

Constitution of the
Movement for Change and Prosperity

CONSTITUTION
MOVEMENT FOR CHANGE AND PROSPERITY

ARRANGEMENT OF ARTICLES

PART 1—PRELIMINARY	3
1 Name	3
2 Interpretation.....	3
3 Statement of principles	4
4 Motto, symbol, party colours and party song	5
PART 2—MEMBERSHIP	6
5 Membership	6
6 Application for membership.....	7
7 Conditions of membership	7
8 Termination of membership	7
PART 3—STRUCTURE OF THE PARTY	9
9 Organs of The Party.....	9
10 National Council.....	9
11 National Executive Committee.....	12
12 Party Chairperson and Deputy Party Chairperson	13
13 Political Leader.....	13
14 Deputy Political Leader	14
15 General Secretary	14
16 Treasurer	15
17 Public Relations/Mobilisation Officer	16
18 Appeals and Advisory Committee.....	16
19 National Youth Arm	17
20 Divisional Branches.....	18
21 Standing Committees	18
22 Arms of The Party	19
23 Nominations	20
24 Voting.....	20
25 Motions and resolutions.....	20
PART 4—NATIONAL CONVENTION	21
26 National Convention.....	21
27 Special National Convention.....	23
PART 5—ELECTION OF MEMBERS.....	23
28 Premier and leader of the opposition	23
29 Parliamentary group.....	25
30 Selection of candidates for elections.....	26
31 Selection of the Party’s Political Leader and Deputy Political Leader.....	28

Constitution of the
Movement for Change and Prosperity

PART 6—MISCELLANEOUS29

32 Publications..... 29

33 Fees 29

34 Code of ethics..... 30

35 Rules of the party..... 30

36 Constitutional amendments or repeal of the constitution 31

Constitution of the
Movement for Change and Prosperity

PREAMBLE

WHEREAS The Party believes in democracy, fairness, effectiveness and efficiency;

AND WHEREAS The Party believes that all individuals who accept democratic forms of government and are interested in the sound and orderly development of the political, social, moral, and economic welfare of the people have the right to participate meaningfully and effectively in political activities;

AND WHEREAS The Party is desirous of creating a Constitution which embodies these principles;

AND WHEREAS The Party is desirous of promoting the election of candidates of The Party to the Legislative Assembly.

PART 1—PRELIMINARY

1 Name

The name of The Party shall be “**The Movement for Change and Prosperity (MCAP)**” hereinafter referred to as “**The Party**”.

2 Interpretation

In this Constitution—

“**a person in a leadership position**” means—

- (a) a member of the National Council;
- (b) a member of the National Executive Committee;
- (c) a member of the Executive of a Divisional Branch;
- (d) a member of the Executive of the National Youth Arm;
- (e) a member of an arm established under Article 21; or
- (f) an approved candidate.

Constitution of the
Movement for Change and Prosperity

“**Appeals and Advisory Committee**” means the Appeals and Advisory Committee established under Article 18;

“**approved candidate**” means a member of The Party who has been selected under Article 30 to represent The Party in an election;

“**calendar year**” means the period of twelve months, commencing on 1 January and ending on December 31;

“**Disciplinary Committee**” means the Disciplinary Committee established under Article 21;

“**member**” means a member of The Party;

“**member in good standing**” means a member who has paid all fees payable to The Party;

“**National Convention**” means the annual meeting of The Party under Article 26;

“**National Council**” means the National Council established under Article 10;

“**National Executive Committee**” means the National Executive Committee established under Article 11;

3 Statement of principles

The Party believes in the following principles—

- (a) the establishment of a Government by the people and for the people;
- (b) ensuring the upholding of the Constitution of Montserrat and the upholding of the fundamental rights and freedoms enshrined in the Constitution of Montserrat;
- (c) upholding the law;
- (d) that certain basic economic and social needs should be met, including—
 - (i) employment for every individual willing to work;

Constitution of the
Movement for Change and Prosperity

- (ii) decent and affordable housing for every individual;
 - (iii) quality early childhood, primary and secondary education for every child;
 - (iv) tertiary education for as many persons as possible;
 - (v) special education for differently abled persons;
 - (vi) adequate and quality medical care for all; and
 - (vii) adequate social welfare for senior citizens, differently abled persons and other vulnerable groups.
- (e) the promotion of racial and social harmony and the elimination of gender discrimination and all other forms of discrimination;
 - (f) the right to vote and the protection of that right;
 - (g) the elimination of political victimization;
 - (h) the conservation and sustainable use of the environment;
 - (i) the fostering and support of regional policies aimed at improving the standard of life of the people of the Caribbean;
 - (j) the free enterprise system;
 - (k) the conservation, protection and advancement of Montserrat's national and cultural heritage; and
 - (l) the promotion of policies for regulating investment to ensure participation of Montserratians and residents of Montserrat in the development of Montserrat, guided by the need to promote the economic empowerment of Montserratians and residents of Montserrat and to broaden the local ownership of economic activity.

4 Motto, symbol, party colours and party song

(1) The Motto of The Party is as follows—

“One vision, one mission, one dream, one team.”

Constitution of the
Movement for Change and Prosperity

- (2) The symbol of The Party is a yellow sun enclosed within a yellow a triangle, with six rays pointing from the right side of the sun, in a northeast direction, with the abbreviation 'MCAP' encapsulated within the triangle, set out against a green background, as set out in Schedule 1.
- (3) The colour of The Party is yellow.
- (4) The song of The Party shall be that approved and adopted by the National Council.

