

CONSTITUTION OF THE BOTSWANA DEMOCRATIC PARTY



Tsholetsa Domkrag

- **THE CONSTITUTION - OF THE BOTSWANA DEMOCRATIC PARTY**
- **PRIMARY ELECTIONS RULES AND REGULATIONS AND CODE OF CODUCT**

**CONSTITUTION OF THE
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.

NOW 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 and
- Botho

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

- 7.1 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 organizations whose policies and aspirations are incompatible with those of the Party.
- 7.2 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.

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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

- 8.1 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;
- 8.2 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.
- 8.3 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.
- 8.4 The applicable Branch membership registers shall be amended accordingly.
- 8.5 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, public office (Member of Parliament or Councillor) for a period of two years 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

- 10.1 No person shall be admitted as a member of the Party until all membership fees are fully paid.
- 10.2 Each member shall pay an annual subscription fee.
- 10.3 The amounts of such fees shall be determined by the Central Committee from time to time.
- 10.4 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.
- 10.5 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.
- 10.6 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.
- 10.7 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

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his/her place, will remain in such office.

ARTICLE 11 - READMISSION

- 11.1 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.
- 11.2 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

- 12.1 A member's duties and obligations are:
- 12.2 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.
- 12.3 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;
- 12.4 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

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Party and any steps taken thereunder, a member of the Party shall enjoy the following rights:

- 13.1 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;
- 13.2 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;
- 13.3 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;
- 13.4 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;
- 13.5 To defend Party policies, subject to what is set out under Article 28.4 below regarding public statements and statements to the press;
- 13.6 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

- 14.1 All members of the Party are subject to its Disciplinary Rules, Regulations, Code of Conduct, penalties made pursuant to this Constitution and any other written instructions and

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directives as may be issued by the Central Committee from time to time..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.

- 14.2 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:

- 15.1 Verbal or written reprimand
- 15.2 Suspension, removal, debarring from holding office and/or position of responsibility, expulsion from the party and or membership on such conditions as the authority may deem fit.
- 15.3 Criminal charges may be laid.

ARTICLE 16 - ORGANISATION PRINCIPLES

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

- 16.1 All officials of the Party shall be democratically elected to office in terms of the Rules relating to voting set out hereunder.
- 16.2 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.

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- 16.3 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.
- 16.4 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.
- 16.5 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.
- 16.6 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.
- 16.7 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.
- 16.8 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.
- 16.9 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

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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.

- 16.10 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 electing, on a temporary basis until the time for the next applicable election as governed by this Constitution, a member of the Committee, who is eligible to fill such vacancy and the vacancy created thereby may be filled by co-opting any other member of the Party provided that an organ may not co-opt more than one third of its total membership. In the event of vacancies requiring to be filled exceeding one third, an Extra-Ordinary Congress relevant to that organ shall be convened as soon as reasonably practicable for the purpose of only an election to fill the vacancies in question.
- 16.11 Only members in good standing of the Party are eligible for election or co-option to any office within the Party.
- 16.12 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:

- 17.1 The country shall be divided into Regions.
- 17.2 Each Region shall be divided into Branches.
- 17.3 Each Branch shall be divided into Wards and Wards shall be divided into Cells.

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- 17.4 Each such Cell, Ward, 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.
- 17.5 The area of each Region shall be determined by the Central Committee.
- 17.6 The area of each Branch shall be a Parliamentary Constituency.
- 17.7 The area of each Cell, Ward, shall be determined by the Branch Committee, where the same is not consistent with the Council Ward as determined by the delimitation exercise.
- 17.8 The area of each such organ may be altered by the Central Committee as circumstances determine.
- 17.9 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

- 18.1 Each Region shall be administered by a Regional Committee; each Branch by a Branch Committee; each Ward by a Ward Committee, and each Cell by a Cell-Committee
- 18.2 No member of the Central Committee shall be eligible for office in any of the Regional Committees or Branch Committees or Ward Committees or Cell Committees, provided that a member of the Central Committee may hold the ordinary membership of any of these Committees.

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18.3 A Party member:

18.3.1 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 except as provided for under Article 19 a) (viii);

18.3.2 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;

18.3.3 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;

18.3.4 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.

18.4 For purposes of paragraph 18.3 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.

18.5 The common functions of the Cell, Ward and Branch Committees are:

18.5.1 To supervise the Organisation and day to day running of the Organ.

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18.5.2 To vigorously propagate and implement the policies of the Party.

