

**THE CONSTITUTION**

**OF**

**The (*Insert the name of the PDC*)**

**First Ratified Constitution/First Constitution[[1]](#footnote-0): ( )**

**Last Updated[[2]](#footnote-1): ( )**

 **Ratified[[3]](#footnote-2): ( )**



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# PREAMBLE

The following information will be completed by the respective PDC as per guidelines provided, and shall contain the information herein:

Date group was founded:

Community Profile (brief history, etc.)

Overview of Group:

Initial Drafters:

# PART 1

## ARTICLE [ONE (1): INTERPRETATION](#_heading=h.25b2l0r)

##

## Interpretation

* 1. **District:** A district is a subset of the community characterized by some of the same features of the community (for example health centres, schools, churches, police stations, community centres) and shares the basic services and institutions of the community; thus, seeing themselves as a part of the community. In this context, all subsets of a community such as villages, housing schemes, settlements, hamlets, etc., are referred to as districts. Within these clusters, social interactions sometimes lead to the development of governance structures to address some specific needs.
	2. **Community:** A community is a defined geographical area, grouping people based on common ownership of resources, the interdependent use of primary institutions, such as schools and churches, and or sharing of social, economic, and cultural facilities, and where residents facilitate a process of social interaction and regard themselves as having common objectives, interests, and needs. A community can be viewed in the context of a defined geographical place, or as an institutional structure, or as a process (social ties, interaction, and shared institutions).
	3. **Development Area (DA):** A Development Area (DA) is seen as a grouping of communities based on geographic, demographic, economic, and social criteria/commonalities. The DA has the potential for growth to satisfy the needs of the people. The DA has a centre or hub to which people gravitate for socio-economic activities. The DA is usually given the name of the community which is the hub of activities for that area.
	4. **Development Area Committee (DAC):** A DAC is a forum comprising of CDCs and other stakeholders within the development area (DA) based on geographic, demographic, economic and social criteria/commonalities. DACs can relate to districts/communities which are not within their parish boundaries as long as there are strong social and economic linkages with the DAC.
	5. **Parish Development Committee:** The PDC is a partnership of stakeholders inclusive of civil society (including representatives from Development Area Committees within the parish), elected officials (Members of Parliament and Councillors), State Agencies, local businesses and other groupings, which assist the Local Authorities to coordinate and monitor local development processes at the parish level.
	6. **Member:** A development area committee, community development committee, community based organisations, Parish Chapter of Associations (eg. JTA, JHTA, PTA etc.), Tertiary Organisations, co-opted key State Agencies and major service organisations that represent the interest of said entity at the PDC level.
	7. **Member Representative:** An individual who has been elected, selected or appointed to represent a development area committee, community development committee, community based organisations, Parish Chapter of Associations (eg. JTA, JHTA, PTA etc.), Tertiary Organisations, co-opted key State Agencies and major service organisations that represents the interest of said entity at the PDC level.
	8. **Stakeholder** refers to anyone who has a specific interest in an organisation, project, business or community.
	9. **Officer:** A duly elected, appointed, or co-opted member of the executive body.
	10. **General membership:** General membership refers to members who make up the main body of the PDC.
	11. **Executive membership:** The Executive is the decision-making part of the PDC which is democratically elected by the wider membership, takes controls of planning, management, documentation and conducting of meetings. It is made up of key elected positions such as the President or Chairman, the Vice-President or Vice-Chairman or “second in command,” the Secretary, Public Relations Officer and the Treasurer. The responsibilities, rights and powers, of each executive member are further defined by the Constitution. The post of Chairman is to be appointed following the elections.
	12. **Ex-officio membership:** This refers to individuals who do not have voting and nomination privileges within an organisation (that is, they cannot vote, cannot hold office nor be nominated). However, based on their position, they will bring expertise to the processes of the Development Committees, for example, Members of Parliament, Councillors, and MDA representatives.
	13. **Sub-committees:** Sub-committees or working committees may be established to manage specific areas of the PDC Executive’s tasks – for example, finance, social and cultural projects, as well as economic development. There are two types of sub-committees, temporary and permanent. The Constitution would determine those that are permanent. For example, fundraising would be a permanent sub-committee, while project oversight committees would be a temporary sub-committee (usually formed around current issues and programmes of the community).
	14. **Attendance**
1. Physical attendance is the act of being present at a meeting or event, where appearance is face-to-face.
2. Virtual attendance at a meeting can be defined as the act of logging into a web-based platform using teleconferencing or videoconferencing programmes where member representatives are not usually in the same physical location. Face-to-face meeting etiquette should be maintained throughout these proceedings where possible as defined in the Policy and Procedure Manual for PDCs.