PART 2—MEMBERSHIP

5 Membership

- (1) The membership of The Party is as follows—
 - (a) Ordinary Membership;
 - (b) Junior Membership;
 - (c) Associate Membership; or
 - (d) Honorary Membership.
- (2) An Ordinary Member of The Party shall be a person who—
 - (a) is eligible to vote on Montserrat;
 - (b) resides in Montserrat; and
 - (c) has attained eighteen (18) years of age.
- (3) A Junior Member of The Party shall be a person who is between thirteen (13) and eighteen (18) years of age.
- (4) An Associate Member of The Party shall be—
 - (a) a person who has attained eighteen (18) years of age; or
 - (b) an affiliate group or organisation of The Party, as determined by the National Executive Committee -
- (5) An Honorary Member of The Party shall be a person who has given outstanding service to The Party, as determined by the National Executive Committee.

Constitution of the
Movement for Change and Prosperity

- (6) Only an ordinary member in good standing may hold office or vote at a meeting of The Party.

6 Application for membership

- (1) A person may apply to the General Secretary for membership to The Party using the Form set out in Schedule 2.
- (2) The National Executive Committee shall process an application received under sub-article (1).
- (3) An application for Junior Membership must be endorsed by the parent or guardian of the applicant.
- (4) An applicant shall be notified as soon as practicable of the decision of the National Executive Committee, in respect of his application.
- (5) A successful applicant shall be issued—
- (a) a party membership card;
 - (b) a copy of the Constitution of The Party; and
 - (c) a copy of the rules of The Party,
- on payment of the membership fee set out in Article 33.

7 Conditions of membership

- (1) A member shall agree to abide by the Constitution and rules of The Party.
- (2) A member shall not be a member of another political party in Montserrat.
- (3) A member shall, on admission to membership, immediately pay the fees as prescribed by the National Executive Committee.

8 Termination of membership

- (1) A member's membership in The Party may be terminated if—
- (a) the conditions of eligibility under Article 6 cease to apply to the member;

Constitution of the
Movement for Change and Prosperity

- (b)* the member sends written notice of his resignation to The Party;
 - (c)* the member engages in any act which brings The Party into disrepute;
 - (d)* the member fails to comply with the Constitution or rules of The Party; or
 - (e)* the member engages in any act which amounts to gross misconduct.
- (2)** A member may file a complaint to the Disciplinary Committee against another member proposing the termination of the other member's membership on a ground set out in sub-article (1)(c), (d) or (e).
- (3)** The Disciplinary Committee shall in writing—
 - (a)* notify a member who's membership is under consideration for termination, of the intention to terminate his membership; and
 - (b)* require that the member respond to the notice within thirty (30) days of the delivery of the notice.
- (4)** The Disciplinary Committee may proceed to make a decision in respect of a member who fails to respond to a notice under sub-article (3)(b).
- (5)** The Disciplinary Committee may suspend a member for a period not exceeding ninety (90) days, while a determination is made on the matter of his termination.
- (6)** A member who has had his membership terminated may appeal to the Appeals and Advisory Committee.
- (7)** A member who is successful in his appeal to the Appeals and Advisory Committee shall resume all the rights and privileges to which he was entitled prior to the termination of his membership.
- (8)** The Appeals and Advisory Committee shall prepare an annual report of all terminations for presentation at the National Convention.
- (9)** For the purposes of this Article, “**delivery**” shall be effected by—

Constitution of the
Movement for Change and Prosperity

- (a) personal delivery of the notice to the member;
- (b) posting the notice by registered mail to the last known address of the member, as reflected in his application for membership or a subsequent update submitted by the member to his address; or
- (c) personal delivery of the notice to the member's authorised representative.

PART 3—STRUCTURE OF THE PARTY

9 Organs of The Party

The Party is comprised of the following organs—

- (a) the National Council;
- (b) the National Executive Committee;
- (c) the Appeals and Advisory Committee;
- (d) the National Youth Arm; and
- (e) Divisional Branches.

10 National Council

- (1) The National Council is comprised of the following members—
 - (a) all members of the National Executive Committee;
 - (b) all Chairpersons and two (2) Delegates from each Divisional Branch;
 - (c) the Chairpersons of the affiliate groups or organisations of The Party, as determined by the National Executive Committee;
 - (d) Public Relations Officer;
 - (e) President of the National Youth Arm;
 - (f) Assistant Secretary; and
 - (g) an approved candidate.
- (2) The Party Chairperson is the Chairperson of the National Council.