18.5.3 To encourage and execute such fund raising activities as may be proper and to pass part of such amount to its superior Party Organ.

18.5.4 To appoint Ad-Hoc Committees for the various purposes of furthering the Party's interests.

18.5.5 To actively engage in recruiting new members.

ARTICLE 19 - FURTHER ORGANISATION

19.1 Each Regional Committee, Branch Committee, Ward Committee shall each comprise the following, save that other Committees than the Regional Committee shall each have twelve (12) additional ordinary members:

- 19.1.1 a Chairperson;
- 19.1.2 a Deputy Chairperson;
- 19.1.3 a Secretary
- 19.1.4 a Deputy Secretary
- 19.1.5 a Treasurer
- 19.1.6 a Deputy Treasurer

19.2 All party Members of Parliament and Councillors who are members of that particular Region, Branch, and Cell as ex-officio members provided that:

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

19.2.2 Each chairperson of the ward and branch shall be an ex-officio member of the branch and regional committee

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respectively.

19.2.3 Each of the said committees shall meet at least once every three months.

19.2.4 The place of the meeting shall be determined by the chair person of the particular organ.

ARTICLE 20 - CELL COMMITTEE

20.1 Composition

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

20.2 Further Functions

20.2.1 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.

20.2.2 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.

20.2.3 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.

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20.2.4 To call a general meeting to facilitate the selection of delegates to the Sub-Ward and Ward Congresses.

20.3 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.

20.4 Tenure

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

ARTICLE 21 - WARD COMMITTEE

21.1 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.

21.2 Functions

21.2.1 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.

21.2.2 To encourage and execute such fund raising activities as may be proper, and to pass part of such funds to the

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Branch Committee.

- 21.2.3 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.
- 21.2.4 To keep proper accounts and vouchers of all such spending and income, and of its financial activities.
- 21.2.5 To keep Bank account in the name of the Ward.
- 21.2.6 To oversee the activities of the Cells, within its area of jurisdiction.
- 21.2.7 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.
- 21.2.8 To call a Ward Committee meeting if such is called for in terms of Article 22.2, 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.
- 21.2.9 To call a Ward Congress to facilitate the selection of delegates to the Branch Congresses, ensuring that each Cell is represented in so far as is possible.

21.3 Ward Congress

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

- 21.3.1 Party Branch MP, if any;
- 21.3.2 Councillors;
- 21.3.3 Ward Committee;
- 21.3.4 Six (6) Delegates from each cell or village or Kgotla as the case may be.

ARTICLE 22 - BRANCH COMMITTEE

22.1 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 and a veteran as a member nominated by the Branch Veteran Forum as ex-officio members.

22.2 Functions

- 22.2.1 To appoint a Disciplinary Committee comprising five (5) members of the Party in that Branch who shall not include members of the Branch Committee.
- 22.2.2 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.
- 22.2.3 To keep proper accounts and vouchers of all such spending and income, and of its financial activities.
- 22.2.4 To keep a bank account in the name of the Branch.
- 22.2.5 To oversee the activities of the wards, within its area of Jurisdiction.

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- 22.2.6 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.
- 22.2.7 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.
- 22.2.8 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.

22.3 Branch Congress

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

- 22.3.1 the Branch Committee;
- 2.3.2 the Chairpersons and Secretaries of each of the Wards within the Branch;
- 22.3.3 six (6) members from each Ward within the Branch - who shall be selected at the ward congress immediately prior to the Branch Congress;
- 22.3.4 the Chairperson and Secretary of the Branch Youth Committee;
- 22.3.5 the Chairperson and Secretary of the Woman's Wing Branch Committee;
- 22.3.6 the Member of Parliament for or assigned to the constituency if such is a member of the Party;
- 22.3.7 Party Councillors in the Branch;

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22.3.8 Regional Chairpersons and Secretaries shall attend Branch Congresses of Constituencies within their region as ex-officio members.

ARTICLE 23- 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.