	1. **Participation** isthe act of attending meetings and taking an active part in its proceedings, by leading the meeting, contributing to the discussion, or amongst other things,
	2. **Written Notice/Writing** shall mean formal correspondence communicated via traditional medium (post or hand delivered), email, or text (WhatsApp, SMS), or any other virtual messaging platform accessible by the general membership.
	3. **Circulate** shall mean transmission of information communicated viatraditional or electronic medium, or where documents can be read at the PDC office or a designated place.
	4. **Registered Office:** A registered office is the official address of an incorporated company, association, or any other legal entity. Generally, it will form part of the public record and is required in most countries where the registered organisation or legal entity is incorporated.
	5. **Monies:** Any circulating medium of exchange, including coins, paper currency, and demand deposits, gold, silver, or other metal in pieces of convenient form stamped by public authority and issued as a medium of exchange and measure of value.
	6. **Natural-Disaster/Hazard:** This is a term for events outside human control, such as sudden [floods](http://en.wikipedia.org/wiki/Flood), earthquakes, or other [natural disasters](http://en.wikipedia.org/wiki/Natural_disaster), for which no one can be held responsible.
	7. **Parish Manager:** An employee of the Social Development Commission assigned to a parish with responsibility to provide direction, oversight and management of the processes for increased community organisation and participation. The incumbent will also facilitate relationships among parish stakeholders toward sustainable development.
	8. **Field Supervisor (FS):** An employee of the Social Development Commission who provides oversight to a particular development area with the responsibility of building and maintaining the participatory governance structure while networking with key stakeholders.
	9. **Books:** A set of records or accounts.
	10. **A simple majority** may refer to the majority, that is, a voting requirement of more than half of all ballots cast.
	11. **Absolute Majority** may refer to the majority, that is, a voting requirement of all ballots cast.
	12. **Meetings:** An official gathering of persons with an established quorum, guided by an agreed agenda and conducted using the accepted parliamentary procedures.
	13. **Virtual Meetings:** An official gathering of persons held through the use of agreed teleconferencing, videoconferencing, or messaging modality, with an established quorum, guided by an approved agenda and conducted using the accepted parliamentary procedures.
	14. **Paid-up** shall refer to members who are compliant with full payment of dues and annual membership fees.
	15. **Quorum:** the minimum number of members of an assembly or society that must be present at any of its meetings to make the proceedings of that meeting valid. The quora for the Community Development Committee are as follows:
		1. **Executive Meeting:** half plus one of the executive members
		2. **General Meeting:** half plus one of paid-up member
		3. **Annual General Meeting:** half plus one of paid-up member
	16. **Local Governance Act:** The Act that provides for the comprehensive reform of Jamaica’s local government system, through which Local Authorities are granted greater scope of autonomy in the management of local affairs, with an expanded and more holistic mandate for good governance, sustainable development, and maintenance of good civic order within their respective jurisdictions, and for connected matters, promulgated in 2016.
	17. **Jamaica Social Welfare Commission Act:** The Act that provides for the constitution, incorporation, and procedures of the Social Development Commission as well as the appointment of officers, functions, powers of the Minister to give directions, protection of the Commission and its members, its accounts and reporting, promulgated in 1958.
	18. **Good standing:** a member who has no outstanding fees and has a proven track record of attendance and participation.
	19. **Vote of Censorship** refers to a motion for formal and public condemnation of a Member Representative or Executive member whose utterances or actions run counter to the PDC’s acceptable standards for communication or behaviour.
	20. **Vote of No-Confidence** refers to a statement or vote about whether a member of the PDC Executive is no longer deemed fit to hold the position, based on inadequacies in critical aspects of the position or complete failure to carry out the established duties.
	21. **Secretariat** refers to the office with officials entrusted with administrative duties, maintaining records, overseeing and performing secretarial tasks.
	22. **Local Economic Initiative** refers toa **community-based business** that provides **employment for local residents** and contribute to the overall economic development of the community, development area, parish and nation. (*LEDSP SOP Manual, March 2020*)
	23. **By-Laws** refer to a rule adopted by an organisation chiefly for the government of its members and the management of its affairs (*Merriam-Webster's Collegiate Dictionary*, *2021*). **N.B.** *articles contained in the by-laws shall not contravene articles of the constitution.*
	24. **Vested Interest** refers to a person or group with a particular reason for involvement in an undertaking or situation (*Oxford Languages, 2021*)
	25. **Petition** refers to a formal written request, typically one signed by many people, appealing to authority in respect of a particular cause (*Oxford Languages, 2021*).
	26. **Motion** refers to a proposal that is put before a meeting for discussion and a decision (Government of West Australia, Department of Mines, Industry Regulation and Safety, 2021).

