

**Commonwealth Parliamentary Association**

**CONSTITUTION**

**CONSTITUTION  
OF THE COMMONWEALTH  
PARLIAMENTARY ASSOCIATION**

As adopted by the General Assembly of the Association at its meeting  
in Cyprus on 6 September 1993  
and amended by the General Assembly of the Association at its meetings  
in New Zealand on 19 October 1998 and  
in Canada on 7 September 2004 and  
in India on 28 September 2007.

**COMMONWEALTH PARLIAMENTARY ASSOCIATION  
SECRETARIAT  
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UNITED KINGDOM**

## TABLE OF CONTENTS

	Page
Preamble.....	5
Aims.....	5
Patron and Vice-Patron.....	5
Branches of the Association.....	6
Plenary Conference.....	9
General Assembly.....	10
The Officers of the Association.....	13
The Regional Representatives.....	18
The Executive Committee.....	19
The Secretariat.....	23
Financial Year.....	24
Qualification for Office.....	24
Accidental Failure to Give Notice.....	24
Dissolution of the Association.....	25
Interpretation.....	25
Amendment of the Constitution.....	25
Revocation of Previous Constitution.....	26

### **Commonwealth Parliamentary Association**

## **CONSTITUTION**

### **PREAMBLE**

Commonwealth Parliamentarians who, irrespective of gender, race, religion or culture, being united by community of interest, respect for the rule of law and individual rights and freedoms, and by pursuit of the positive ideals of parliamentary democracy, have established the Commonwealth

Parliamentary Association:

### **1. Aims**

- (1) The aims of the Association are to promote knowledge of the constitutional, legislative, economic, social and cultural aspects of parliamentary democracy, with particular reference to the countries of the Commonwealth of Nations.
- (2) Without restricting the generality of paragraph (1), the Association shall pursue its aims:
  - (a) by arranging Commonwealth Parliamentary Conferences, and other conferences, seminars, meetings and study groups;
  - (b) by providing facilities for the exchange of visits between Members of the Branches of the Association;
  - (c) by publishing material relevant to the aims and activities of the Association, which shall include the regular publication of a periodical devoted to constitutional and parliamentary affairs;
  - (d) by maintaining at the Secretariat of the Association a centre for the dissemination and exchange of information on parliamentary matters.

### **2. Patron and Vice-Patron**

- (1) On the acceptance by the prospective appointee of an invitation to hold the office, the Executive Committee may appoint:
  - (a) a Patron of the Association, and
  - (b) a Vice-Patron of the Association.
- (2) The Patron of the Association shall be:
  - (a) a person of the highest eminence dedicated to the ideals represented by the Commonwealth, and
  - (b) the honorary titular head of the Association who may be expected, whenever possible, to attend formal gatherings of the Association.
- (3) The Vice-Patron shall:
  - (a) other than in exceptional circumstances, be the Head of State or of the Government of the country in which the next plenary conference is to be held;
  - (b) hold office from the time of appointment until the conclusion of the next plenary

conference, and

- (c) assist the Patron in the performance of his or her functions and, in the absence of the Patron or where there is a vacancy in that office, shall carry out the functions of the Patron.

## **BRANCHES OF THE ASSOCIATION**

### **3. Branches**

- (1) The Association shall be composed of Branches which have been:
  - (a) formed within Legislatures, which qualify under paragraph (2) and are in countries recognized as members of the Commonwealth by Commonwealth Heads of Government, dependencies of such countries and countries in association with such countries, and
  - (b) constituted in accordance with paragraph (3).
- (2) A Legislature shall qualify if:
  - (a) it is recognized by domestic law as an Assembly competent to enact national, state, provincial or territorial legislation, or to enact legislation in a dependency, and
  - (b) its Members sit by due process of domestic law, and
  - (c) it functions as a parliamentary body.
- (3)(a) A Branch may be constituted following a written application submitted by a Legislature to the Secretary-General.
- (b) The application shall declare that it has been adopted either by the Legislature or by its Members at a meeting summoned for the purpose.
- (c) A Branch may be constituted by decision of the General Assembly or, in the case of new Branches formed as a consequence of the subdivision of a territory to constitute additional Legislatures, by decision of the Executive Committee subject to confirmation by the General Assembly.
- (d) In determining whether to constitute a Branch, consideration shall be given to the existing Branches in, or associated with, the country from which the application to form a Branch is submitted.