23.1 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

23.2 Regional Congress shall comprise the following:

23.2.1 The Regional Committee;

23.2.2 Members of the Central Committee, if any, of the particular Region;

23.2.3 Members of Parliament of the particular Region;

23.2.4 Chairpersons and Secretaries of the Branch Committees of the particular Region;

23.2.5 Councillors in the Region;

23.2.6 Two delegates from each Ward;

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23.2.7 Two delegates from each Branch Youth

23.2.8 Committee in the Region;

23.2.9 Two delegates from each Branch Women's Wing
Committee in the Region.

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

23.2.11 The functions of the Regional Committee shall be to:-

23.2.11.1 Organise Party activities in the region;

23.2.11.2 Organise and conduct seminars at the
Regional level;

23.2.11.3 Assist the hosting Branch in arranging
National events such as National Congress;

23.2.11.4 Appoint a Disciplinary Committee comprising
five (5) members of the Party in the Region
who shall not include members of the
Regional Committee.

ARTICLE 24 - NATIONAL COUNCIL OF ELDERS

24.1 There shall be a National Council of Elders appointed by the
President for such duration and on such terms and conditions
that the Party President on advice by the Central Committee
shall determine from time to time.

24.2 The mandate of the National Council of Elders shall be to
perform and/or carry out any such function which the Central
Committee may from time to time delegate to it which may
include investigations, arbitration and reconciliation of
differences and disputes where necessary within the Party
structures and/or members.

ARTICLE 25 - BRANCH VETERAN FORUM

- 25.1 Every Branch shall establish a Branch Veteran Forum, which shall be a committee made up of older members of the Party within the Branch who have had a long and distinguished service in any public office or position in the Party or society.
- 25.2 The mandate of the Branch Veteran Forum shall be advisory.

ARTICLE 26 - NATIONAL CONGRESS

- 26.1 The Supreme National Policy making Organ of the Party is the National Congress.
- 26.2 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.
- 26.3 An extraordinary National Congress shall have the same powers as the ordinary National Congress in respect of issues for which it was summoned.
- 26.4 The National Congress shall be attended by:
- 26.4.1 all the members of the National Council state at Article 27.3
 - 26.4.2 eight (8) delegates from each Branch selected in accordance with the rules made by the Central Committee.
 - 26.4.3 All Councillors
 - 26.4.4 All the above shall have voting rights at any National Congress.

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- 26.4.5 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.
- 26.5 The National Congress shall have the following functions;
- 26.5.1 To elect the President of the Party and members of the Central Committee by secret ballot.
- 26.5.2 To formulate and revise Party policies and programmes.
- 26.5.3 To amend, approve or adopt the Party Constitution.
- 26.5.4 To define, orientate and approve General policies and plans for the nation's development.
- 26.5.5 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

- 27.1 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.
- 27.2 The National Council shall:
- 27.2.1 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.
- 27.2.2 Review and appraise Party programme.
- 27.2.3 Review and consider National Development Policies.

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27.2.4 Receive, review and consider party reports, resolutions and recommendations by Regions and the Central Committee.

27.3 The following shall be members of the National Council:

27.3.1 Members of the Central Committee.

27.3.2 Members of Parliament who are members of the Party.

27.3.3 All Regional Chairpersons and Secretaries.

27.3.4 All branch Chairpersons and secretaries

27.3.5 All members of the Inner Executive Committee of the Youth Wing of the Party.

27.3.6 All members of the Inner Executive Committee of Women's Wing Committee of the Party.

27.3.7 One Councillor from each Branch.

27.3.8 Members of the Sub-Committees of the Central Committee may attend meetings of the National Council as observers.

27.3.9 There may be Committees of the National Council whose names, numbers, membership and function shall be decided upon by the Central Committee.

27.3.10 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

28.1 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

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The Deputy Secretary General
The Deputy Treasurer of the Party
The Ordinary Members of the Party
Chairpersons of the Women's and Youth Wings

- 28.2 The Central Committee shall meet when convened by the President of the Party, or upon requisition of at least one third of its members.
- 28.3 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.
- 28.4 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.
- 28.5 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

- 29.1 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:
- 29.2 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.

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29.3 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.

29.3.1 At the close of nominations in accordance with 29.2 and 29.3 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.

29.3.2 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.

29.3.3 No member shall qualify as a candidate for the President of the Party unless qualified to be President of Botswana under the Botswana Constitution.

29.3.4 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.

29.3.5 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.

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29.3.6 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

- 30.1 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;
- 30.2 The Party President shall be elected in terms of Article 29 as appropriate.
- 30.3 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.
- 30.4 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.
- 30.5 The President of the Party shall then appoint five other ordinary members of the Central Committee from other Party Members.
- 30.6 No person shall be eligible for election as member of the

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Central Committee unless the member:

- 30.6.1 Is a citizen of Botswana;
- 30.6.2 Is a member in good standing for at least two years;
- 30.6.3 Is at least eighteen years of age;
- 30.6.4 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.
- 30.6.5 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 16.10.
- 30.6.6 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.
- 30.6.7 No person holding office in the central committee shall be eligible to hold office in any lessor Party organ.