In any instance where the meaning of any clause in this Constitution is unclear, or on any issue where ambiguity in the Constitution exists, the Social Development Commission shall be the deciding authority.

# PART 2

## ARTICLE [TWO (2): ESTABLISHMENT](#_heading=h.kgcv8k)

**Name and Location**

* 1. The organisation shall be known as the (*insert the name of the PDC*) (hereinafter referred to as the (“*insert acronym*”).
	2. The organisation was established on (*insert date*)
	3. The office shall be located at (*insert address*) in Jamaica. Any change in address shall be communicated to the SDC using the prescribed form within seven (7) days of said change.
	4. Geographical boundaries – the organisation shall represent and be concerned with the development and governance needs of all subjects which are located within its boundaries as follows:

(*Insert the boundary information as defined by the Parish in conjunction with the SDC and other partners – parish profile*)

1. North:
2. East:
3. South:
4. West:

**Organisational Vision and Mission**

1. **Organisational Vision: (***PDC to insert the vision of the organisation, which shall be in line with the SDC’s required standard).*
2. **Organisational Mission**: (*PDC to insert organisational mission, which shall be in line with the SDC’s mission statement and required standard).*

**Goal:**

The goal of the (*insert the name of the PDC*) is to bring together various interest groups or stakeholders to share information on parish wide developmental issues, build consensus on priorities within the parish and pursue relevant and appropriate solutions to these issues.

**Objectives**

The objectives of the (*insert the name of the PDC*) shall be:

* + 1. To plan, implement, monitor, and assess broad developmental issues specific to the parish, while encouraging a coordinated approach to development, by inviting the active cooperation of all agencies and organisations within the parish.
		2. To recruit and expand membership, broadening participatory democracy, representation, and advocacy.
		3. *Insert any other objectives as determined by the PDC during the VMOSA process*

## ARTICLE THREE (3): MEMBERSHIP

### Composition

A member representative shall only be allowed to represent one sector at the PDC.

The PDC general membership shall comprise:

* + 1. Key stakeholders: Three (3) representatives from each active Development Area Committee (DAC) within the parish, upon application with the use of the prescribed form, to include the President or Chairman of each DAC or his or her nominee.
			1. CDC or Community Representatives: individuals representing a community where there is no DAC present. The individuals would have the same responsibilities and entitlements as a DAC member. The individuals must be selected by some means of consensus within the space, that is, through a minuted stakeholder/community-wide meeting with residents to select said representatives.
		2. Primary stakeholders: two (2) representatives from this stakeholder grouping, such as NGOs, Parish Chapter of Associations (eg. JTA, JHTA, PTA etc.), major service organisations, Ministers’ Fraternal, Tertiary Organisations.
		3. Secondary stakeholders: Members of Parliament, Councillors, co-opted key State Agencies, Custos, SDC Parish Manager, and Local Authorities Chairperson and Secretary Manager as ex-officio and non-voting members.

