

**THE CONSTITUTION**

**OF THE**

**BOTSWANA DEMOCRATIC PARTY**

# **BOTSWANA DEMOCRATIC PARTY**

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## **PREAMBLE**

- A. WHEREAS - Botswana is a united independent democratic State;
- B. WHEREAS - The Botswana Democratic Party, (hereinafter referred to as (“The Party”)), Intends to be the leading political force in Botswana and shall continue to be a constructive organisation, in which participatory democracy shall be maintained, and is a Party welded together by patriotism and voluntary desire on the part of Members of the Party to belong to the Party;
- C. WHEREAS - The Party is determined to pursue a policy of equality, justice, liberty, solidarity, peace, political, economic and social progress and prosperity for the people of Botswana.

THEREFORE:

## **ARTICLE 1 – NAME**

There is hereby established a Political Party known as the Botswana Democratic Party.

## **ARTICLE 2 – OBJECT**

The object of the Party is to further the interests of the people of Botswana in terms of C of the Preamble, and in terms of the four National Principles, namely:

Democracy  
Development  
Self Reliance and  
Unity as a basis for KAGISANO  
**Botho ( TOR 10)**

## **ARTICLE 3 – AIM**

The Party shall endeavour to achieve its objectives that all Public Institutions, State owned Enterprises and other Organisations are as far as possible led by Batswana, who are capable, committed and dedicated to work in the interests of Botswana.

#### **ARTICLE 4 – PARTY STRUGGLE**

The Party shall wage a deliberate and relentless struggle against domination, tribalism, poverty, hunger, ignorance, disease, crime and prejudice.

#### **ARTICLE 5 – WINGS**

There shall be Youth Wing and Women’s Wing of the Party, whose Rules and Regulations shall be approved by the National Congress.

#### **ARTICLE 6 – MEMBERSHIP RESPONSIBILITY**

Membership of the Party entails a heavy responsibility that demands high political and moral qualities as well as selfless dedication to the cause of the Party which is the cause of the people.

#### **ARTICLE 7 – MEMBERSHIP REQUIREMENTS**

- a) Membership of the Party is voluntary and open to all Batswana who accept the Party’s policies and programmes of action and are not members of other political parties or organisations whose policies and aspirations are incompatible with those of the Party.
- b) Associate members shall be persons, including corporate persons who wish to demonstrate their sympathy to the Party and its objectives. Individual associate members shall pay an annual membership subscription fee as prescribed from time to time. They shall however, be expected to sign an application for membership, and make such subscription to Party funds, or contribute in kind as they may freely wish to do.

#### **ARTICLE 8 – APPLICATION FOR MEMBERSHIP**

- a) A person desiring to join the Party shall submit application orally or in writing, to the appropriate Party officials in the particular Branch where they shall be enrolled;

- b) No person shall be a member of more than one Branch, but if any member changes place of residence from the area of one Branch to another Branch, and Branch membership is determined by place of residence, the member shall forthwith notify the Secretary of the Branch at which he/she was resident, who shall forthwith ensure that membership of that Branch is terminated, and shall inform the Secretary of the Branch in whose area the member now resides, that the member is now a member of such second Branch.
- c) The same shall apply, mutatis mutandis, should a member wish to change Branch Membership from place to residence, to that of employment, or vice versa.
- d) The applicable Branch membership registers shall be amended accordingly.
- e) Any person who is admitted to membership of the Party after being the member of another political Party, or of an organisation whose policies and aspirations are incompatible with those of the Party may not be eligible for election to any Party office for a period of one year after admission, save that the Central Committee may dispense with this provision at its discretion, in respect of any member or applicant.

#### **ARTICLE 9 – TERMINATION OF MEMBERSHIP**

Once a person has become a member of the Party, and duly pays subscriptions, he/she shall retain membership for life, save when terminated as provided in this Constitution or in the Disciplinary Rules of the Party.

#### **ARTICLE 10 – FEES**

- a) No person shall be admitted as a member of the Party until all membership fees are fully paid.
- b) Each member shall pay an annual subscription fee.
- c) The amounts of such fees shall be determined by the Central Committee from time to time.

- d) Such fees shall be paid to the Treasurer of the Branch at which the Applicant applies for membership of the Party, or of which the person is a member, as the case may be.
- e) Upon the pre-requisites for membership having been fulfilled, the Secretary of the Branch in question, will duly record that the applicant is a member of the Party and of the Branch, in the Branch membership register.
- f) Should any member not pay the annual subscription fee such member shall cease to be a member in good standing; shall not be entitled to hold any office in the Party; if an office-holder, will be suspended from such office; will not be entitled to vote at any Party meeting. These disabilities will cease immediately upon such member having paid arrear subscriptions.
- g) If, however, owing to a member having been replaced in any office held by reasons of suspension from such office arising out of non-payment of fees, shall not be returned to such office upon payment of the arrear fees, but the person who had taken his/her place, will remain in such office.

#### **ARTICLE 11 – READMISSION**

- a) A member who resigns or is expelled from the Party and wishes to rejoin the Party shall apply to the Central Committee for re-admission, and, if re-admitted, shall be required to pay re-admission fee.
- b) If a member resigns or is expelled from the Party a second time, such a member shall not be re-admitted to the Party until a period of two years has expired from the date of resignation or expulsion, save that the Central Committee may dispense with this provision at its discretion, in respect of any ex-member.