### **4. Suspension of Rights of Membership of a Branch**

The Executive Committee:

- (a) may suspend the rights of membership of a Branch which is more than twelve months in arrears in paying its prescribed annual membership fee or meeting its other prescribed financial obligations to the Association;
- (b) shall rescind such suspension on the payment by the Branch of such arrears;
- (c) may rescind such suspension where it is satisfied that the Branch is able and willing to meet its financial obligations and in rescinding such suspension may waive any or all of the membership fees and other financial obligations of the Branch outstanding at the time of its suspension.

### **5. Abeyance of Branch Membership**

- (1) The Executive Committee may place the membership of a Branch in abeyance where it is satisfied that the Legislature in which the Branch is formed has ceased to function as a parliamentary body.
- (2) Before taking a decision under paragraph (1), the Executive Committee shall take all reasonable steps to consult the Branch and, where the Branch has been formed in the Legislature of a state, province, territory or dependency of a country, the Branch formed in the national Legislature of the country.
- (3) The Executive Committee may re-instate the membership of a Branch which has been placed in abeyance.

### **6. Notice of Suspension of Rights or Abeyance of Membership of Branches and Right of Appeal**

- (1) Where the rights of membership of a Branch have been suspended or its membership has been placed in abeyance, the Secretary-General shall take all reasonable steps to give written notice of the decision to the Branch and, where the Branch has been formed in the Legislature of a state, province, territory or dependency of a country, to the Branch formed in the national Legislature of the country.
- (2) Where the rights of membership of a Branch have been suspended or its membership has been placed in abeyance, the Branch:
  - (a) may request the Executive Committee to review its decision, and
  - (b) shall have the right of appeal to the General Assembly against the decision of the Executive Committee.
- (3)(a) An appeal under paragraph (2) submitted in writing to the Secretary-General:
  - (i) shall be considered at the next ordinary meeting of the General Assembly, provided it has been received not less than sixty days before the meeting, and

- (ii) may be considered at the next ordinary meeting of the General Assembly, if the General Assembly so decides at that meeting, where it is in respect of a decision taken by the Executive Committee under Article 4 or 5 within the period of notice required in subparagraph (i).
- (b) An appeal shall be considered by the General Assembly:
  - (i) in the case of an appeal under subparagraph (a)(i), immediately after the adoption of the minutes of the previous meeting, and
  - (ii) in the case of an appeal under subparagraph (a)(ii), immediately after the General Assembly decides to consider the appeal.
- (c) The appellant Branch shall be entitled to be heard in the consideration of the appeal under subparagraph (b).
- (d) A Branch which is unsuccessful in an appeal considered under subparagraph (b) shall not be entitled to participate in any further business before the General Assembly at which the appeal was considered.

## **7. Termination of Membership**

A Branch may terminate its membership of the Association by written notice to the Secretary-General.

## **8. Rights of Branches**

Each Branch shall be:

- (a) included in a Region of the Association, and
- (b) entitled to send a prescribed number of delegates and officials to each plenary conference.

## **9. Financial Obligations of Branches**

- (1) Each Branch shall be liable to pay by 1 January in each year the prescribed membership fee for the financial year and to fulfil other prescribed financial obligations of its membership.
- (2) A Branch shall not incur financial obligations during a period in which:
  - (a) its rights of membership have been suspended, or
  - (b) its membership has been placed in abeyance.

- (3) A Branch which terminates its membership of the Association shall be liable to pay the prescribed membership fee for the year in which its termination is duly notified, and any other financial obligations which are then due to the Association.

## **PLENARY CONFERENCE**

### **10. Plenary Conference**

- (1) As far as practicable, there shall be an annual plenary conference.
- (2) The Secretary-General shall give ninety days' written notice to each Branch of the venue and dates of a plenary conference.
- (3) The following shall be entitled to attend a plenary conference:
  - (a) the Patron and Vice-Patron of the Association;
  - (b) Officers of the Association;
  - (c) Regional Representatives, Acting Regional Representatives and the Chairperson of the Commonwealth Women Parliamentarians;
  - (d) Branch delegations, and
  - (e) the immediate Past President of the Association.
- (4) Each former Member of the Executive Committee who is still qualified under Article 33 shall be invited by the Association to attend as an observer each plenary conference held in the five years immediately after relinquishing office, on payment of the prescribed fee for observers.
- (5) Other persons may be invited by the Association to attend a plenary conference.
- (6) The Presiding Officer at plenary sessions of a plenary conference shall be determined in accordance with the provisions of Article 15 for determining the Presiding Officer of a meeting of the General Assembly.