### Levels of Membership

#### The Executive

1. The PDC Executive shall be the highest decision-making body outside of the general membership and is charged with the overall management, administration, and direction of the PDC. All DAC Chairpersons within the parish shall be an automatic officer of the PDC.
2. With exception of the Immediate Past President or Chairman, the executive body is elected by the general membership of the PDC and consists of the following key positions.
	* + - President or Chairman
			- 2 Vice President or Vice - Chairman: Vice President or Vice-Chairman - Youth Relations (whom at the time of being elected should not be more than twenty-four (24) years of age and not younger than fourteen (14) years and Vice President or Vice-Chairman – Disaster Preparedness & Response (*the 2nd VP must carry the portfolio responsibility of Disaster Preparedness & Response; however, the title can be amended to include other responsibilities*)
			- Secretary
			- Assistant Secretary
			- Treasurer
			- Public Relations Officer
3. The executive body may co-opt additional members to afford representation from special areas of sectorial interest that it feels it needs to involve closely in its work. The PDC’s Constitution may determine the voting rights of co-opted members as well as the maximum number or ratio of co-opted members allowed on the executive body.

#### The General Membership

1. General membership refers to all selected or elected representatives from DACs, CDCs and or community representatives, and other sector streams within the parish, and are duly registered, utilizing the prescribed membership form and captured on the membership listing of the PDC.

#### Ex-Officio Membership

* 1. This refers to individuals who do not have voting and nomination privileges within an organisation (that is, they cannot vote, cannot hold office nor be nominated). However, based on their position, they will bring expertise to the processes of the Parish Development Committees.
	2. Officers of the SDC and elected officials are ex-officio members of a PDC.

## ARTICLE FOUR (4): REGULATIONS GOVERNING MEETINGS

### Executive Meetings

* 1. The Executive Meeting shall be any formal gathering or assembling of the elected officers, whether in-person or virtually, with the established quorum and protocols observed, as outlined in the Policy and Procedure Manual.
	2. The PDC Executive shall meet at least once every two months. There shall be an absolute minimum of five (5) such meetings per calendar year.
	3. Executive Meetings of the (*insert name of PDC*) shall be held (*insert day and time*).
	4. Half of the Executive plus one (1) shall constitute a quorum.

### General Meetings

* 1. The General Meeting shall be any formal gathering or assembling of the general membership, whether in-person or virtually, with the established quorum and protocols observed, as outlined in the Policy and Procedure Manual.
	2. The PDC shall usually have a general meeting at least once every three (3) months, with an absolute minimum of three such meetings per calendar year.
	3. General Meetings of the (*insert name of PDC*) shall be held (*insert day and time*).
	4. Half of the members (organisation), plus one other representative, shall constitute a quorum, this shall include a quorum of the executive body.

### The Annual General Meeting (AGM)

* 1. The AGM shall be the yearly meeting of the general membership, at which the PDC shall receive reports from the President or Chairman, the Secretary, and Treasurer and may be held separately from the elections of officers and members to the executive.
	2. The quorum of an AGM shall be, half of the members (organisation) plus one other listed stakeholder; this shall include a quorum of the executive members, comprising the President or Chairman, Secretary, and Treasurer. In the absence of the aforementioned executive positions, any other executive member may substitute.

### Special General Meetings

* 1. A special general meeting or an extraordinary general meeting is a meeting petitioned by a majority of the general membership which is held to discuss or deliberate on specific urgent matters that may arise, including resolutions. This meeting has the same powers as the AGM and must meet the same requirements.
	2. Half of the members (organisation) plus one other representative shall constitute a quorum; at which a constituted PDC meeting can be held, and decisions made.

**Other meetings**

* 1. Emergency meetings are any meetings held outside of the regular PDC Executive scheduled meeting to discuss matters of exigency and must be convened via a written notice.

### Virtual Meetings

The following protocol shall be adopted where virtual attendance is relevant in relation to the conduct of all PDC meetings and its various committees and sub-committees. The following procedure rules shall take precedence over the face-to-face established PDC meeting standing orders:

1. The PDC shall hold meetings without all, or any, of the members being physically present in a room. This allows for remote meetings through electronic and digital means at virtual locations using video and teleconferencing, live webcast, and live interactive streaming.

## ARTICLE FIVE (5): ELIGIBILITY AND VOTING RIGHTS

1. Each member (organisation) shall have one vote in any matter which requires the member (organisation) to cast a vote.
2. Members (organisation) shall maintain good standing with timely paid dues for at least seven (7) days before any matter which requires the casting of votes.
3. To maintain high PDC participation, 60% of votes will be allocated to the key stakeholders (community stream) and 40% to primary stakeholders.
4. The President or Chairman in his or her absence shall appoint a delegate (based on the order of precedence), who shall vote on behalf of the member (organisation).