Constitution of the
Movement for Change and Prosperity

- (3) The General Secretary of The Party is the Secretary of the National Council.
- (4) The National Council shall meet at least once every three (3) months or as may be considered necessary for the effective conduct of The Party's business.
- (5) At the first meeting after the commencement of this Constitution, the National Council shall approve the party song.
- (6) Ten (10) members of the National Council constitute a quorum for meetings of the National Council.
- (7) Subject to this Constitution, the National Council is the governing body of The Party and shall make decisions on behalf of The Party.
- (8) The National Council has the following duties—
 - (a) establishment and maintenance a properly staffed and equipped secretariat;
 - (b) preparation of the Election Manifesto of The Party;
 - (c) arrangement and organisation of all meetings of the National Convention;
 - (d) ensuring the establishment of an active operation of the Divisional Branches;
 - (e) enforcement of the Party's Constitution;
 - (f) creation, amendment or repeal of rules for the good governance and operation of The Party;
 - (g) conferring with the Parliamentary Group to convene a conference on any matter relating to the work and progress of The Party;
 - (h) presentation of reports to the National Convention outlining the work and progress of The Party;
 - (i) the presentation of financial statements and audited accounts of The Party for the previous year;
 - (i) proposition of amendments to The Party's Constitution to the National Convention;
 - (j) submission of policies implemented during the previous year to the National Convention;

Constitution of the
Movement for Change and Prosperity

- (k) financing of Legislative Assembly election campaigns;
 - (l) securing advances or raising loans either by mortgage or otherwise and on terms as it may deem expedient;
 - (m) purchasing, taking, leasing, exchanging or otherwise acquiring, selling, mortgaging, holding, managing, developing and turning to account any land, buildings and any other property and any interest in the property and any right connected with the property belonging to The Party;
 - (n) interpretation of The Party's Constitution, rules and policies;
 - (o) approval of a candidate for an election to the Legislative Assembly;
 - (p) reviewing the work of the committees appointed under Article 21;
 - (q) issuing directives for The Party's programmes and the formulation of general political decisions; and
 - (r) any other related duty.
- (9)** If a vacancy arises among the membership of the National Council, the vacancy shall be filled from among the members in good standing.
- (10)** A member of the National Council shall vacate his post if he is absent from three (3) consecutive meetings of the National Council, without the consent of the Chairperson.
- (11)** The Chairperson shall not unreasonably withhold his consent to the grant of leave.
- (12)** The Chairperson of the National Council may convene an extraordinary meeting of the National Council.
- (13)** The National Executive Committee or at least six members of the National Council, through the General Secretary of The Party, may submit a request to the Chairperson of the National Council for the convening of an extraordinary meeting of the National Council.

Constitution of the
Movement for Change and Prosperity

- (14) A request submitted under sub-article (15) shall specify the reason for the request.
- (15) The National Executive Committee shall appoint and dismiss the General Secretary, Assistant General Secretary, Public Relations/ Mobilisation Officer, and any other employee it deems fit, on such terms and conditions as it deems fit.
- (16) An extraordinary meeting shall be convened within fourteen (14) days of the request for the convening of the extraordinary meeting of the National Council.
- (17) The Assistant Secretary shall issue written notice of the extraordinary meeting to all members of the National Council and the National Executive Committee, if the extraordinary meeting is at the request of the National Executive Committee.

11 National Executive Committee

- (1) The National Executive Committee is comprised of the following members—
 - (a) Party Chairperson;
 - (b) Deputy Party Chairperson;
 - (c) Political Leader;
 - (d) Deputy Political Leader;
 - (e) General Secretary;
 - (f) Treasurer;
 - (g) Party Members in the Parliamentary Group; and
 - (h) Two (2) floor members.
- (2) The Party Chairperson is the Chairperson of the National Executive Committee.
- (3) The National Executive Committee shall report to the National Council.

Constitution of the
Movement for Change and Prosperity

- (4) The National Executive Committee shall meet at least once a month or as often as it deems necessary.
- (5) One third of the members of the National Executive Committee constitute a quorum.
- (5) The National Executive Committee may invite a member to attend a meeting of the National Executive Committee, but the member does not have the right to vote on a matter before the National Executive Committee or to move a motion.
- (6) If there is an equality of votes at a meeting of the National Executive Committee, the Chairperson has the casting vote.

12 Party Chairperson and Deputy Party Chairperson

- (1) The Chairperson is responsible for the administrative coordination of The Party.
- (2) The Party Chairperson shall preside over all meetings of the National Council, the National Executive Committee or the National Convention.
- (3) In the absence of the Party Chairperson, the Deputy Party Chairperson shall preside over a meeting of the National Council, the National Executive Committee or the National Convention.
- (4) In the absence of the Party Chairperson and the Deputy Party Chairperson, an acting Chairperson may be elected to preside over a meeting of the National Council, the National Executive Committee or the National Convention.

13 Political Leader

- (1) The Political Leader is the principal spokesperson for the Party in respect of all political matters.
- (2) The Political Leader is responsible for—
 - (a) the political direction of The Party;
 - (b) promoting the aims and objectives, principles, policies and programmes of The Party;

Constitution of the
Movement for Change and Prosperity

- (c) all political matters, after consultation with the Party Chairperson under Article 12 on these matters;
- (d) providing guidance to and coordinating the efforts of the members and prospective members of The Party in the Legislative Assembly;
- (e) ensuring that The Party maintains an ongoing state of preparedness in respect to the legal and procedural formalities necessary to participate in a general election or a by-election; and
- (f) representing The Party on a public body which deals with elections boundaries and related matters.

14 Deputy Political Leader

- (1) The Deputy Political Leader shall be selected from the approved candidates.
- (2) The Deputy Political Leader shall assist the Political Leader in the exercise of his or her functions.