#### **ARTICLE 12 – DUTIES AND OBLIGATIONS**

A member's duties and obligations are:

- a) He/She shall be selfless in the interests of Botswana and the Party and be prepared to accept human rights and freedom of all inhabitants of Botswana, without regard to tribe, race, colour, sex or religious beliefs.
- b) He/She shall not use official position or Party membership for personal or private gain or benefit or practice favouritism contrary to the purpose for which office is held within the Party, or for the purpose for which any other public office is held;
- c) He/She shall not engage in corrupt practices or participate in any activities contrary to Party policy, or interests of the Party, or the interests of Botswana.

### **ARTICLE 13 – RIGHTS OF MEMBERS**

Subject to Article 10 above, and subject to the Disciplinary Rules of the Party and any steps taken thereunder, a member of the Party shall enjoy the following rights:

- a) To exercise any right of election or vote which the member might have in terms hereof, or in terms of any other statute, regulation, ordinance, by-law or other legal provision;
- b) To be elected or appointed, under the Party Banner, to any position of leadership, or any office, within the Party or any other lawful institution which is not in discord with the objects and policies of the Party;
- c) To participate freely at meetings of the Party at which member is otherwise entitled to attend, in any discussion on Party matters and policies and to present proposals or seek clarification on any question on the activities of the Party;
- d) To question or criticise, within the institutional frame work of the party and within the bounds of decency and courtesy and not in any selfish, subjective or malicious manner the activities of any member of the Party, Party Officials or the actions of the Government and administration of Botswana;

- e) To defend Party policies, subject to what is set out under Article 28(d) below regarding public statements and statements to the press;
- f) To request the Party at all levels, up to and including the National Congress, to consider any question or petition provided that the prescribed procedures are followed.

#### **ARTICLE 14 – DISCIPLINE IN THE PARTY**

- a) All members of the Party are subject to its Disciplinary Rules. Any member who commits an offence in terms of the Rules or contravenes the provisions of this Constitution, or its spirit is liable to disciplinary action under such Rules and this Constitution.
- b) A member of the Party has the obligation to adhere to its object, aim and to Party Policy, and to behave in consonance therewith, and with dignity and propriety in order to propagate the good image of the Party and not to embarrass the Party by any misconduct.

#### **ARTICLE 15 – PENALTIES**

Depending on the offence committed by a member, the following penalties, or any of them, or any combination of them, may be imposed by the appropriate authority within the Party:

- a) Warning or caution;
- b) Reprimand, verbal;
- c) Reprimand, written;
- d) Suspension from office in the Party;
- e) Removal from office in the Party;
- f) Debarring from holding office in the Party;
- g) Suspension from membership of the Party;
- h) Expulsion from the Party;

- i) Criminal charges may be laid.

## **ARTICLE 16 – ORGANISATION PRINCIPLES**

The Organisation of the Party shall be based on the following principles:

- a) All officials of the Party shall be democratically elected to office in terms of the Rules relating to voting set out hereunder.
- b) All officials and organs of the Party shall be answerable to the Party Membership, as well as to the respective organs of the Party, and shall be subject to its Disciplinary Rules.
- c) All officials and organs of the Party shall make available an account of their activities to the membership in their respective structure as well as to any superior organ when called upon and/or at prescribed intervals.
- d) All decisions at any level of the Party shall be taken democratically, save as specifically stated herein or in regulations made here-under. The decision of the majority shall prevail over that of the minority. The minority shall, however, always be required to defend a decision so taken as their own.
- e) Unless otherwise provided herein, the quorum for all meetings of any organ of the Party shall be one half of the members who are entitled to attend the meeting.
- f) Should a quorum not be present within an hour of the stated time of commencement of any such meeting, the meeting may be postponed for such period as the Chairperson of that particular meeting may/shall determine, or in his/her absence, the next most senior Committee Official in the absence of any member of the Committee, the members present shall postpone such a meeting. Any period of postponement shall not exceed 21 days.
- g) If at any meeting of any organ of the Party, there is a deadlock in the voting, there shall be re-election until there is a winner.

- h) The powers and functions of any organ of the Party, save in so far as they are determined herein, or in any regulation made hereunder, shall be determined by the Central Committee in accordance with this Constitution or any regulations made hereunder.
- i) The holder of any office in the Party shall be eligible for re-election for as often as he/she wishes save that in the case of the President and in circumstances where the Party is in power, the provisions of the National Constitution with regard to tenure of office shall be observed.
- j) Subject to the express provisions herein in this regard, if any office within the Party falls vacant, it may be filled by the organ in question, by co-opting, on a temporary basis until the time for the next applicable election, a member who could be eligible to fill such post.
- k) Only members in good standing of the Party are eligible for election or co-option to any office within the Party.
- l) Only members of any particular Cell, Ward, Sub-Ward, Branch, Sub-Branch or Region are eligible for election or co-option to any post within that structure.

#### **ARTICLE 17 – STRUCTURE**

Party Organisation is made up as follows:

- a) The country shall be divided into Regions.
- b) Each Region shall be divided into Branches.
- c) Each Branch shall be divided into Wards. Where appropriate, a Branch may be divided into Sub-Branches. Wards may where appropriate be divided into Sub-Wards; save that all Wards/ Sub- Wards shall be divided into Cells.
- d) Each such, Cell sub-Ward, Ward, Sub-Branch, Branch and Region shall be made up of the Party members who reside or work within the area applicable to each such organ, depending on whether such member has chosen the basis of Branch membership as place of employment, or as place of residence.