## **GENERAL ASSEMBLY**

### **11. General Assembly**

- (1) The General Assembly shall have ultimate authority to determine the policy and management of the Association.
- (2) Without restricting the generality of paragraph (1), the General Assembly shall determine:

- (a) the annual membership fee and other financial obligations of the members of the Association;
  - (b) the Regions of the Association and the allocation of each Branch to a Region;
  - (c) the number of Regional Representatives;
  - (d) without restricting Article 26(2), the venue within the Commonwealth of each plenary conference, and
  - (e) the number of delegates and officials which each Branch shall be entitled to send to a plenary conference.
- (3) For the purposes of furthering the representation of women in Commonwealth Parliaments and enhancing the participation of women Members in the Association's affairs, the General Assembly may approve the establishment of a body, to be known as the Commonwealth Women Parliamentarians, with authority to determine its own rules and procedures but so as to be compatible with the provisions of this Constitution and decisions of the General Assembly and the Executive Committee.
- (4) The following shall be entitled to attend the General Assembly as delegates:
- (a) Officers of the Association;
  - (b) Regional Representatives, Acting Regional Representatives and the Chairperson of the Commonwealth Women Parliamentarians, and
  - (c) Branch delegates to the plenary conference at which the meeting of the General Assembly is held.
- (5) Other persons may be invited by the Association to attend the General Assembly as observers.

## **12. General Assembly Meetings**

- (1) An ordinary meeting of the General Assembly shall be held at each plenary conference.
- (2) The Secretary-General shall give ninety days' written notice of the date, and forty-five days' written notice of the time, place and agenda, of an ordinary meeting of the General Assembly to each Branch, Officer of the Association and Regional Representative.
- (3) The Executive Committee may convene an extraordinary meeting of the General Assembly during a plenary conference to consider any matter which in the opinion of the Committee is of urgent importance.

## **13. General Assembly Agenda**



- (1) A Branch or the Executive Committee may submit to the Secretary-General written notice of matters to be placed on the agenda of an ordinary meeting of the General Assembly not less than sixty days prior to the date of the meeting.
- (2) The agenda of an ordinary meeting of the General Assembly shall include:
  - (a) the minutes of the previous meeting;
  - (b) a report by the Executive Committee on the activities of the Association since the last General Assembly;
  - (c) the presentation of the audited accounts of the Association for the financial year or years since the last presentation of audited accounts to the General Assembly;
  - (d) the presentation by the Executive Committee of the budget of the Association for the next financial year and of a financial projection for subsequent financial years;
  - (e) matters submitted in accordance with paragraph (1);
  - (f) subject to the provisions of Articles 18 and 19, the election of Officers of the Association and other Members of the Executive Committee;
  - (g) the appointment of an independent auditor, and
  - (h) other matters which are required to be considered or determined by the General Assembly.
- (3) Where a Branch which submitted a matter in accordance with paragraph (1) is not represented at the meeting of the General Assembly at which the matter is included on the agenda, any delegate may move consideration of the matter.

#### **14. Quorum**

- (1) Subject to paragraph (3), the quorum for a meeting of the General Assembly shall be fifty delegates.
- (2) If the meeting remains inquorate for a period of thirty minutes after the time appointed for the meeting, it shall stand adjourned to the same place at such date and time as the majority of the delegates then present shall determine.
- (3) The quorum for such an adjourned meeting shall be twenty delegates, excluding the Members of the Executive Committee present.

#### **15. Presiding Officer**

- (1) The Member present who is most senior in the order of precedence set out in paragraph (2) shall preside at a meeting of the General Assembly.
- (2) The order of precedence shall be:
  - the President of the Association;
  - the Vice-President of the Association;
  - the Chairperson of the Executive Committee;
  - the Vice-Chairperson of the Executive Committee;
  - a delegate elected by the meeting.

## **16. Voting**

- (1) Subject to paragraph (2), each delegate present at a meeting of the General Assembly shall be entitled to vote.
- (2) Subject to paragraph (3), the Presiding Officer shall only be entitled to vote in the election of Officers of the Association and Regional Representatives.
- (3) Subject to paragraph (6), in the event of an equality of votes, the question shall be decided in the negative.
- (4) Subject to Article 37(4), a decision of a meeting of the General Assembly shall require a majority of the votes of the delegates present and entitled to vote.
- (5) Subject to the provisions of paragraph (6), the voting procedure at a meeting of the General Assembly shall be as follows:
  - (a) a vote shall be taken by show of hands;
  - (b) following a vote taken by show of hands, a roll call vote shall be taken if twenty or more delegates demand such a vote by rising in their places;
  - (c) if, prior to a vote being taken by show of hands, twenty or more delegates demand it, a vote shall be taken by secret ballot.
- (6) The voting procedure for a contested election of an Officer of the Association or a Regional Representative shall be as follows:
  - (a) voting shall be by secret ballot;
  - (b) if after a ballot no candidate has achieved the number of votes required by paragraph