ARTICLE 31 - POWERS AND FUNCTIONS OF THE CENTRAL COMMITTEE

- 31.1 The Central Committee shall have the following Powers and functions:

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- 31.1.1 To supervise the day to day implementation of Party Policies and Programmes, as directed by the National Council.
- 31.1.2 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.
- 31.1.3 To ensure that records of all Party activities are properly kept, including proper accounting records, at all levels of Party Organisation.
- 31.1.4 To summon regular or extra-ordinary meetings of the National Council and National Congress.
- 31.1.5 To take action to protect the security and development of the Party and the state.
- 31.1.6 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

- 32.1 There shall be a Parliamentary Caucus comprising all Party Members of Parliament, which shall be chaired by the Party President or such other person as the President may appoint or delegate.
- 32.2 There shall be a Council Caucus for each District, Town or City Council comprising all Party Councillors in each Council.
- 32.3 The decision of the caucus shall be binding on each member.
- 32.4 Each council caucus shall elect a chairperson for purposes of electing the chairperson/mayor of the council who shall

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thereafter become the chairperson of all caucuses or whoever he/she may delegate.

- 32.5 Where the Party is in the minority the person elected to chair shall become the caucus chairperson.

ARTICLE 33 - COMMITTEES OF THE CENTRAL COMMITTEE

- 33.1 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.
- 33.2 The functions of these sub-committees shall be in accordance with the regulations.

ARTICLE 34 - POWERS AND FUNCTIONS OF THE PRESIDENT

- 34.1 The President of the Party shall;
- 34.1.1 Be the principal spokesperson of the Party on National and International affairs.
 - 34.1.2 Convene meetings of the Central Committee.
 - 34.1.3 When the Party is in power, be State President.
 - 34.1.4 Preside over meetings of the Central Committee.
 - 34.1.5 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.
 - 34.1.6 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)

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days on the grounds of such member's behaviour pending action by the Disciplinary Committee.

- 34.1.7 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

- 35.1 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

- 36.1 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

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.

- a) 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

- 39.1 The Party shall derive its income from fees, subscriptions, donation or any other lawful source.
- 39.2 Any money so derived, whether it be by the medium of 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.
- 39.3 The Treasurer of the Party shall keep proper books of accounts regarding all the money and assets and liabilities of the Party.
- 39.4 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

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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.

39.5 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.

39.6 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

42.1 This Constitution may be amended by a National Congress of the Party, provided that:

42.1.1 Any member, committee or organ of the Party may propose amendment to the Party Constitution or

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- 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;
- 42.1.2 The Executive Secretary shall immediately bring to the attention of the Secretary General of the Party such proposed amendment;
- 42.1.3 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;
- 42.1.4 Each Branch and each Region shall hold a Congress to, inter alia, and consider the proposed amendment in preparation for the National Council;
- 42.1.5 Each proposed amendment shall be read, but not debated (although it may be clarified and explained), at the next meeting of the National Council;
- 42.1.6 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,
- 42.1.7 Only amendments complying with this procedure, or variations thereof arising in the course of debate, may be made;
- 42.1.8 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

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be expressly stated by the National Congress making the amendment.

42.2 In the case of an extraordinary National Congress the provision of Clause I of this Article shall be deemed to have been complied with if:-

42.2.1 At least one month's notice of the proposed amendments is given to members of the National Council;

42.2.2 At least twenty-four hours notice is given to delegates of the National Congress.

ARTICLE 43 - GENERAL ADMINISTRATIVE PROVISIONS

43.1 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.

43.2 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.

43.3 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.

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- 43.4 Any notice of a meeting must state the date, time and place of the meeting.
- 43.5 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 nvalidate such meeting and may render the person making such determination liable to disciplinary steps.
- 43.6 Meetings of all Party Committees shall be held at least once every quarter.
- 43.7 Subject to the provisions of this Constitution office bearers and Committee Members shall hold office for two years.
- 43.8 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.
- 43.9 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.
- 43.10 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.
- 43.11 The voting for any office bearer or ordinary Members except at Cell Level will be secret ballot.