- e) The area of each Region shall be determined by the Central Committee.
- f) The area of each Branch shall be a Parliamentary Constituency.
- g) The area of each Cell, Sub-Ward, Ward, Sub-Branch shall be determined by the Branch Committee, where the same is not consistent with the Council Ward as determined by the delimitation exercise.
- h) The area of each such organ may be altered by the Central Committee as circumstances determine.
- i) The Branch Committee shall assign each member of the Branch in question to such Ward or Cell, as applicable, as is judged convenient by such Committee.

#### **ARTICLE 18 – AREA COMMITTEES**

- a) Each Region shall be administered by a Regional Committee; each Branch by a Branch Committee; each Sub-Branch by a Sub-Branch Committee, each Ward by a Ward Committee, each Sub-Ward by a Sub-Ward Committee and each Cell by a Cell-Committee
- b) No member of the Central Committee shall be eligible for office in any of the Regional Committees or Branch Committees or Sub-Branch Committees or Ward Committees or Sub-Ward Committees or Cell Committees, provided that a member of the Central Committee may hold the ordinary membership of any of these Committees.
- c) A Party member:
  - i) may be an office bearer in only one Committee or organ of the Party, and shall not hold any other office in the Party, but may be an ordinary member of any other Committee or organ;

- ii) who is entitled to attend and vote at any congress or meeting of the Party shall have only one vote notwithstanding that they might hold more than one attending and voting position;
  - iii) who holds more than one position entitling them to attend and vote at any congress or meeting of the Party may not, when present, transfer or permit the use of their right to attend and vote at such congress or meeting to another;
  - iv) other than the Deputy may not act attend or vote at any congress or meeting on behalf of and in the absence of the substantive holder where the latter is entitled to attend and vote at such congress or meeting.
- d) For purposes of paragraph (c) above, a Member of Parliament and of Council shall be considered an ex-officio member, save that a Councillor will be eligible for election into a Regional Committee.

#### **ARTICLE 19 – FURTHER ORGANISATION**

- a) Each Regional Committee, Branch Committee, Sub-Branch Committee, Ward Committee and Sub-Ward Committee shall each comprise the following, save that other Committees than the Regional Committee shall each have twelve (12) additional ordinary members:
- i) a Chairperson;
  - ii) a Deputy Chairperson;
  - iii) a Secretary
  - iv) a Deputy Secretary
  - v) a Treasurer
  - vi) a Deputy Treasurer

- vii) all party Members of Parliament and Councillors who are members of that particular Region, Branch, Sub-Branch, Ward, Sub- Ward and Cell as ex-officio members provided that:

Councillors shall not be ex-officio members of the Regional Committees but shall be eligible for election into them in the ordinary course.

- b) Each of the said committees shall meet at least once every three month.
- c) The place of the meeting shall be determined by the chair person of the particular organ.

## **ARTICLE 20 – CELL COMMITTEE**

### a) **Composition**

The Cell Committee shall be composed of the Chairperson, Secretary, Treasurer and three (3) Committee members.

### b) **Functions**

- i) To supervise the Organisation and day to day running of a Cell.
- ii) To request a Ward Committee Meeting if called upon to do so by a written request of at least five members of the Cell, in good standing, to consider such matters as may be stated in the written request. The Cell Committee shall inform the Ward Committee in writing of the business to be discussed at such meeting.
- iii) To vigorously propagate and implement the policies of the Party.
- iv) To encourage and execute such fund raising activities as may be proper and to pass part of such amount to the ward.

- v) To appoint Ad-hoc Committee for the various purposes of furthering the Party's interests.
- vi) To actively engage in recruiting new members.
- vii) To render reports of its activities to its Ward Committee upon being called to do so by the Ward Committee, and otherwise at least once a year, and to make such reports available to its members upon request.
- viii) To call a Cell meeting if such is called for by a superior Party Organ, or if in the opinion of the Cell Committee, such a Cell Meeting is justified or if called upon to do so by a written request of at least three (3) members of the Cell in good standing.
- ix) To call a general meeting to facilitate the selection of delegates to the Sub-Ward and Ward Congresses.

c) **Meetings**

A Cell shall meet when such a meeting is called by the Cell Committee or is called by any superior Committee, or when called upon by at least three members in good standing of the Cell calling upon the Cell Committee Chairperson in writing to call such a meeting, (in which case the meeting shall be held within 14 days of its being called), and otherwise at least once a year.

d) **Tenure**

A Cell Committee shall serve for a period of two years, and its members shall be eligible for re-election.

**ARTICLE 21 – SUB-WARD COMMITTEE**

a) **Composition**

The Sub-Ward Committee shall be constituted as provided in Article 19 (a).

b) **Functions**

- i) To supervise the organisation and day to day running of Sub-Ward.
- ii) To request a Ward meeting if called upon to do so by a written request of at least five Party members in the Sub-Ward in good standing, to consider such matters as may be stated in the written request. In this event, the Sub-Ward Committee shall, in writing, inform the Ward Committee of the business to be discussed at such a meeting.
- iii) To vigorously propagate and implement the policies and programmes of the Party.
- iv) To encourage and execute such fund raising activities as may be proper and pass a part of such amount to the Ward.
- v) To appoint such Ad-hoc committees as may be necessary to further the interests of the Party.
- vi) To actively recruit new members
- vii) To render reports of its activities to the Ward Committee upon being called upon to do so by the Ward Committee, and otherwise at least once a year, and to make such reports available to its members on request.
- viii) To call a Sub-Ward meeting if such is called by a superior Party Organ, if called upon to do so by a written request of at least three (3) Party members of the Sub-Ward in good standing, or when it is necessary to do so in the view of the Committee Chairperson or the entire Committee.