## ARTICLE SIX (6): ELECTIONS, NOMINATIONS AND TENURE

Elections shall be held biennially, that is once every two years, to elect executive members at the Annual General Meeting or if the need arises at a Special General Meeting.

Elections shall be conducted utilizing the following methods or approaches:

1. **Hybrid**: This uses a physical location allowing for a limited number of PDC members to

 be in attendance. Other members who cannot be accommodated physically shall participate in the proceedings virtually.

1. **Virtual:** Whereall members utilize an online platform as outlined inArticle 4 (Meetings).
2. **Physical or Face to Face:** As outlined in Article Four (4) (Meetings).

In the event of an occurrence (pandemic, natural disaster, etc.) that results in a restriction or inability of members to meet physically, the option of utilizing virtual meetings should be considered in line with the Local Governance Act 2016 and the accompanying regulations.

### Qualifications for Nomination as an Officer of the PDC Executive

In order to be nominated as an officer of the PDC Executive the nominee shall:

1. Be a member representative whose member (organisation) is in good standing with no outstanding dues at least seven (7) days before elections.
2. Be a member representative of a member (organisation) that has been in existence for at least 6 months, providing the organisation has been in existence for more than one (1) year.
3. Be a citizen of Jamaica or have permanent resident status and residing in Jamaica for at least one year.
4. Be present on the island (Jamaica) to be nominated and elected.
5. Not be a politically elected representative.
6. Not have been a candidate or caretaker for any political party for the local government or general elections, within a two (2) year period of being nominated for any post within the PDC.
7. Not be anyone aspiring to be a candidate in any political party for the local government or general elections.
8. Not be persons who fall under the category of items iv, v, vi, vii above. This person will be ineligible irrespective of the community the PDC will be established in.
9. Not be charged for any criminal offense but shall await the outcome of the investigations before being qualified for nomination.
10. Not have been convicted of a criminal offense. An exemption to this is that the nominee has not had any new conviction within ten years and providing that the individual upon nomination, has declared any past convictions on the prescribed nomination form.
11. Be a resident of the parish in which the organisation is located. Where member representative does not reside in the parish, he or she shall have a vested interest in its development and shall be present in said parish no less than 3 times in any given week.

### Tenure of Officers of the PDC Executive

* 1. All officers elected serve for a term of two (2) years.
	2. President or Chairman is eligible to serve for a maximum of two (2) consecutive terms and eligible for re-election in that position after a break of one (1) term (two years) for that position, providing that no one individual serves more than two consecutive terms for the position of President or Chairman.

## ARTICLE SEVEN (7): APPOINTMENTS (Co-opt Special Skills)

* 1. The PDC Executive shall, at their first meeting, appoint persons to vacant positions as outlined in the Constitution.
	2. All interested persons must be registered with a member (organisation) that meets the requirements with an active membership of at least twelve (12) months.
	3. All interested persons shall also reside in the parish. Where member representative does not reside in the parish, he or she shall have a vested interest in its development and shall be present in said parish no less than 3 times in any given week.
	4. Appointments shall only be applicable to the positions of Secretary and PRO.

## ARTICLE EIGHT (8): VACANCIES

### Creation of Vacancy

The seat of a member of the PDC executive shall become vacant if:

1. An officer resigns by providing the PDC Executive with one month’s written notice.
2. An officer of the PDC Executive has been absent from three (3) consecutive meetings of the PDC unless reasons for such absence have been provided by way of written apology or explanation and considered appropriate by a simple majority of a constituted meeting of the PDC Executive.
3. An officer has been recalled subject to Article 10.
4. An officer has been charged for any criminal offense and is awaiting the outcome of the investigations.
5. An officer relocates by means of migration or any other reason(s) presented at the time of resignation (related to c in Article 7 above)
6. An officer has been convicted of a criminal offense
7. An officer has been publicly confirmed by a political party as a candidate in an election.

The Social Development Commission reserves the right to remove a group from the Listing if all the requirements of a duly constituted group are not met.