- (4), the candidate with the lowest number of votes shall be eliminated from the ballot and the delegates shall vote again on the remaining candidates;
- (c) where two or more candidates in a ballot tie with the lowest number of votes, the Presiding Officer shall, by lot, draw the name of one of the candidates who shall be eliminated from the ballot;
  - (d) subject to subparagraph (e), the procedure set out in subparagraph (b) shall be repeated until a candidate achieves the number of votes required by paragraph (4);
  - (e) where, in a ballot of two candidates, there is an equality of votes, the Presiding Officer shall, by lot, draw the name of one of the candidates who shall be deemed to have achieved the number of votes required in paragraph (4).

## **THE OFFICERS OF THE ASSOCIATION**

### **17. Officers of the Association**

The Officers of the Association shall be the President, the Vice-President, the Chairperson of the Executive Committee, the Vice-Chairperson of the Executive Committee and the Treasurer.

### **18. President**

- (1) A President of the Association shall be elected on a nomination in accordance with paragraph (4), and shall be the honorary head of the Association.
- (2) Other than as provided for in paragraph (3), the General Assembly shall elect a President of the Association.
- (3) The Executive Committee shall elect a President of the Association where:
  - (a) in accordance with Article 26(2), it has:
    - (i) determined the venue of the next plenary conference, or
    - (ii) altered the venue of that conference, or
  - (b) a casual vacancy arises in the office of President.
- (4) For an election under this Article:
  - (a) the Branch which is to be the host of the next plenary conference shall be entitled to nominate one of its Members qualified under Article 33, and
  - (b) failing such nomination, the Executive Committee shall be entitled to nominate a candidate qualified under Article 33.

- (5) Subject to paragraph (6), a President of the Association shall hold office from the conclusion of the plenary conference at which the election is held until the conclusion of the next plenary conference.
- (6) Where the venue of the next plenary conference has been altered, the President of the Association elected to hold office in the year of that conference shall cease to hold office on the election of a successor or not enter into office, as the case may be.

## **19. Vice-President**

- (1) A Vice-President of the Association shall be elected on a nomination in accordance with paragraph (4), and shall act as President when that office is vacant.
- (2) Other than as provided for in paragraph (3), the General Assembly shall elect a Vice-President of the Association.
- (3) The Executive Committee shall elect a Vice-President of the Association where:
  - (a) in accordance with Article 26(2), it has:
    - (i) determined the venue of the next but one plenary conference, or
    - (ii) altered the venue of that conference, or
  - (b) a casual vacancy arises in the office of Vice-President.
- (4) For an election under this Article:
  - (a) the Branch which is to be the host for the next but one plenary conference shall be entitled to nominate one of its Members qualified under Article 33, and
  - (b) failing such nomination, the Executive Committee shall be entitled to nominate a candidate qualified under Article 33.
- (5) Subject to paragraph (6), a Vice-President of the Association shall hold office from the conclusion of the plenary conference at which the election is held until the conclusion of the next plenary conference.
- (6) Where the venue of the next but one plenary conference has been altered, the Vice-President of the Association elected to hold office in the year of that conference shall cease to hold office on the election of a successor or not enter into office, as the case may be.

## **20. Chairperson of the Executive Committee**

- (1) The General Assembly shall, on a valid nomination, elect a Chairperson of the Executive

Committee.