c) **Meetings**

A Sub-Ward shall meet when called by the Sub-Ward Committee; when called for by any superior Party organ; or when called upon by at least three (3) Party members in the Sub-Ward in good standing in writing, or on its own initiative when in the view of the Sub-Ward Committee, the meeting is necessary.

d) **Sub-Ward Congress**

There shall be a Sub-Ward Congress which shall be held, at least once a year and shall comprise the following:

- i) the Sub-Ward Committee;
- ii) the Chairpersons and Secretaries of Cell Committees within the Sub-Ward;
- iii) six (6) delegates selected from among members of the Party at a general meeting of Cells within the Sub-Ward;
- iv) the Chairpersons and Secretaries of the Branch Youth Committee if resident within the Sub-Ward;
- v) the Chairpersons and Secretaries of the Branch Women's Wing Committee if resident within the Sub-Ward;
- vi) the Party MP for the Branch or assigned to the Ward in which the Sub-Ward is situated; and;
- vii) the Party Councillor for the Ward or assigned to the Ward in which the Sub-Ward is situated.

**ARTICLE 22 – WARD COMMITTEE**

a) **Composition**

A Ward Committee shall be composed of the Chairperson/Deputy, Secretary/Deputy, Treasurer/Deputy and 12 ordinary members, Member of Parliament and Councillor as ex-officio members.

b) **Functions**

- i) To supervise the organisation and day to day running of a Ward.
- ii) To request for Branch Committee meetings if called upon to do so by a written request signed by at least ten (10) members of the Ward in good standing, to consider such matters as may be stated in such written request. The Ward Committee shall inform the Branch Committee in writing of the business to be discussed at such meeting.
- iii) To vigorously propagate and implement the policies of the Party.
- iv) To encourage and execute such fund raising activities as may be proper, and to pass part of such funds to the Branch Committee.
- v) To spend such amounts of money which is passed to it by the Cell Committee, for the purpose of covering its costs and disbursements and furthering the interests of the Party.
- vi) To keep proper accounts and vouchers of all such spending and income, and of its financial activities.
- vii) To keep Bank account in the name of the Ward.
- viii) To oversee the activities of the Cells, within its area of jurisdiction.

- ix) To appoint Ad-Hoc Committees for the various purposes of furthering the Party's interests.
- x) To actively engage in recruiting new members.
- xi) To render reports of its activities and financial position and those of the Cells in its Jurisdiction to its Branch Committee, upon being called to do so by the Branch Committee, and otherwise at least once a year. Such reports shall be available for inspection by any Ward member upon request.
- xii) To call a Ward Committee meeting if such is called for in terms of Article 22 (b) (ii), or if such is called for by a superior Party Organ, (in either of the afore-mentioned cases, such Ward meetings shall be held within 14 days of being called for), or if, in the opinion of the ward committee, such a Ward meeting is justified.
- xiii) To call a Ward Congress to facilitate the selection of delegates to Sub-Branch and Branch Congresses, ensuring that each Cell is represented in so far as is possible.

c) **Ward Congress**

There shall be a Ward Congress which shall meet at least once a year and shall be composed of:-

- i) Party Branch MP, if any;
- ii) Councillors;
- iii) Ward Committee;
- iv) Six (6) Delegates from each cell or village or Kgotla as the case may be.

**ARTICLE 23 SUB - BRANCH COMMITTEE**

a) **Composition**

There shall be a Sub-Branch Committee composed of the Chairperson/Deputy, Secretary/Deputy, Treasurer/Deputy, 12 ordinary members, the Member of Parliament and Councillors as ex-officio members.

b) **Functions**

- i) To supervise the Organisation and day running of a Sub-Branch.
- ii) To vigorously propagate and implement the policies of the Party.
- iii) To encourage and execute such fund raising activities as may be proper, and to pass part of such funds to the Branch Committee.
- iv) To keep proper accounts and vouchers of all such spending and income, and of its financial activities.
- v) To keep a bank account in the name of the Sub-Branch.
- vi) To oversee the activities of the Sub-Branch.
- vii) To appoint Ad-Hoc committees for the various purposes of furthering the Party's interests.
- viii) To actively engage in recruiting new members.
- ix) To render reports of its activities and those of the Wards in its Jurisdiction, to its Branch Committee, upon being called to do so by the Branch Committee and otherwise at least once a year. Such reports shall be available for inspection by any member of the Sub-Branch upon request.

- x) The Secretary of the Sub-Branch Committee shall keep a register of members and shall make regular reports regarding membership, new members, and lapsed members, to the Branch Committee, when called upon to do so and otherwise at least once a year.

c) **Sub-Branch Congress**

There shall be a Sub-Branch Congress which shall meet at least once a year and shall be composed of:

- i) the Sub-Branch Committee (elected for two years);
- ii) the Chairperson and Secretaries of each of the Wards within the Sub-Branch;
- iii) six (6) members from each Ward within the Sub-Branch who shall be selected at the Ward Congress immediately prior to the Sub-Branch Congress;
- iv) the Chairperson and Secretary of the Branch Youth Committee, if resident in the Sub-Branch;
- v) the Chairperson and Secretary of Women's Wing Branch Committee, if resident in the Sub-Branch;
- vi) the Member of Parliament for or assigned to the constituency if a member of the Party;
- vii) all Party Councillors in the Sub-Branch.