15 General Secretary

- (1) The General Secretary is responsible for—
 - (a) the management of the Secretariat of The Party;
 - (b) the proper functioning of The Party;
 - (c) the provision of support to the National Council, the National Executive Committee, the National Convention, and all other arms and organs of The Party; and
 - (d) coordinating the efforts of the National Council, the National Executive Committee, the National Convention and any Party Support Groups.
- (2) The General Secretary shall keep a register of all members and is responsible for providing support in convening meetings of the National Executive Committee, the National Council and the National Convention.
- (3) All property belonging to The Party shall be vested in the General Secretary and the General Secretary shall deal with the property as directed by the National Council.

Constitution of the
Movement for Change and Prosperity

- (4) The National Council shall determine if any remuneration shall be paid to the General Secretary and the amount to be paid.
- (5) The Secretariat, under the management of the General Secretary, shall be responsible for the following areas—
 - (a) management of legislative business;
 - (b) research;
 - (c) membership expansion and servicing;
 - (d) finance;
 - (e) public and media relations;
 - (f) coordination of Party Support Groups;
 - (g) central management of meetings of the National Convention and the arms or organs of The Party;
 - (h) The Party's office administration, communications and general matters; and
 - (i) any other area as determined by the National Executive Committee.
- (6) The General Secretary shall ensure that full reports of the activities of The Party, the National Council, the National Executive Committee and all other arms or organs of The Party are submitted to the National Convention.
- (7) The General Secretary shall keep a written record of the minutes of the meetings of the National Council, the National Executive Committee and the National Convention.

16 Treasurer

- (1) The Treasurer shall account for the income and expenditure of The Party, including supervising and regulating the financial affairs of Party Support Groups
- (2) The Treasurer shall submit all reports, including audited financial statements to the National Executive Committee and National Convention detailing the financial statement of The Party.

Constitution of the
Movement for Change and Prosperity

- (3) The Treasurer shall assist the General Secretary in the conduct of his or her duties.
- (4) The National Council shall determine if any remuneration shall be paid to the Treasurer and the amount to be paid.

17 Public Relations/Mobilisation Officer

- (1) The Public Relations/Mobilisation Officer, in consultation with the General Secretary, is responsible for—
 - (a) coordinating and organising the communication activities of The Party;
 - (b) preparing press releases;
 - (c) arranging press conferences;
 - (d) devising and implementing a Public Relations Strategy; and
 - (e) presenting quarterly reports.
- (2) The Public Relations/Mobilisation Officer shall coordinate all promotional matters of The Party including the following—
 - (a) membership, recruitment, education and service;
 - (b) coordination of the Party Support Groups and ensuring their development and harmony with party efforts at the national level;
 - (c) policy and programme dissemination;
 - (d) promotion and central management of public communication, including public meetings;
 - (e) arranging training and motivational seminars for The Party; and
 - (f) assisting in the coordination of general election campaigns and the registration of supporters as voters.

18 Appeals and Advisory Committee

- (1) The National Executive Committee shall appoint an Appeals and Advisory Committee.

Constitution of the
Movement for Change and Prosperity

- (2) The Appeals and Advisory Committee shall report directly to the National Executive Committee.
- (3) The Appeals and Advisory Committee shall comprise of five (5) persons, who have been continuous members of The Party for more than five (5) years.
- (4) A member of the Appeals and Advisory Committee shall be appointed for two (2) years and is eligible for reappointment.
- (5) The Appeals and Advisory Committee shall elect from among itself a Chairperson within fourteen (14) days after the Appeals and Advisory Committee has been appointed by the National Executive Committee.
- (6) A quorum for a meeting or an appeal before the Appeals and Advisory Committee is three members.
- (7) The Appeals and Advisory Committee is the guardian of the Constitution of The Party and the Code of Ethics.
- (8) The Appeals and Advisory Committee is responsible for—
 - (a) hearing and determining disputes referred to it by the National Executive Committee or the National Council; and
 - (b) hearing and determining appeals against the termination of membership under Article 8.
- (9) The Appeals and Advisory Committee may, in its judgment, refer a matter to the National Council or the National Convention for decision or action.

19 National Youth Arm

- (1) The National Youth Arm may be established in accordance with Article 22.
- (2) The President of the National Youth Arm shall be elected by the National Youth Arm and his election shall be ratified at the National Convention.
- (2) The President of the National Youth Arm shall be a maximum of twenty-five (25) years of age.

Constitution of the
Movement for Change and Prosperity

20 Divisional Branches

- (1) A Divisional Branch shall consist of all party members within a specific polling division or geographic area.
- (2) A Divisional Branch shall report to the National Executive Committee.
- (3) A Divisional Branch shall—
 - (a) spread knowledge of the Party's principles, policies, and programmes;
 - (b) meet regularly for the formulation of proposals for programmes and projects for respective areas, in keeping with the aims and objectives of The Party;
 - (d) keep in touch with other party support groups in adjacent areas and provide mutual assistance whenever possible; and
 - (e) recruit new members to The Party.
- (4) A Divisional Branch shall meet at least once every three (3) months.
- (5) Five (5) members of a Divisional Branch constitute a quorum for meetings of the Divisional Branch.
- (6) A Divisional Branch shall elect in each calendar year an Executive consisting of—
 - (a) a Chairperson;
 - (b) a Secretary; and
 - (c) three (3) floor members.
- (7) The Executive of the Divisional Branch shall meet at least every three months or as often as it deems necessary.
- (8) Three (3) members of the Executive of the Divisional Branch, including the Chairperson, constitute a quorum for meetings of the Executive.