ARTICLE 44 - DISSOLUTION:

- 44.1 The Party may be dissolved only in the following manner:
 - 44.1.2 By the vote of a two thirds majority at a Party Congress called specifically for the purpose of dissolving the Party.
 - 44.1.3 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.
 - 44.1.4 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

- 45.1 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.
- 45.2 All Party Organs constituted under the Constitution dated 7th 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

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adoption of this Constitution.

- 45.3 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 5th November 1995 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 Boipuso Hall, Gaborone this 27th day of March 2008.

BOTSWANA DEMOCRATIC PARTY
REGULATIONS FOR CONDUCT OF PRIMARY ELECTIONS

INTRODUCTION

Pursuant to Article 28 (e) of the Party constitution, the following Regulations have been prescribed by the Central Committee

Whenever a general election for parliamentary, local government seat or any bye election is imminent, the Central committee shall:

- a) Make an announcement inviting all aspirant candidates to submit their applications in form (A) as annexed, for both parliamentary and local government election candidates. All completed forms shall be submitted to the Branch Committee.
- b) The applicant shall have a proposer, seconder and seven supporters as prescribed in form A. In respect of a parliamentary election, the proposer, seconder and all the supporters, shall be members of the Party in good standing and ordinarily resident in the constituency. In respect of a local government election the proposer, seconder and seven supporters shall be members of the party in good standing and ordinarily resident in the ward.
- c) A member may nominate or second or support only one prospective candidate in respect of Parliamentary or Council primary election. Members shall be continuously registered at cell and ward levels where registers shall be kept, which registers shall be continuously verified against the headquarters registers. And for purposes of elections it is the Headquarter register that shall operate

1. REGISTRATION

- a) Voters shall be registered members in good standing, in the particular ward.
- b) Voters shall be those members who would have been on the voter rolls by the cut-off date.
- c) All Cell and Ward Committee members shall have authority to distribute and sign membership application forms.
- d) Cell Committees shall keep cell registers which shall transmit information to the ward and branch registers in that order.

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- e) All members in good standing shall have unlimited access to registration forms and shall submit them to the relevant cell and ward committees.
- f) Formation/establishment of new cells should be approved by the branch committee and registered with Party Headquarters and should remain so prescribed until next delimitation.
- g) Membership fee shall be determined by the Central Committee from time to time

2. VETTING

- a) All prospective candidates whose form A has been submitted to the Branch Committee shall be vetted by such a committee with a view to recommending to Central Committee for approval or disapproval of such person as a candidate for such an election. With respect to the vetting of local government candidates the Branch Committee shall invite the Chairperson and Secretary of the respective ward.
- b) Vetting of each candidate shall include an examination of proof of payment of the Primary Election application fee. The decision of the Central Committee shall be final.
- c) All prospective candidates who have been vetted and approved shall be eligible to stand as candidates in the primary election in respect to which they were vetted.
- d) During the process of vetting the committee responsible shall consider the prospective candidate's integrity, personality, commitment to the Party, ability to represent the Party and the public if elected and all other qualifications and disqualifications under the electoral laws of Botswana.
- e) All prospective candidates who have been ruled to have failed to comply with Party procedures, regulations and guidelines shall be disqualified to stand as candidates.
- f) For purposes of the vetting of the applicants for all elections, the Branch Committee quorum will be constituted by the elected members only, to the exclusion of ex – officio members.
- g) All interested persons, whose participation is likely to give rise to conflict of interest, shall recuse themselves from the vetting body

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during consideration of the relevant ward and or constituency candidates.

3. WITHDRAWAL OF CANDIDATES

- a) Any person whose application has been approved by the appropriate structure may withdraw their nomination in writing indicating that they irrevocably withdraw their candidacy for the office to which they had applied.
- b) The withdrawal shall be filed with Central Committee not less than 10 days prior to the Election Day.
- c) Notice of such withdrawal shall be given to affected wards/constituency informing the voters of the said withdrawal of the candidate

4. PRIMARY ELECTION APPLICATION FEES

- a) Each candidate to a primary election for council seat shall pay a non-refundable registration fee of P500.00 (Five hundred pula) as part of the application process. The application fees shall be paid through the branch committee.
- b) For Parliamentary primary election, each candidate shall pay a non-refundable application fee of P1000.00 (One thousand Pula), payable through the respective Branch committee.
- c) These fees are subject to change from time to time as the Central Committee may see fit.