**ARTICLE 24 – BRANCH COMMITTEE**

a) **Composition**

There shall be Branch Committee, who shall hold office for two years, composed of the Chairperson/Deputy, Secretary/Deputy,

Treasurer/Deputy, 12 ordinary members and Member of Parliament and Councillors as ex-officio members.

b) **Functions**

- i) To supervise the Organisation and day to day running of a Branch.
- ii) To appoint a Disciplinary Committee comprising five (5) members of the Party in that Branch who shall not include members of the Branch Committee.
- iii) To vigorously propagate and implement the policies of the Party.
- iv) To encourage and execute such fund raising activities as may be proper, and to pass part of such funds to the Regional Committee.
- v) To spend such amounts of money which is passed to it by Wards Committees, for the purposes of covering its costs and disbursements and furthering the interests of the Party, and passing such amounts of money as are necessary for the expenses of the Wards within its jurisdiction, to such Wards.
- vi) To keep proper accounts and vouchers of all such spending and income, and of its financial activities.
- vii) To keep a bank account in the name of the Branch.
- viii) To oversee the activities of the wards, within its area of Jurisdiction.
- ix) To appoint Ad-hoc committees for the various purposes of furthering the Party's interests.
- x) To actively engage in recruiting new members.

- xi) To render reports of activities and those of the Wards in its Jurisdiction, to its Regional Committee upon being called to do so by the Regional Committee and otherwise at least once a year. Such reports shall be available for inspection by any member of the Branch upon request.
  - xi) The Secretary of the Branch Committee shall keep a register of members and shall make regular reports regarding membership, new members, and lapsed members, to the Central Committee, when called upon to do so and otherwise at least once a year.
  - xii) To call a Branch Congress to facilitate the selection of delegates and observers to the National Congress of the Party, ensuring that each Ward is represented in so far as is possible.
  - xiii) To call a Branch Congress to facilitate the selection of delegates and observers to the National Congress of the Party, ensuring that each ward is represented in so far is possible.
- c) **Branch Congress**
- There shall be a Branch Congress which shall meet at least once a year and shall be composed of:
- i) the Branch Committee;
  - ii) the Chairpersons and Secretaries of each of the Wards within the Branch;
  - iii) six (6) members from each Ward within the Branch – who shall be selected at the ward congress immediately prior to the Branch Congress;

- iv) the Chairperson and Secretary of the Branch Youth Committee;
- v) the Chairperson and Secretary of the Woman's Wing Branch Committee;
- vi) the Member of Parliament for or assigned to the constituency if such is a member of the Party;
- vii) Party Councillors in the Branch;
- viii) Regional Chairpersons and Secretaries shall attend Branch Congresses of Constituencies within their region as ex-officio members.

**ARTICLE 25 – REGIONAL ORGANS**

At the Regional level, there shall be a Regional Congress. For this purpose each Region shall consist of such Branches as shall be determined by the Central Committee.

- a) There shall be a Regional Committee composed of:

- Chairperson
- Deputy Chairperson
- Secretary
- Deputy Secretary
- Treasurer and
- Deputy Treasurer
- Members of Parliament in the Region as ex-officio members

- b) Regional Congress shall comprise the following:

- i) The Regional Committee;
- ii) Members of the Central Committee, if any, of the particular Region;
- iii) Members of Parliament of the particular Region;

- iv) Chairpersons and Secretaries of the Branch Committees of the particular Region;
- v) Councillors in the Region;
- vi) Two delegates from each Ward;
- vii) Two delegates from each Branch Youth Committee in the Region;
- viii) Two delegates from each Branch Women's Wing Committee in the Region.

The Regional Congress shall meet at least once in two years.

- c) The functions of the Regional Committee shall be to:-
  - i) Organise Party activities in the region;
  - ii) Organise and conduct seminars at the Regional level;
  - iii) Assist the hosting Branch in arranging National events such as National Congress;
  - iv) Appoint a Disciplinary Committee comprising five (5) members of the Party in the Region who shall not include members of the Regional Committee.

#### **ARTICLE 26 – NATIONAL CONGRESS**

- a) The Supreme National Policy making Organ of the Party is the National Congress.
- b) The National Congress shall meet ordinarily every two years, and shall meet in extra-ordinary Congress when convened by the President of the Party, or upon the requisition of a majority of the members of the National Council.

- c) An extraordinary National Congress shall have the same powers as the ordinary National Congress in respect of issues for which it was summoned.
- d) The National Congress shall be attended by:
  - i) all the member of the National Council state at Article 27©
  - ii) eight (8) delegates from each Branch selected in accordance with the rules made by the Central Committee
  - iii) All Councillors
- e) All the above shall have voting rights at any National Congress.
- f) In addition to the above voting members entitled to attend a National Congress, each constituency shall be entitled to send four (4) observers to attend such a Congress.
- g) The National Congress shall have the following functions.
  - i) To elect the President of the Party and members of the Central Committee by secret ballot.
  - ii) To formulate and revise Party policies and programmes.
  - iii) To amend, approve or adopt the Party Constitution.
  - iv) To define, orientate and approve general policies and plans for the nation's development.
- h) The Policies adopted by the National Congress shall be binding upon all members of the Party and shall be obligatory for all members to adopt and implement. Such policies may only be removed or altered by the National Congress.

## **ARTICLE 27 – NATIONAL COUNCIL**

- a) There shall be a National Council of the Party which shall be the body entrusted with reviewing the implementation of Party Policies as determined by the National Congress.
- b) The National Council shall:
  - i) Review the activities of the Party and the various legislative forums in the Country, make recommendations to the National Congress and the various caucuses of the Party.
  - ii) Review and appraise Party programme.
  - iii) Review and consider National Development Policies.
  - iv) Receive, review and consider party reports, resolutions and recommendations by Regions and the Central Committee.
- c) The following shall be members of the National Council:
  - (i) Members of the Central Committee.
  - (ii) Members of Parliament who are members of the Party.
  - (iii) All Regional Chairpersons and Secretaries.
  - iv) All branch Chairpersons and secretaries.
  - v) All members of the Inner Executive Committee of the Youth Wing of the Party.