21 Standing Committees

- (1) The National Council—
 - (a) shall appoint the following Standing Committees—

Constitution of the
Movement for Change and Prosperity

- (i) a Finance Committee;
 - (ii) a Disciplinary Committee; and
 - (iii) a Campaign Committee; and
- (b) may appoint any other committee it deems necessary.
- (2) The Chairperson of the Party is the Chairperson of the Campaign Committee.
 - (3) The Political Leader is an *ex-officio* member of the Campaign Committee.
 - (4) The Treasurer shall be an *ex-officio* member of the Finance Committee.
 - (4) A committee appointed under this Article shall report to the National Convention.

22 Arms of The Party

- (1) The National Council may establish—
 - (a) a National Youth Arm; or
 - (b) such other arm as the National Council deems necessary.
- (2) The National Council is responsible for coordinating the activities of an arm established under sub-article (1).
- (3) An arm established under sub-article (1) comprise of a number of persons as the National Council determines.
- (4) Subject to the decision of the National Council and this Constitution, an arm under sub-article (1) has the power to regulate its own proceedings.
- (5) Despite sub-article (4), an arm under sub-article (1) shall—
 - (a) meet at least once each year and in any case, during the month immediately preceding the National Convention.
 - (b) have a management structure and reporting mechanism which provides for full and regular reporting to the National Council.

23 Nominations

- (1) Subject to this Constitution, a member in good standing is eligible for nomination for election as a member of an organ of The Party specified in Article 9(a), (b), (d) or (e).
- (2) A nomination under sub-article (1) shall be made by a member in good standing and seconded by another member in good standing.
- (3) The nomination for an election to a post on the National Executive Committee shall first be presented to the National Council for consideration and acceptance.
- (4) If a nomination for a post on the National Executive Committee is accepted by the National Council, it shall be forwarded to the National Convention for final determination.

24 Voting

- (1) Voting on the election for posts in an organ under Article 9(a), (b), (d) or (e) shall be by secret ballot, unless a motion is passed that voting shall be by a show of hands.
- (2) Voting on motions and resolutions shall be by show of hands, unless a motion is passed that voting shall be by secret ballot.
- (3) A member in good standing is entitled to vote.
- (4) If there is an equality of votes during an election, motion or resolution, the Chairperson in each organ under Article 9(a), (b), (d) or (e) has the casting vote.

25 Motions and resolutions

- (1) A member in good standing may, through an organ of The Party under Article 9(a), (b), (d) or (e), propose a motion or resolution and the motion or resolution shall be seconded by another member in good standing in the organ.
- (2) The organ of The Party under Article 9(a), (b), (d) or (e) shall submit the motion or proposition under sub-article

Constitution of the
Movement for Change and Prosperity

- (1) to the National Council no later than twenty eight (28) days before the date of a National Convention.
- (3) The National Council may reduce or waive the requirement for notice if it determines that it is in the best interest of The Party that the matter be placed before a National Convention.
- (4) The National Council shall present at a National Convention a motion or resolution which complies with the requirements of sub-articles (1), (2) and (3) and is consistent with the Constitution.
- (5) The National Council shall circulate all motions and resolutions received, to all members in good standing, no later than fourteen (14) days prior to a National Convention.

PART 4—NATIONAL CONVENTION

26 National Convention

- (1) The National Council shall organise a National Convention in each calendar year.
- (2) The National Council shall determine the time and place of a National Convention under sub-article (1).
- (3) The National Council shall, at least two (2) months prior to a National Convention, convene a special meeting of the National Council.
- (4) The National Council shall, at the special meeting convened under sub-article (3) make preparations for the conduct of a National Convention and prepare the agenda for a National Convention.
- (5) The National Council shall give at least twenty one (21) days' notice of the convening of a National Convention by—
- (a) an advertisement published in print or through electronic means, in Montserrat; and
- (b) written notice accompanied by a copy of a National Convention agenda to each organ specified under sub-article (1).

Constitution of the
Movement for Change and Prosperity

- (6) The National Council may reduce the period of notice under sub-article (5) if it determines that the reduction is justified in the circumstances.
- (7) A member may attend a National Convention.
- (8) Thirty (30) members constitute a quorum at a National Convention.
- (9) The Chairperson of the National Council is the Chairperson at a National Convention.
- (10) A member in good standing may vote at a National Convention.
- (11) The following matters shall be dealt with at a National Convention—
 - (a) voting on the election of The Party's Political Leader or Deputy Political Leader under with Article 31(10);
 - (b) election of the members of the National Executive Committee;
 - (c) election of Auditors;
 - (d) appointment of the Appeals and Advisory Committee;
 - (e) acceptance of a report presented at the National Convention in accordance with this Constitution;
 - (f) presentation of resolutions and motions to be passed at a National Convention;
 - (g) ratification of decisions taken by Political Leader or any other specially appointed body;
 - (h) ratification of the selection of The Party's Political Leader or Deputy Political Leader by the National Council under Article 31;
 - (i) ratification of an election or appointment under paragraph (a), (b), (c) or (d);
 - (j) approval of The Party's programme for the upcoming year; and
 - (k) any other matter; and

Constitution of the
Movement for Change and Prosperity

- (11) Voting under sub-Article 11(a) shall be by show of hands, unless a motion is passed that voting shall be by secret ballot.