5. CAMPAIGNING

- a) There shall be a Primary elections code of conduct, which shall form and is part of these regulations.
- b) All candidates shall abide by the code of conduct and any deviation from or abrogation therefrom shall be an offence punishable under the constitution or laws or regulations of the party.

6. PRIMARY ELECTION TIMING

The date of the primary elections shall be determined by the Central Committee, and this date shall give sufficient time for preparations before national elections.

7. SEQUENCE

Elections for council and parliamentary candidates shall be held simultaneously at the same venue. A candidate who wishes to contest a Parliamentary seat shall not contest a council seat and vice versa, that is, no person shall be allowed more than one candidacy in any given primary election.

8. VOTING

- a) Ballot Papers shall be printed for specific elections with specific features as shall be determined by the election board.
- b) Voting shall be by secret ballot and the ballot box system shall be used.
- c) Voting for both Parliamentary and Council primary elections shall be at ward level except in those areas where the sub – ward or cell level is more appropriate and applicable.
- d) ~~Voters shall be required to produce valid party membership cards and Omang cards to prove their membership and identity.~~
- e) The venue where a primary election is to be held and the date and time of such election shall be announced to all candidates, and as much as possible to members of the Party in the constituency or ward as the case may be.
- f) Polling stations shall be open from 06.00 hrs – 18.00 hrs. Where circumstances dictate otherwise, polling may be extended by not more than two hours.
- g) The power to extend polling time is vested in the Presiding Officer of the particular polling station.

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- h) At closing of polls, the Presiding Officer shall declare that only persons already inside the polling station or any area set aside for voting shall be permitted to vote.
- i) Candidates shall be allowed not more than two polling agents per polling station. Those voters who cannot read and or write shall be assisted by election officers. For verification of the voter's choice of candidate, another election officer shall read out to the voter, the name that appears on the ballot paper.

9. COUNTING

- a) All ballots shall be reconciled and counted at the polling station at which polling was done, and results for that polling station announced thereof, without declaring the winner, unless there is only one polling station.
- b) The counting of ballot papers will be carried out at the place of such primary election and on the date of such primary election in the presence of all candidates or counting agents where possible, and the results announced thereat.
- c) The results from all polling stations shall be submitted to a central point for compilation, verification and totaling up by the Presiding/Returning Officer. The Returning Officer shall after being satisfied that the ballots are correct, announce the results of the elections and declare the winners thereof.
- d) Counting shall as far as practicable proceed continually until counting is completed.
- e) In the event of a deadlock in the voting there shall be re-election on a date to be determined by the Central Committee.
- f) Where an irregularity has occurred or the process of election has for unforeseen circumstances failed in any polling station, there shall be a re-election in the whole Ward if it were elections for a council seat, or a re-election in the whole constituency if it were elections for parliamentary seat.

10. ELECTION OFFICERS

- a) Election officers shall not be members of the branch where the election is taking place and shall be appointed in respect of any

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primary election by the Party Electoral Board in consultation with PEEC.

- b) Each polling station must be manned by not less than two election officers at any given time.

11. BALLOTS TO BE KEPT SAFE

All ballots used in any election shall be submitted by the Returning Officer to the Secretary General for safe keeping for a period of six months, or more if there is an appeal relating to that particular poll.

12. APPEALS

- a) In the event of any person complaining of their candidature having been prejudiced by any alleged irregularities in the carrying out of these regulations or by any alleged improper conduct, they shall have the right to appeal to the Regional Committee, except in cases where the Regional Committee is an interested Party in which case the appeal shall be lodged with the Central Committee.
- b) All appeals lodged shall be attended to within seven (7) days of their being lodged and a decision reached within 30 days.
- c)
 - i) Any appeals arising from the conduct of a primary election shall be lodged in writing not more than seven days after the primary election date and only provided that the appellant shall have verbally indicated to the presiding officer/returning officer his intention to appeal and the reasons for such appeal.
 - ii) The said notice of appeal shall set forth clearly and in detail, the irregularities alleged to have been committed, and/or the reasons for his/her complaint. A copy of such ground shall be furnished to any person who may be affected by the appeal. The Regional Committee shall verify whether the appellant has sent a copy of the petition to the respondent.
 - iii) The Respondent may, within a period of seven (7) days reply to the allegations in writing to the Regional Secretary/Central Committee with a copy of the reply to the appellant. The regional committee shall then consider the appeal.