- vi) All members of the Inner Executive Committee of Women's Wing Committee of the Party.
- vii) One Councillor from each Branch.
- d) Members of the Sub-Committees of the Central Committee may attend meetings of the National Council as observers.
- e) There may be Committees of the National Council whose names, numbers, membership and function shall be decided upon by the Central Committee.
- f) The National Council shall meet ordinarily once a year, but may meet extraordinarily when circumstances so demand or at the request of at least two thirds of the Branches.

**ARTICLE 28 – CENTRAL COMMITTEE**

- a) There shall be a Central Committee which shall consist of eighteen (18) members as follows:
  - The President of the Party
  - The Chairperson of the Party
  - The Secretary General
  - The Treasurer of the Party
  - The Deputy Secretary General
  - The Deputy Treasurer of the Party
  - The Ordinary Members of the Party
  - Chairpersons of the Women's and Youth Wings
- b) The Central Committee shall meet when convened by the President of the Party, or upon requisition of at least one third of its members.
- c) The day to day affairs of the Party as a whole shall be controlled by the Central Committee of the Party. The Central Committee shall also have the power to determine Party policy within the frame work of decisions taken by the National Council and/or National Congress.

- d) The Central Committee shall appoint and authorize spokespersons to issue public statements on Party policy and attitudes; to deal with the Press and otherwise promote the interests of the Party locally and internationally.
- e) The Central Committee shall have the power to make Regulations hereunder for the effective running and administration of the Party.

#### **ARTICLE 29 - THE PRESIDENT OF THE PARTY**

- a) When the Party is in power, the President of the Party shall be elected by secret ballot at a National Congress of the Party called by the Central Committee during every General Election Year as follows:
  - i) Each Region may nominate and submit one name of an aspirant candidate in good standing from any Region to the Secretary General not less than twenty-four hours before the commencement of the National Congress.
  - ii) Any other member in good standing of the Party may submit their name as an aspirant Candidate for the post of President of the Party to the Secretary General of the Party, not less than twenty-four hours before commencement of the applicable National Congress upon being sponsored, in writing, by not less than fifty delegates to the National Congress.
  - iii) At the close of nominations in accordance with (i) and (ii) above, the Secretary General shall publish the names of the aspirant candidates on the Notice Board for the benefit of every Delegate at the National Congress. A secret ballot

election shall proceed in the normal course.

iv) The person so elected, if other than the incumbent, shall be styled the President Designate of the Party, becoming the Party President upon the predecessor lawfully vacating that position. The President Designate shall become the Party's Presidential Candidate in the forthcoming national elections.

b) No member shall qualify as a candidate for the President of the Party unless

Qualified to be President of Botswana under the Botswana Constitution.

c) In the event of a vacancy arising in the Presidency of the Party at a time when the Party is in power, the Vice President of Botswana shall automatically become the State and Party President.

d) In the event of a vacancy in the office of President of the Party occurring at a time when the party is not power, the Chairperson of the party shall act as president of the Party until the next Congress.

e) When the Party is not in power, the Party President shall be elected at every Congress of the Party.

### **ARTICLE 30 - ELECTION OF MEMBERS OF THE CENTRAL COMMITTEE**

a) i) Whether the Party is in power or not, members of the Central Committee save the President shall be elected every two (2) years at the Party National Congress;

- ii) The Party President shall be elected in terms of Article 29 as appropriate.
- b) Separate secret ballot elections shall be held for each of the office bearers other than the President. In each such election, the Chairperson of the meeting shall call for seconded nominations from the floor of the Congress, and when nominations are completed, shall conduct each election. The nominated candidate receiving the highest number of votes shall be declared duly elected to the post in question.
- c) One secret ballot election shall be held for the first five of the ten ordinary members of the Central Committee. In this case, the Chairperson of the meeting shall call for seconded nominations from the floor of the Congress and when nominations are completed, shall conduct the elections. Each delegate to the National Congress shall have five votes in this case and the five candidates receiving the highest number of votes shall be declared duly elected ordinary members of the Central Committee.
- d) The President of the Party shall then appoint five other ordinary members of the Central Committee from other Party Members.
- e) No person shall be eligible for election as member of the Central Committee unless the member:-
  - i) Is a citizen of Botswana;
  - ii) Is a member in good standing for at least two years;
  - iii) Is at least eighteen years of age;
  - iv) Is literate and can fluently converse in at least one of the official languages of Botswana.

Save that a member admitted from another Party shall fulfill all of the above as well as remain for a period not less than 2 years before such member can become a member of the Central Committee.

- f) In the event of a Central Committee member, other than one of the six Office Bearers resigning, being incapacitated, dying or otherwise ceasing to be a member of the Central Committee, the President of the Party shall appoint another person to fill the vacancy, pending the next National Congress. In the case that one of the offices in the Central Committee falling vacant, it shall be filled as specified in Article 16 (j).
- g) For the purpose of Party elections, The President shall appoint an Ad-hoc Electoral Commission consisting of himself as Chairperson and three other members, whose duty shall be to conduct and regulate all Party elections at the National Congress in accordance with this Constitution.
- h) No person holding office in the central committee shall be eligible to hold office in any lesser Party organ.