- (2)(a) The Chairperson of the Executive Committee shall be the executive head of the Association.
- (b) Without restricting the generality of paragraph (a), the Chairperson of the Executive Committee shall:
- (i) be the official spokesman of the Association on all matters affecting the policy of the Association;
  - (ii) where both the offices of President and Vice-President are vacant, act as President;
  - (iii) preside over meetings of the Executive Committee;
  - (iv) co-ordinate the work of, and provide policy guidance to, the subcommittees of the Executive Committee;
  - (v) provide policy guidance to the Secretary-General;
  - (vi) perform such functions as are delegated to the Chairperson by the Executive Committee, and
  - (vii) serve as an *ex officio* Member of all subcommittees of the Executive Committee, but without right of vote.
- (3) Not less than one hundred and twenty days prior to the date of a meeting of the General Assembly at which the election of the Chairperson of the Executive Committee is to take place, the Secretary-General shall, in writing, invite nominations for the office from each Branch, Officer of the Association and Regional Representative.
- (4) To be valid, such a nomination shall:
- (a) be in writing;
  - (b) state, and contain the consent of, the nominee, who shall be qualified under Article 33 but shall not be the Chairperson of the Executive Committee then in office;
  - (c) be proposed and seconded by persons qualified under Article 33 to hold office in the Association, and
  - (d) subject to paragraph (6), be submitted by a Member of a Branch or by, or on behalf of, a Branch, or by an Officer of the Association or by a Regional Representative, and received by the Secretary-General not less than sixty days prior to the date of the meeting of the General Assembly at which the election of the Chairperson of the Executive Committee is to take place.

- (5) A valid nomination shall be placed on the agenda for the meeting of the General Assembly at which the election of the Chairperson of the Executive Committee is to take place.
- (6) Where no valid nomination is received within the period required by paragraph (4)(d), the General Assembly may receive otherwise valid nominations from the floor at the meeting at which the election of the Chairperson of the Executive Committee is to take place.
- (7) The Chairperson of the Executive Committee shall hold office from the conclusion of the General Assembly at which the Chairperson is elected and thence until the conclusion of the General Assembly in the third succeeding year or, if no plenary conference is held in the third of the three years, until the conclusion of the General Assembly of the next plenary conference held thereafter.

**21. Vice-Chairperson of the Executive Committee**

- (1) The Executive Committee shall elect a person qualified under paragraph (4) as the Vice-Chairperson of the Executive Committee.
- (2) The Vice-Chairperson of the Executive Committee shall be elected at the first meeting of the Committee after a General Assembly and thereafter shall hold office until the conclusion of the General Assembly held during the next plenary conference.
- (3) The Vice-Chairperson of the Executive Committee shall perform the functions of the Chairperson in the absence of the Chairperson or when there is a casual vacancy in the office of Chairperson; in the latter event, the Vice-Chairperson shall perform the functions of the Chairperson until the conclusion of the next General Assembly at which a new Chairperson shall be elected.
- (4) To be qualified for election as Vice-Chairperson of the Executive Committee, a person shall be:
  - (a) a Member of the Executive Committee, and
  - (b) a Member of a Branch in a Region of the Association other than the Region in which the Chairperson is a Member of a Branch.
- (5) Where there is a casual vacancy in the office of Chairperson and the Vice-Chairperson is acting as Chairperson, or where there is a casual vacancy in the office of Vice-Chairperson, the Executive Committee may elect one of its Members to perform the duties of Vice-Chairperson until a Chairperson or Vice-Chairperson is elected.
- (6) An election under paragraph (5) may be held in a meeting of the Executive Committee or, in the absence of such a meeting, by a ballot of Members of the Committee, and in either case election shall be by a simple majority of Members of the Committee who vote in the election.
- (7) Article 27(7) shall not apply to an election under paragraph (6) of this Article.

## **22. Treasurer**

- (1) The General Assembly, on the nomination of the Executive Committee, shall elect as Treasurer a person who is a Member of Branch of the Association qualified under Article 33, and not being the Treasurer then in office.
- (2) A Regional Representative on election as Treasurer shall forthwith go out of office as a Regional Representative.
- (3) The Treasurer shall hold office from the conclusion of the General Assembly at which the Treasurer is elected and thence until the conclusion of the General Assembly in the third succeeding year or, if no plenary conference is held in the third of the three years, until the conclusion of the General Assembly of the next plenary conference held thereafter.
- (4)(a) In the event of a casual vacancy in the office of Treasurer, the Chairperson of the Executive Committee may appoint a person qualified under Article 33 as Acting Treasurer to perform the functions of Treasurer until the next meeting of the Executive Committee.
- (b) An appointment under paragraph (a):
  - (i) may be confirmed by the Executive Committee, or
  - (ii) the Executive Committee may appoint another person qualified under Article 33 as Acting Treasurer.
- (c) An Acting Treasurer shall hold office from appointment until:
  - (i) in the case of a person appointed under paragraph (a) whose appointment is not confirmed by the Executive Committee, the Executive Committee appoints an Acting Treasurer, and
  - (ii) in all other cases, the next General Assembly at which a Treasurer shall be elected in accordance with paragraph (1).
- (5) The Treasurer shall be:
  - (a) responsible to the Executive Committee and the General Assembly for the management of the finances of the Association, and
  - (b) the Chairperson of the Finance Subcommittee of the Executive Committee.