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- d) Any Person/anybody who is not happy with the decision of the Regional Committee may appeal to the Central Committee within seven (7) days of the decision of the Regional Committee being made known to him/it.
- e) Any appellant who petitions the Central Committee directly, **specifically** because he/she is of the opinion that the regional Committee is an interested Party must, in addition to setting out the basis of his/her appeal on its merits, detail the reasons for exclusion of the Regional Committee from the appeal.
- f) In presenting the appeal referred to in 12 (e) above, the manner of lodging the appeal as well as the time periods allowed, the rebuttal by respondents who shall include the Regional Committee, the provisions of paragraphs 13 (c) and (d) shall apply save that all reference to Regional Committee shall be read to mean Central Committee.
- g) The Central Committee shall then consider the appeal. The Central Committee may decide on the eligibility of the appeal to lie directly with it, or may direct that the matter be sent back to the Regional Committee for hearing.
- h) Any decision on an appeal by the Central Committee shall be final and binding.
- i) Failure to follow laid down procedures will nullify any opportunity for appeal.

13. GENERAL

- a) In cases of death/withdrawal of candidates who had won the primary election, there shall be a re-election (fresh elections).
- b) Notwithstanding anything – contained in these Regulations, the Central Committee may, where necessary, nominate a candidate in any constituency or ward where an election is imminent and the MODUS OPERANDI as laid down is unworkable for any reason whatsoever.

PARTY ELECTORAL BOARD

1. COMPOSITION

There shall be established, a party Electoral Board consisting of five members of impeccable good standing elected by the Party President. Chairperson of PEEC and Executive Secretary shall be ex - officio members of the board. The board shall be appointed for a maximum period of 5 years which appointments shall be renewable.

2. DUTIES AND RESPONSIBILITIES

The board shall be responsible for the general supervision and direction of elections. Specifically the Board shall:

- a) Supervise the registration of voters, maintenance of rolls, membership cards and ensure fair and proper distribution of the same to relevant party structures and members.
- b) Direct and supervise the administrative conduct of elections and ensure fairness, impartiality and compliance with the provisions of the party regulations and the electoral Act.
- c) Ensure the proper compilation, production, verification, distribution and safekeeping voter rolls.
- d) Prepare a comprehensive and detailed budget for the primary and general elections for presentation to the Central Committee for their consideration and approval.
- e) Ensure that election materials, such as ballot papers, boxes etc are properly designed, produced and distributed in accordance with primary elections regulations.
- f) Ensure production and equitable distribution of campaign materials as may from time to time be instructed by the Central Committee.
- g) ~~Work hand in hand with PEEC for purposes of appointing election officers and conducting elections.~~

For the smooth carrying out of these responsibilities the board shall be supported by a full time staff consisting of the following:

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- Elections Manager who shall be the board secretary
- Elections Admin Officer
- Information Officer

The board, through its chairperson shall report directly to the Central Committee.

CODE OF CONDUCT FOR CANDIDATES
BDP PRIMARY ELECTION (BULELA DITSWE)

1. Candidates must always promote the interest of the Party and portray themselves as agents of the Party.
2. Candidates shall conduct themselves in a manner consistent with the dictates of the electoral Act as well as rules and regulations of the Party.
3. Candidates shall not use their campaigns to castigate competitors.
4. Candidates shall only be allowed to use house to house campaigns to sell themselves. No candidate shall be allowed to address political rallies.
5. Candidates shall be responsible for the conduct, behavior and utterances of their supporters and shall make sure such supporters they abide by the code of conduct of party
6. Pre and post primary elections celebrations of any kind are prohibited.
7. Candidates who have not won primary election are duty bound to support the winning candidate. Candidates who have won primary elections are duty bound to create an atmosphere conducive to party unity and involve unsuccessful candidates in their campaigns.
8. The Branch Committee shall take responsibility to facilitate and create an atmosphere conducive to party unity and foster a cordial working relationship between primary elections winner and unsuccessful candidates.
9. All party structures shall be impartial and not support any one candidate to the detriment of others.
10. Members of the party structures shall not be members of campaign teams of any candidate prior to the primary elections. Furthermore all candidates' campaign teams shall stand dissolved immediately after primary elections to allow for the establishment of constituency and ward campaign teams. Safe for the Central Committee and Regional Committees, all prospective candidates shall resign from party structure positions at a date to be determined by the Central Committee.