### **ARTICLE 31 - POWERS AND FUNCTIONS OF THE CENTRAL COMMITTEE**

The Central Committee shall have the following Powers and functions:

- a) To supervise the day to day implementation of Party Policies and Programmes, as directed by the National Council.
- b) To regulate and control activities of all Organs of the Party, subject to the further provisions contained herein, and to set Membership and subscription fees.

- c) To ensure that records of all Party activities are properly kept, including proper accounting records, at all levels of Party Organisation.
- e) To summon regular or extra –ordinary meetings of the National Council and National Congress.
- f) To take action to protect the security and development of the Party and the state.
- g) To create and administer such administrative structure at the Party National Headquarters as may facilitate smooth and efficient functioning of the Party.

### **ARTICLE 32 – CAUCUS**

- a) There shall be a Parliamentary Caucus comprising all Party Members of Parliament.
- b) There shall be a Council Caucus for each District, Town or City Council comprising all Party Councillors in each Council.

### **ARTICLE 33 – COMMITTEES OF THE CENTRAL COMMITTEE**

- a) There shall be working committees of the Central Committee whose members shall be appointed by the President of the Party from among members of the Party in good standing. The President may also appoint an Advisor to each working committee.
- b) The functions of these sub-committees shall be in accordance with the regulations.

### **ARTICLE 34 – POWERS AND FUNCTIONS OF THE PRESIDENT**

The President of the Party shall;

- a) Be the principal spokesperson of the Party on National and International affairs.
- b) Convene meetings of the Central Committee.
- c) When the Party is in power, be State President.

- d) Preside over meetings of the Central Committee.
- e) Give instructions on any matter to any Official of the Party and empower any member of the Party to exercise any powers or specific functions for and on behalf of the Party or Central Committee as may be valid and lawful.
- f) Have the power in exceptional circumstances, as specified in the Disciplinary rules of the Party, to suspend any member of the Party for up to sixty (60) days on the grounds of such member's behaviour pending action by the Disciplinary Committee.
- g) Preside over the proceedings of the Final Disciplinary Committee comprising four (4) other members of the Party appointed by him/her to hear appeals from the Disciplinary Committee of the Central Committee. These members shall not include members of the Central Committee. The decision of the Final Disciplinary Committee shall be final and binding.

### **ARTICLE 35 – PARTY CANDIDATES: PARLIAMENT AND COUNCIL ELECTIONS**

Every Party candidate wishing to stand for Parliamentary or Local Government elections shall be subject to prior approval by the Central Committee under and in accordance with the Primary Elections.

### **ARTICLE 36 – NATIONAL HEADQUARTERS**

The National Headquarters of the Party shall be situated at Gaborone, and the address shall be Tsholetsa House, P O Box 28 GABORONE.

### **ARTICLE 37 – BORROWING POWERS**

Only the Central Committee shall have the power to raise loans and incur overdraft facilities, and to grant bonds or otherwise encumber any property belonging to the Party. The aforesaid may be done on such terms and conditions as the Central Committee may deem expedient. Provided however, that the Central Committee shall not have the power to raise loans or incur over-draft facilities, or encumber property

beyond the value of one third of the net assets of the Party without the consent of the National Council.

### **ARTICLE 38 – PROPERTY**

- a) The Party may purchase or otherwise acquire, hire, or let land, buildings or other properties, movable and immovable, or sell, lease, mortgage, charge, dispose of, develop, build or improve all or any of the property of the Party. All property purchased or otherwise acquired by a Region, Branch, Sub-Branch, Ward or Cell shall be deemed to belong to the Party and shall be registered in its name.
  
- c) There shall be a Board of Trustees appointed by the Central Committee and answerable to the Central Committee which shall be formed to take care of and look after the property and interests of the Party.

### **ARTICLE 39 – FINANCE**

- a) The Party shall derive its income from fees, subscriptions, donation or any other lawful source.
  
- b) Any money so derived, whether it be by the medium of a Party member, any Party Organ, or through any other Party effort, shall be passed to the Treasurer of the appropriate organ of the Party as soon as reasonably possible, who shall properly invest, secure and otherwise protect such income or asset in accordance with sound financial policy and in line with the directives of the Central Committee in this regard.
  
- d) The Treasurer of the Party shall keep proper books of accounts regarding all the money and assets and liabilities of the Party.
  
- e) The financial books of the Party shall be audited on an annual basis by a reputable Firm of Chartered Accountants who shall report to the Central Committee in writing on such audit. The report shall be tabled and considered and

subject to debate at the ordinary annual meeting of the National Council. Such report shall include a statement of assets and liabilities, a statement of income and expenditure, a statement of source and application of funds.

- f) A statement of the general financial position of the Party shall be given by the Treasurer of the Party at National Council and the National Congress.
- g) The Treasurer of each Party Organ is to keep proper records of the financial activities of that Organ, together with all relevant vouchers.

#### **ARTICLE 40 – LEGAL PERSONALITY AND PROCEEDINGS**

The Party shall be a Corporate Body with universal succession and shall have the power to sue or be sued in its own name, and service of legal process upon it shall, subject to Legal Rules, be served upon and received by the Secretary General at the Party Headquarters, specified above.

#### **ARTICLE 41 – RULES, REGULATIONS, BY-LAWS AND STANDING ORDERS**

The Rules, Regulations, By-Laws and Standing Orders of the Party and its Organs and proposed amendments thereto, shall be submitted by the Central Committee for formal approval, through the National Council to the National Congress for ratification.