## **THE REGIONAL REPRESENTATIVES**

## **23. Regional Representatives**

- (1) The General Assembly shall elect, on valid nominations, the prescribed number of Regional Representatives for each Region of the Association.
- (2) A Regional Representative shall hold office from the conclusion of the General Assembly at which a Regional Representative is elected until the conclusion of the General Assembly of the third plenary conference after that election.
- (3)(a) Each Region shall be entitled to nominate Regional Representatives for its Region.
- (b) No Branch may have more than one Regional Representative at any one time.
- (c) In the absence of nominations by a Region, the General Assembly shall, at the meeting, receive nominations from the floor.
- (4) To be valid a nomination shall:
  - (a) be in writing;
  - (b) be proposed and seconded by Members of a Branch or Branches within the Region which the nominee, if elected, would represent;
  - (c) nominate a person, qualified under Article 33, who is a Member of a Branch in the Region which is to be represented by the nominee if elected, and
  - (d) nominate a person who may be an Acting or Alternate Regional Representative but who is not an elected Regional Representative then in office.
- (5) The requirements of paragraphs (3)(c) and (4) shall not prevent a Branch from nominating at a later date a Regional Representative to fill a vacancy if the name of the nominee was not known at the time of the meeting of the General Assembly.
- (6) At the election of Regional Representatives, where it is necessary to do so, each Region shall recommend, for nomination by the General Assembly, one or more Branches in its Region, other than a Branch of which a Regional Representative is a Member, to be known as a "stand-by Branch"; in the absence of a recommendation, the General Assembly shall nominate one such Branch.
- (7) Where there is a casual vacancy for a Regional Representative:
  - (a) the Branch whose Member last held the office may nominate one of its Members, qualified under Article 33, as an Acting Regional Representative;
  - (b) failing such nomination, the stand-by Branch of the Region may nominate one of its Members, qualified under Article 33, as an Acting Regional Representative, and
  - (c) at its next meeting, the General Assembly shall elect a Regional Representative for



the remainder of the term of office of the previous incumbent.

## **THE EXECUTIVE COMMITTEE**

### **24. Composition of the Executive Committee**

The Members of the Executive Committee shall be:

- (a) the Officers of the Association;
- (b) the Regional Representatives;
- (c) the Chairperson for the time being of the Commonwealth Women Parliamentarians;
- (d) Acting Regional Representatives, and
- (e) Alternate Regional Representatives.

### **25. Alternates**

- (1) At a meeting of the Executive Committee other than at the time of a plenary conference:
  - (a) where the President or Vice-President is unable to attend, the Branch of which the Officer is a Member shall be entitled to nominate an alternate to attend the meeting in place of the Officer;
  - (b) where a Regional Representative is unable to attend:
    - (i) the Branch of which the Representative is a Member shall be entitled to nominate an alternate from its membership to attend the meeting in place of the Representative;
    - (ii) if that Branch is unable to make a nomination, a stand-by Branch of the Region, as determined by the Region, shall be entitled to make such a nomination from amongst its membership.
- (2) An alternate nominated under paragraph (1) shall be a person qualified under Article 33.
- (3) At a meeting of the Executive Committee held at the time of a plenary conference:
  - (a) where the President or Vice-President is unable to attend, the leader of the delegation to the plenary conference from the Branch of which the Officer is a Member shall be entitled to attend the meeting as an alternate in place of the Officer;
  - (b) where a Regional Representative is unable to attend:

- (i) the delegation to the plenary conference from the Branch of which the Representative is a Member shall be entitled to nominate a Member of the delegation to attend the meeting as an alternate in place of the Representative;
- (ii) in the absence of that delegation, the delegation to the plenary conference from the stand-by Branch of the Region shall be entitled to make such a nomination;
- (iii) in the absence of a delegation from the stand-by Branch, the delegates to the plenary conference from the Branches of the Region shall be entitled to nominate one of their number as an alternate to attend the meeting in place of the Representative.