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11. The candidate shall appoint the Campaigns Manager and all other members of the campaign team shall be appointed by both the candidate and the Branch/Ward Committee.
12. The Party candidate shall take responsibility to work cooperatively with the branch committee and the unsuccessful candidates in fostering party unity and running a smooth and successful campaign and election.
13. The unsuccessful candidates shall consistently demonstrate commitment, loyalty and support to the party and its candidate, furthermore ensure that their supporters equally demonstrate loyalty and support to the party and its candidate.
14. The Party Candidate shall ensure that their supporters do not marginalise, ostracize and or ridicule the unsuccessful candidates and their supporters.
15. Each and every candidate shall conduct their own election campaign, and no candidate shall campaign for another.
16. No campaign or publicity materials such as posters, stickers, T-shirts, banners etc shall be printed, displayed, distributed, worn, mounted etc for purposes of primary elections as of the date to be determined and announced by Central Committee.
17. House to House campaigns shall not be used for rumor mongering and castigating of other candidates.
18. There shall be no campaigning within a radius of 100 meters of the premises of a primary election. For purposes of this clause premises include fencing if any and or designated parameters of a polling station.
19. For purposes of (18) above, campaigning shall include chanting any candidate's name, displaying a candidate's insignia, emblem or image and doing any act that is calculated to influence voters.
20. De-campaigning the party candidate or campaigning for an opposition candidate shall constitute an offence.
21. Any breach of any or all of the foregoing shall constitute an offence and be subject to disciplinary action.

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22. All general elections victory celebrations shall be held not later than 2 years after the general elections.
23. Victory celebrations for by-elections shall be allowed however, such celebrations shall not be held once the announcement for the forthcoming primary election has been made and shall be held within 6 months of the by election.

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**BOTSWANA DEMOCRATIC PARTY
GENERAL CODE OF CONDUCT OF THE PARTY**

Pursuant to article 7 of the constitution, membership of the party is voluntary, and is open to all Batswana. All members are obliged to abide by the constitution, rules and regulations of the party, and are expected to promote its philosophy, policies and programmes. The following are some of the offences under the general code of conduct of the party.

1. Leakage of confidential party information or failing to keep documents under proper control.
2. Campaigning for or promoting the interests of other parties against those of the BDP and its candidates.
3. Engaging in any form of corrupt practice.
4. Abuse of office to obtain material, financial or other benefits.
5. Behaving in a grossly disorderly and unruly manner that might put the party name in disrepute.
6. Sowing seeds of discord in the Party, using regionalism, tribalism or factionalism.
7. Contemptuous behaviour towards party leadership and other members.
8. Persistently and without just cause undermining the respect for or impeding the smooth functioning of party structures.
9. Engaging in organised factional activity that goes outside the recognised norms of free debate inside the party and threatens its unity.
10. Use of party property for personal gain.
11. Behaving in a manner calculated to bring the party name into disrepute.
12. Washing the party's dirty linen in public.
13. Campaigning for party positions using unconventional, unacceptable and non transparent means.

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14. Using parliamentary or council positions and privileges to attack the party and or its government.
15. Unauthorised issuance of statements to the media contrary to article 28 (d) of the party constitution.

NB: Commission of any one or more of these offences is punishable in accordance with article 15 of the party constitution.

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**BOTSWANA DEMOCRATIC PARTY
PENALTIES FOR MISCONDUCT DURING PRIMARY ELECTION
CAMPAIGNS AND POST PRIMARY ELECTIONS**

Offence	Penalty
1. Castigating Competitors.....	Disqualified
2. Utterances.....	a) Supporter - P100
.....	b) Candidates - P200
i) Failure to pay penalties.....	a) Supporters - Disenfranchise
.....	b) Candidate - Disqualify
3. Victory Celebration.....	Disqualification
4. Party Candidate who marginalises.....	Caution, Reprimand or Disqualification
unsuccessful candidates	
5. Unsuccessful Candidates.....	Caution, Written Reprimand and barring
who do not support party candidates	from contesting elections and political
	office in future
i) Supporters who fail to demonstrate.....	Caution, Reprimand and barring from
Commitment, loyalty and support to	contesting elections and holding political
the party candidate	office
6. Cross boarder campaign.....	a) Supporters - P200
.....	b) Candidates - Disqualification
7. De-campaigning the party.....	Expulsion from the party
candidate or campaigning for opposition	