27 Special National Convention

- (1) The National Council or not less than 1/3 of all of the members in good standing may convene a Special National Convention.
- (2) If at least 1/3 of all of the members in good standing wish to convene a Special National Convention, the members shall submit a written request to the General Secretary of The Party, setting out the reasons for the request.
- (3) The General Secretary of The Party shall, on receipt of the request and the reasons for the request, submit the request to the National Council and the National Council shall determine whether a Special National Convention shall be convened.
- (4) The National Council shall determine the time and place of a Special National Convention and the period of notice to be given in respect of the Special National Convention.
- (5) The Chairperson of the National Council is the Chairperson at a Special National Convention
- (6) A member may attend a Special National Convention.
- (7) Thirty members constitute a quorum at a Special National Convention.
- (8) A member in good standing may vote at a Special National Convention.
- (9) The procedure adopted at a National Convention shall be adopted at a Special National Convention, with the necessary modifications.

PART 5—ELECTION OF MEMBERS

28 Premier and leader of the opposition

- (1) Sub-articles (2) to (14) apply in respect of the election or non-election of a member of The Party to the Legislative Assembly.

Constitution of the
Movement for Change and Prosperity

- (2) If The Party wins a general election and the Political Leader is elected as a member of the Legislative Assembly, the Political Leader shall notify the Governor of the Party's agreement to his or her assumption of the position of Premier.
- (3) If The Party wins a general election and the Political Leader is not elected as a member of the Legislative Assembly, the Political Leader shall be deemed as having resigned from the position and the Deputy Political Leader shall automatically assume the role of Political Leader of The Party and shall notify the Governor of the Party's agreement to his or her assumption of the position of Premier.
- (4) If The Party wins a general election but both the Political Leader and the Deputy Political Leader are not elected as members of the Legislative Assembly, the National Council shall convene an extraordinary meeting to select an individual from among the winning candidates, to be the Political Leader of The Party.
- (5) The Political Leader selected under sub-article (4) shall notify the Governor of the Party's agreement to his or her assumption of the post of Premier and he or she shall be endorsed as Political Leader of The Party at the first National Convention immediately following the general election.
- (6) If The Party loses a general election and the Political Leader is elected as a member of the Legislative Assembly, the post of Political Leader shall be up for election at the next National Convention immediately following the general election.
- (7) An incumbent Political Leader may, offer himself or herself for re-election as Political Leader of The Party.
- (8) If The Party loses a general election and the Political Leader is not elected as a member of the Legislative Assembly, he or she shall automatically resign, and shall demit office, and the Deputy Political Leader shall automatically hold the office of Political Leader of The Party.

Constitution of the
Movement for Change and Prosperity

- (9) If The Party loses a general election in which both the Political Leader and the Deputy Political Leader have not been elected to the Legislative Assembly, the National Council shall convene an extraordinary meeting to which shall be invited all winning candidates of The Party, to select an individual from among the winning candidates, to be the Political Leader of The Party.
- (10) An individual selected under sub-Article (9) shall hold the office until the election of a Political Leader of The Party at the first Annual immediately following the general election
- (11) If The Party forms the largest party in the Legislative Assembly opposing a party elected to serve as the Government of Montserrat, the Political Leader shall notify the Governor of the Party's agreement to his or her assumption of the position of Leader of the Opposition.
- (12) If, under sub-article (11), the Political Leader is not an elected member of the Legislative Assembly, the Deputy Political Leader shall, if he or she is an elected member of the Legislative Assembly, assume the role of the Political Leader of The Party and shall notify the Governor of The Party's agreement to his or her assumption of the position of Leader of the Opposition.
- (13) If, under sub-articles (11) and (12), both the Political Leader and the Deputy Political Leader are not elected members of the Legislative Assembly, the National Council shall convene an extraordinary meeting to select a person from among the winning candidates to be the Political Leader of the Party and the Political Leader shall notify the Governor of the Party's agreement to his or her assumption of the position of Leader of the Opposition.
- (14) In any other situation after a general election, not referred to above, the National Council shall meet to determine the best course of action until the next National Convention.

29 Parliamentary group

- (1) The members of The Party in the Legislative Assembly and the approved candidates shall form The Party's Parliamentary Group.

- (2) A decision made at a meeting of the Parliamentary Group shall be reported by the Chairperson of the Parliamentary Group to the next meeting of the National Council and the National Executive Committee.
- (3) The Parliamentary Group shall hold monthly meetings and may invite such persons to join in its deliberations as it deems fit.

30 Selection of candidates for elections

- (1) If a member of The Party is desirous of becoming an approved candidate to represent The Party in an election, he or she shall—
 - (a) submit an application in writing to the National Executive Committee,
 - (b) be a member in good standing, and
 - (c) be nominated by a member and seconded by one (1) other member in good standing.
 - (d) convey in writing his agreement to be bound by the decision of the National Executive Committee under sub-article (9).
- (2) The National Executive Committee shall appoint an Assessor Panel consisting of seven (7) assessors to consider applications submitted under sub-article (2).
- (3) An Assessor on the Assessor Panel shall, prior to undertaking his duties under this Article, sign a Non-Disclosure Agreement set out in Schedule 3.
- (4) Subject to the decision of the National Executive Committee and this Constitution, the Assessor Panel has the power to regulate its own proceedings.
- (5) The Assessor Panel shall assess the applicants in accordance with the following criteria—
 - (a) good character;
 - (b) commitment to justice and fairness;
 - (c) credibility;
 - (d) ability to lead;