## **26. Powers and Duties of the Executive Committee**

- (1) Subject to Article 11(1) and paragraph (2), the control and management of the Association shall be vested in the Executive Committee, and it shall be competent to exercise all powers and do such acts as may be exercised or done by the Association, except those which are expressly reserved to the General Assembly.
- (2) The Executive Committee may determine the venue of the next, or next but one, plenary conference where it has not been determined by the General Assembly and may, for good cause, change the venue of a plenary conference which has been determined by the General Assembly.
- (3) In the exercise of its powers, the Executive Committee should seek, as far as is practicable, to maintain a regional balance amongst the Members of its subcommittees and in the staff of the Secretariat.
- (4) Without restricting the generality of paragraph (1), the Executive Committee:
  - (a) shall manage and control the assets of the Association;
  - (b) shall establish a Finance Subcommittee in accordance with paragraph (5);
  - (c) shall determine the establishment, and the terms and conditions of employment of the staff, of the Secretariat;
  - (d) shall present to each ordinary meeting of the General Assembly:
    - (i) a report on the activities of the Association since the last General Assembly;
    - (ii) the budget of the Association for the next financial year and a financial projection for subsequent financial years;

- (iii) the audited accounts of the Association for the financial year or years since the last audited accounts were presented to the General Assembly;
  - (e) may establish subcommittees and appoint as a Member any Regional Representative, and
  - (f) may delegate the exercise of its powers to any Officer of the Association or any Member of a Branch of the Association qualified under Article 33.
- (5) The Finance Subcommittee shall have:
- (a) in addition to the Treasurer, not more than fifteen Members, including at least one Member, and not more than three Members, from each Region, each of whom shall be a Member of a Branch of the Association, qualified under Article 33, and have appropriate financial experience, and
  - (b) authority to examine, and report to the Executive Committee on, the financial affairs of the Association.
- (6) In addition to the Chairperson of the Executive Committee, the President and Vice-President of the Association, the Vice-Chairperson of the Executive Committee and, subject to Article 22(5)(b), the Treasurer shall be entitled to serve as *ex officio* Members of all subcommittees of the Executive Committee but without right of vote.

## **27. Meetings of the Executive Committee**

- (1) The Executive Committee shall meet during, or within seven days of, each plenary conference and as necessary between plenary conferences.
- (2) Except in exceptional circumstances, the Secretary-General shall give thirty days' written notice to each of its Members of the date and venue of a meeting of the Executive Committee and of the business to be transacted.
- (3) The quorum for a meeting of the Executive Committee shall be eight, provided that the Members present shall be Members of Branches from at least five Regions of the Association.
- (4)(a) The Member present who is most senior in the order of precedence set out in paragraph (b) shall preside over meetings of the Executive Committee.
- (b) The order of precedence shall be:
  - the Chairperson of the Executive Committee;
  - the Vice-Chairperson of the Executive Committee;

a Member of the Executive Committee elected by the Members present.

- (5) Subject to paragraph (6), the Member presiding at a meeting of the Executive Committee shall not be entitled to vote.
- (6) In the event of an equality of votes in a meeting of the Executive Committee, the Member presiding shall exercise a casting vote.
- (7)(a) The Executive Committee may, when it is impractical to call a meeting, transact urgent business by a resolution circulated to all Members and approved in writing by two-thirds of the Members.
- (b) Such a resolution shall be deemed to have been passed at a meeting of the Executive Committee.
- (c) The Secretary-General shall, with the agreement of the President of the Association and the Chairperson of the Executive Committee that the business is urgent, be competent to initiate the procedure in paragraph (a).
- (8) Where an Officer of the Association or Regional Representative fails without valid reasons to attend a meeting of the Executive Committee during the whole period between ordinary meetings of the General Assembly, the Executive Committee may declare a casual vacancy to exist in the office.

## **THE SECRETARIAT**

### **28. Establishment of the Secretariat**

There shall be a Secretariat of the Association which shall be established at a place within the Commonwealth determined by the General Assembly.

### **29. Secretary-General of the Commonwealth Parliamentary Association**

- (1) The General Assembly:
  - (a) shall, on the nomination of the Executive Committee, appoint a Secretary-General of the Commonwealth Parliamentary Association;
  - (b) may, on the recommendation of the Executive Committee, terminate the appointment of the Secretary-General.
- (2) Where a casual vacancy arises in the office of Secretary-General, the Executive Committee shall appoint an acting Secretary-General who shall hold the appointment until the General Assembly appoints a Secretary-General.
- (3) Subject to the direction of the General Assembly and the Executive Committee, the

Secretary-General shall:

- (a) be the chief executive officer of the Association and, in that capacity, administer its affairs and manage the staff of its Secretariat;
- (b) be primarily responsible for representing the Association and promoting its aims and objectives;
- (c) maintain close links with the Branches and provide advice and guidance on their activities and management;
- (d) act as secretary to meetings of the Executive Committee, the General Assembly and the Plenary Conference, and
- (e) undertake such other duties as are assigned by the General Assembly, the Executive Committee or its Chairperson.