#### **ARTICLE 42 – AMENDMENT OF THE CONSTITUTION**

- 1. a) This Constitution may be amended by a National Congress of the Party, provided that:
  - i) Any member, committee or organ of the Party may propose amendment to the Party Constitution or Regulation by submitting, in writing, the proposed amendment to the Executive Secretary not later than four (4) calendar months prior to the next meeting of the National Council;

- ii) The Executive Secretary shall immediately bring to the attention of the Secretary General of the Party such proposed amendment;
- iii) The Secretary General of the Party shall immediately, certainly not later than three (3) calendar months prior to the next meeting of the National Council, cause to be sent to each Branch Committee and Regional Committee of the Party the proposed amendment;
- iv) Each Branch and each Region shall hold a Congress to, inter alia, consider the proposed amendment in preparation for the National Council;
- v) Each proposed amendment shall be read, but not debated (although it may be clarified and explained), at the next meeting of the National Council;
- vi) The proposed amendments shall be placed on the agenda of the next Party National Congress, whether ordinary or special, debated and shall be made only if accepted and approved by no less than two thirds of the members of the National Congress present and voting,
- vii) Only amendments complying with this procedure, or variations thereof arising in the course of debate, may be made;
- viii) Amendments made as above provided shall take effect immediately unless the postponement of their operation shall have been a condition of their approval, in which event the date of their commencement shall be expressly stated by the National Congress making the amendment.

2. In the case of an extraordinary National Congress the provision of Clause 1 of this Article shall be deemed to have been complied with if:-
  - i) At least one month's notice of the proposed amendments is given to members of the National Council;
  - ii) At least twenty-four hours notice is given to delegates of the National Congress.

### **ARTICLE 43 – GENERAL ADMINISTRATIVE PROVISIONS**

- a) Notice of any meeting of any Organ of the Party shall be given to all person entitled to attend such meeting by most effective means of communication addressed to the current address of such member as given by such member to the Secretary of the Organ.
- b) Such notice shall be given at least 7 days prior to any such meeting, or any such time which may be deemed reasonable provided that this time limit may be truncated if in the opinion of the Chairperson of the Organ which is to hold the meeting in question circumstances demand a shorter notice period.
- c) No meeting will be held to be abortive or invalid simply by reason of insufficient or improper notice if such insufficiency or impropriety has been caused by factors outside the control of the person giving the notice. However, if such insufficiency or impropriety is deliberately caused by the person giving the notice, this shall invalidate the meeting in question, and may constitute the basis for disciplinary proceedings against the person giving such notice.
- d) Any notice of a meeting must state the date, time and place of the meeting.
- e) The place, date and time of any meeting of an Organ of the Party shall be determined by the Chairperson of that meeting. Any caprice or fides

in making such determination shall invalidate such meeting and may render the person making such determination liable to disciplinary steps.

- f) Meetings of all Party Committees shall be held at least once every quarter.
- g) Subject to the provisions of this Constitution office bearers and Committee Members shall hold office for two years.
- h) Nominations for all Office Bearers duly seconded save as specified above, will be received by the returning officer of the relevant Organ. Nominations and voting will begin with position of the Chairperson of that organ, and downwards in order of Seniority. Each office will be voted upon before the nominations for the next office are called for.
- i) The candidate receiving the highest number of votes will be declared successful. This provision shall apply to election of all office bearers including the election of the President of the Party.
- j) In the case of two candidates obtaining the same number of votes, the process of election shall be repeated until there is a successful candidate with highest votes. This procedure shall apply to the election of all office bearers including the President of the Party.
- k) The voting for any office bearer or ordinary members except at Cell Level will be secret ballot.

#### **ARTICLE 44 – DISSOLUTION:**

- a) The Party may be dissolved only in the following manner:
  - i) By the vote of a two thirds majority at a Party Congress called

specifically for the purpose of dissolving the Party.

- ii) Upon the Central Committee obtaining an order of the High Court to this effect, on bona fide grounds where it is just and equitable for the Party to be dissolved.
- b) If the Party is possessed of any assets as at date of dissolution, and after all debts of the Party have been met, such assets will be distributed evenly to deserving charitable organisations.

#### **ARTICLE 45 – SAVINGS**

- a) Notwithstanding anything to the contrary herein contained, all duly elected officers of the Party, holding office at the time of introduction of this Constitution shall continue so to hold office until the expiration of their respective terms of office, and shall be deemed to be duly elected under this Constitution, exercising the powers and duties in terms hereof, and being subject to all the terms and conditions hereof.
- b) All Party Organs constituted under the Constitution dated 7<sup>th</sup> March 1990 as Amended shall continue to operate, exercise their powers, perform their functions and must be irrebuttably deemed to have been constituted under this Constitution, and shall in addition acquire such new powers, perform such new functions as may be given in this Constitution, and otherwise operate as though hereunder constituted, save only in so far as such powers and functions as they previously had should be inconsistent with the letter or spirit of this Constitution, in which event such powers and functions shall fall away upon the adoption of this Constitution.
- c) All Regulations, Rules, Bye-laws, and Standing Orders in force as at the date of the adoption of this Constitution shall remain of full force and effect until lawfully altered, save that in so far as any of them is inconsistent with the letter or

spirit of this Constitution, such Regulation, Rule, Standing Order, Bye-law, shall be invalid.

**ARTICLE 46 – FORCE OF THIS CONSTITUTION**

The Constitution of the Botswana Democratic Party adopted on the 7<sup>th</sup> July 1991 as amended is hereby repealed, and this Constitution is hereby adopted and immediately becomes operative and of full force and effect by vote of the Special National Congress of the Party held at the Denman Rural Training Centre, Sebele, Gaborone this 5<sup>th</sup> day of November 1995.