added to shall do so by submitting a memorandum of the proposed amendment to the Secretary General not later than 90 days before the date of the next AGM of the Party.
- 16.2 The Secretary General shall within 7 days of receipt of the Memorandum of Amendment, send copies thereof to all the Executives in the State and Local Government Levels who shall in turn inform all members at their respective levels.
- 16.3 At the next National Convention of the Party, the presiding Chairperson shall read out the motion, and then subsequently allow for counter-motions and debates. By a two-third majority of votes cast, the proposed amendment shall validly take effect.