### **30. Management Structure**

- (1) The Executive Committee:
  - (a) shall establish a management structure within the Secretariat, consisting of such senior officials as it considers necessary for the efficient operation of the Secretariat;
  - (b) shall appoint such senior officials, and
  - (c) may terminate such appointments.

### **31. Secretariat Staff and Regional Secretaries**

- (1) Subject to the direction of the Executive Committee, the Secretary-General:
  - (a) may appoint other Secretariat staff, and
  - (b) may terminate such appointments.
- (2) Every Region of the Association shall appoint, from among the Branches in that Region, a person to act as Regional Secretary. The manner of appointment and the terms and conditions and responsibilities of the Regional Secretary shall be such as the Region may determine. The Region shall advise the Secretary-General of the name of the Regional Secretary upon appointment.

## **MISCELLANEOUS**

### **32. Financial Year**

The financial year of the Association shall be the calendar year.

### **33. Qualification for Office and Participation in Certain Activities of the Association**

- (1) Subject to paragraph (2), no person shall be entitled to be appointed or continue as an Officer of the Association, a Member of the Executive Committee or its subcommittees, a Regional Representative, or as a delegate to a conference or other meetings of the Association, unless the person is a Member of a Branch which enjoys full rights within the Association and also a Member of the Legislature in which that Branch was formed. No person shall be entitled to be appointed or continue as a Regional Secretary unless that person is a Member, or other representative, of a Branch which enjoys full rights within the Association.
- (2) Where a Legislature is dissolved for the purposes of a general election, its Members at the time of dissolution shall be deemed to meet the requirements of paragraph (1) until the results of such election are declared or until the conclusion of the meeting or conference in which they are participating, whichever is the later.

### **34. Accidental Failure to Give Required Notice**

The accidental failure to give the notice required under this Constitution shall not invalidate proceedings to which the notice related unless either the Executive Committee or the General Assembly determines that a particular and substantial interest was prejudiced by the failure.

### **35. Dissolution of the Association**

In the event of the dissolution of the Association, any surplus funds shall be transferred either:

- (a) to such other charity or charities having objects similar to that of the Association as the Association shall nominate at a meeting summoned to determine the matter at or before the time of dissolution, or
- (b) to such charity or charities as shall be determined by the Charity Commissioners for England and Wales or a body exercising a similar function in the jurisdiction in which the Secretariat of the Association is established at the time of dissolution.

### **36. Interpretation**

In this Constitution, unless the context otherwise requires:

"Association" means the Commonwealth Parliamentary Association;

"Branch" means a Branch of the Association;

"Branch delegates" means the prescribed number of delegates chosen by each Branch to attend a plenary conference of the Association;

"calendar year" means the period from 1 January to 31 December inclusive;

"Commonwealth" means the Commonwealth of Nations, a voluntary association of independent sovereign states, their dependencies and countries in association with such states, as determined from time to time by Commonwealth Heads of Government;

"matter for the Agenda" includes a motion and a nomination;

"plenary conference" means Commonwealth Parliamentary Conference;

"Secretary-General" means Secretary-General of the Commonwealth Parliamentary Association as appointed under Article 29;

"stand-by Branch" is as defined in Article 23(6).

### **37. Amendment of the Constitution**

- (1) This Constitution shall only be amended by a valid proposed amendment adopted at a meeting of the General Assembly.
- (2) A proposed amendment shall be valid if:
  - (a) it does not have the effect of causing the Association to cease to be a charity according to the law in the jurisdiction in which the Secretariat of the Association is then established, and either
  - (b) it is proposed by a Branch and submitted in writing to the Secretary-General sixty days prior to date of a meeting of the General Assembly, or
  - (c) it is proposed by the Executive Committee.
- (3) A valid proposed amendment shall be placed on the agenda of the next meeting of the General Assembly following its proposal.
- (4) A valid proposed amendment shall be adopted if it is supported by the votes of two-thirds of the delegates present and voting at the General Assembly.

### **38. Revocation of the Previous Constitution and its Effects**

- (1) As from the date at which this Constitution comes into effect, the previous Constitution is revoked without affecting action taken under it.
- (2) Persons appointed or elected under the provisions of the previous Constitution who are in office on the date that this Constitution comes into effect shall, unless it is otherwise provided, continue in office until such date as is provided in this Constitution for the expiry of their term of office.