Constitution of the
Movement for Change and Prosperity

- (e)* ability to make informed decisions;
 - (f)* knowledge and understanding of government;
 - (g)* familiarity with national, regional and global issues;
 - (h)* loyalty to The Party;
 - (i)* written and oral communication skills;
 - (k)* extent of participation in the affairs of The Party;
 - (l)* quality of work performed on in the community; and
 - (m)* the ability and willingness to pay the fee payable by an approved candidate for meeting campaign expenses; and
- (6)** The Assessor Panel shall recommend no more than eight (8) applicants as approved candidates.
- (7)** The Assessor Panel shall forward a report of its assessment and its recommendations to the National Executive Committee for its decision.
- (8)** The National Executive Committee shall, on receipt of the recommendation of the Assessor Panel, approve the recommendations or otherwise.
- (9)** The National Executive Committee shall notify an applicant of his selection as an approved candidate on behalf of The Party for the upcoming election.
- (10)** If a member of The Party who is an approved candidate is elected to the Legislative Assembly at an election immediately following his selection as an approved candidate, he shall, on the dissolution of the Legislative Assembly, remain as an approved candidate for the next upcoming election, unless the National Executive Committee determines otherwise.
- (11)** If a member of The Party who is an approved candidate is not elected to the Legislative Assembly at an election immediately following his selection as an approved candidate, he is required to reapply to be selected as an approved candidate.

31 Selection of the Party's Political Leader and Deputy Political Leader

- (1) An approved candidate shall, following his or her selection as an approved candidate, apply to the Chairperson of the Party in writing indicating whether he wishes to assume the post of Political Leader.
- (2) The Chairperson of The Party shall submit to the National Council all applications received under sub-Article (1).
- (3) The National Council shall, in accordance with the procedure set out in sub-Articles (4) and (5), select The Party's Political Leader.
- (4) The Party's Political Leader shall be selected following a two-stage process, during which the best two candidates of all the applicants shall be selected in the first round and the best of the two candidates shall be selected as The Party's Political Leader in the second round.
- (5) The Deputy Political Leader shall be selected by the Political Leader.
- (6) An approved candidate who has applied to assume the post of Political Leader under sub-Article (1) shall be given the opportunity to make a presentation in support of his or her application for assumption of the post of Political Leader.
- (7) A member of the National Council who has applied to assume the post of Political Leader under sub-Article (1) shall not sit on the National Council during the conduct of a presentation under sub-Article (6).
- (8) Despite sub-Articles (3), (4) and (5), if an approved candidate gains a 2/3 majority of the votes of the National Council in the first round, he or she is the successful candidate for the post which he or she applied.
- (9) The selection of an approved candidate in accordance with this Article shall be submitted to the National Convention for ratification.
- (10) If no approved candidate gains a 2/3 majority of the votes of the National Council under this Article, then the names of both candidates selected in the first round of the

Constitution of the
Movement for Change and Prosperity

two-stage process for the selection of The Party's Political Leader shall be submitted to the National Convention for the members in good standing to vote for The Party's Political Leader

PART 6—MISCELLANEOUS

32 Publications

- (1) The National Executive Committee may establish a Publications Committee.
- (2) The Publications Committee shall be comprised of a number of persons as the National Executive Committee determines.
- (3) The Publications Committee is responsible for managing, organising and overseeing The Party's publications and other media activities.

33 Fees

- (1) The National Executive Committee shall determine—
 - (a) the non-refundable annual membership fee payable by an ordinary member; and
 - (b) the fee payable by an approved candidate for meeting campaign expenses.
- (2) An ordinary member shall pay to the Treasurer a non-refundable annual membership fee under sub-article (1)(a)—
 - (a) on first admission to membership in the Party, immediately following notice of his or her admission to membership.
 - (b) for each subsequent year, by 31 January of that year.
- (3) An approved candidate shall pay the fee under sub-article (1)(b) within fourteen (14) days of becoming an approved candidate.

Constitution of the
Movement for Change and Prosperity

- (4) If an ordinary member is in arrears of the membership fee, the National Executive Committee shall notify the member of the arrears and shall require that the member pay the outstanding membership fee before the next National Convention.
- (5) An ordinary member who fails to pay the outstanding membership fee within the period under sub-article (4) is not entitled to vote at a meeting of The Party, until he has paid the fee.
- (6) If an approved member fails to pay the fee under sub-article (1)(b) within the specified time, the National Executive Committee may withdraw the member's selection as an approved candidate.

34 Code of ethics

- (1) The National Council shall establish a Code of Ethics, which is applicable to a person in a leadership position.
- (2) The National Council—
 - (a) is responsible for the publication of the Code of Ethics until the establishment of the Publications Committee under sub-article (1); and
 - (b) may amend the Code of Ethics by a majority of votes of the members of the National Council.

35 Rules of the party

- (1) The National Council shall make rules for—
 - (a) the criteria for the selection of candidates under Article 30;
 - (b) the procedure at the National Convention;
 - (c) discipline of a person in a leadership position, in addition to Article 8; and
 - (d) the good governance and effective operation of The Party.
- (2) The National Council may amend the rules of The Party by a majority of votes of the members of the National Council.

36 Constitutional amendments or repeal of the constitution

- (1) The Party may, at a National Convention, amend or repeal the Constitution by resolution approved by a vote of at least two-thirds of the members in good standing who are present at the National Convention.
- (2) Before a proposal for the amendment to or repeal of the Constitution considered at the National Convention, the National Council shall give not less than three (3) weeks' notice to the members of the intention to amend or repeal the Constitution.
- (3) The National Council shall determine the manner in which the notice under sub-article (2) is given.

SCHEDULE 1

SYMBOL OF THE MOVEMENT FOR CHANGE AND PROSPERITY



SCHEDULE 2

MOVEMENT FOR CHANGE AND PROSPERITY

Application for Membership

Polling Division:

Voter Registration No:

Date of Birth:

Name of Applicant

Alias(es)

Occupation:

Full Address:

.....

Contact No(s):

Constitution of the
Movement for Change and Prosperity

Type of Membership

- | | |
|---|--|
| <input type="checkbox"/> Ordinary Membership | <input type="checkbox"/> Junior Membership |
| <input type="checkbox"/> Associate Membership | <input type="checkbox"/> Honorary Membership |

I, the above named applicant, hereby apply for membership to the Movement for Change and Prosperity.

I agree to abide by the Constitution, rules, of the Movement for Change and Prosperity and to act in conformity with any other policy or principle of the Movement for Change and Prosperity if I am admitted to its membership.

I acknowledge that if I fail to comply with the Constitution, rules or any other policy or principle, the Movement for Change and Prosperity reserves the right to terminate my membership.

For Junior Members Only:

I _____ (parent/guardian) of _____ (applicant) hereby consent to his/her junior membership in the Movement for Change and Prosperity.

For Ordinary Members Only:

I undertake to pay the non-refundable membership fee on notification of my admission to membership to the Movement for Change and Prosperity, immediately on the notification of admission to membership.

I undertake to pay the non-refundable annual subscription fee on or before the date stipulated for payment of the fee in each year.

Certification for All Applicants:

I certify that the information provided above is true to the best of my knowledge, information and belief.

Signature:

Date:

Constitution of the
Movement for Change and Prosperity

FOR OFFICIAL USE ONLY

Date Received:

Date considered by National Executive Committee:

Decision: Application Approved Application Not

Approved

Comments:

Membership Fee Receipt No:

General Secretary's Number:

SCHEDULE 3

**NON-DISCLOSURE AGREEMENT BETWEEN
ASSESSORS AND THE MOVEMENT FOR CHANGE AND
PROSPERITY**

This Nondisclosure Agreement (“**Agreement**”) is entered into by and between _____, Chairperson of the National Council of the Movement for Change and Prosperity of (*address*) (“**Disclosing Party**”) and _____ (*name of Assessor*) of _____ (*address*) (“**Receiving Party**”) for the purpose of preventing the unauthorised disclosure of confidential information

1. Definition of Confidential Information

For purposes of this Agreement, “Confidential Information” includes:

- (a) any information received by the Receiving Party during the assessment of applications submitted by members of the Movement for Change and Prosperity for approval as a candidate for election to the Legislative Assembly of Montserrat; or
- (b) any information contained in the report of the Assessors’ or the decision of the Assessors following the consideration of applications submitted by members of the Movement for Change and Prosperity for approval as a candidate for election to the Legislative Assembly of Montserrat.

2. Exclusions from Confidential Information

The Receiving Party's obligations under this Agreement do not extend to information that is:

- (a) publicly known at the time of disclosure or subsequently becomes publicly known through no fault of the Receiving Party;

Constitution of the
Movement for Change and Prosperity

(b) is disclosed by Receiving Party with Disclosing Party's prior written approval.

3. **Obligations of Receiving Party**

- (1) The Receiving Party shall hold and maintain the Confidential Information in strictest confidence for the sole and exclusive benefit of the Disclosing Party.
- (2) The Receiving Party shall not, without prior written approval of Disclosing Party, use for Receiving Party's own benefit, publish, copy, or otherwise disclose to others, or permit the use by others for their benefit or to the detriment of Disclosing Party, any Confidential Information.
- (3) The Receiving Party shall return to Disclosing Party any and all records, notes, and other written, printed, or tangible materials in its possession pertaining to Confidential Information immediately after the consideration of applications submitted by members of the Movement for Change and Prosperity for approval as a candidate for election to the Legislative Assembly of Montserrat.

4. **Time Periods**

The nondisclosure provisions of this Agreement shall survive the termination of this Agreement and Receiving Party's duty to hold Confidential Information in confidence shall remain in effect until Disclosing Party sends Receiving Party written notice releasing Receiving Party from this Agreement.

5. **Integration**

This Agreement expresses the complete understanding of the parties with respect to the subject matter and supersedes all prior proposals, agreements, representations and understandings. This Agreement may not be amended except in a writing signed by both parties.

Constitution of the
Movement for Change and Prosperity

This Agreement and each Party's obligations shall be binding on the representatives, assigns and successors of the Party.

Signed by the Receiving Party and the Disclosing Party on the aforementioned date.

(Signature of Receiving Party)

(Printed Name of Receiving Party)

(Signature of Witness)

(Printed Name of Witness)

(Signature of Disclosing Party)

(Printed Name of Disclosing Party)

(Signature of Witness)

(Printed Name of Witness)