### Filling Vacant Seats

* 1. If a seat shall become vacant, the PDC Executive shall decide by an absolute majority at a constituted meeting and determine if:
	2. It shall conduct a new election for the vacant seat by hosting a Special General Meeting.
	3. Applications shall be invited from member representatives of members (organisation) and someone appointed to the position in accordance with the appointment procedure.
	4. In the event that the office of President or Chairman becomes vacant, the executive body shall select by simple majority vote at a constituted Executive Meeting, one (1) of its Vice-President or Vice-Chairman to act. If neither is willing to accept, a Special General Meeting shall be held to elect a new President or Chairman by a simple majority vote, at said meeting.

## ARTICLE NINE (9): CODE OF CONDUCT

### General Conduct

* 1. Member representative must conform and operate within the Laws of Jamaica.
	2. Member representative shall observe the rules of this code; display professionalism, integrity, and honesty and maintain the dignity and honour of their posts.
	3. Officers shall refrain from behavior which in the view of members, may directly discredit or appear to discredit the PDC.
	4. No officer or member representative shall misappropriate any property or funds of the PDC.
	5. No officer or member representative may at any time use the resources of the PDC for personal gains or gratification.
	6. Member representative shall not use or abuse any of the powers conferred unto them by virtue of their position or rank.
	7. No officer or member representative may disseminate confidential information on matters discussed at a meeting to any non-member person, or organisation unless so permitted by the PDC Executive. Confidential matters shall be declared as such at the executive meeting or general meeting.
	8. No officer or member representative may disseminate confidential information on matters discussed at a meeting, outside of the executive body of their DAC or CDC providing that they explain the confidentiality of the matter. A similar principle applies to community representatives where there is no executive structure in place.
	9. No member representative should disregard or act in breach of a directive from the PDC Executive.
	10. No officer or member representative may vote on an issue in which he or she has a property or financial interest.
	11. Any officer, who has such an interest as outlined in the preceding provision, must openly declare this interest before any vote is taken.
	12. No officer should be engaged in any activity, project or initiative of the PDC, for financial gain, while serving in an executive position unless declared.

### Political Conduct

1. All officers and member representatives are free to their private, independent, political, and other affiliations. However, no officer or member shall use the platform of the PDC to publicly advocate his or her political position and views.
2. No officer will be allowed to continue as an executive member once said officer is publicly nominated in a Government of Jamaica Election by a political party as a candidate.

### Compliance

1. Failure to comply with the code of conduct shall make such officer or member liable for disciplinary action or recall in the case of an officer.

## ARTICLE TEN (10): RECALL

1. All officers of the PDC shall be subject to recall.
2. Recall proceedings for members of the PDC Executive can be commenced either by:
3. On the recommendation of the Disciplinary Committee to the PDC Executive and a simple majority vote in favour.
4. By a petition signed by a simple majority of members (organisation). A petition must then be sent to the Disciplinary Committee for deliberations and then submitted to the PDC Executive for a simple majority vote in favour.

## ARTICLE ELEVEN (11): VOTES OF CENSURE AND NO CONFIDENCE

1. **Vote of Censure**
2. A vote of censure refers to a motion for formal and public condemnation of a PDC representative whose utterances or actions run counter to the PDC’s acceptable standards for communication and or behaviour.
3. A vote of censure shall not constitute an automatic removal of the member representative from their office or position as a member or member representative. Hence, said member of the PDC shall retain their position and power unless the said infringement is escalated to a vote of no confidence.
4. A motion of censure can be moved by any member representative of the PDC at any of its meetings.
5. Any such motion of censure must clearly outline the reasons the motion is being moved.
6. **Vote of No Confidence**
7. A vote of no confidence or motion of no confidence refers to a statement or vote about whether a member of the PDC Executive is no longer deemed fit and proper to hold the position, based on inadequacies in critical aspects of the position or complete failure to carry out the established duties.
8. A motion of no confidence can be moved by any member representative of the PDC at any general meeting.
9. Any such motion of no confidence must clearly outline the reasons the motion is being moved.

# PART 3

## ARTICLE TWELVE (12): FINANCE

### Financial Year

* 1. The financial year of the Parish Development Committee shall run for 12 months from the start of the Committee’s operation.
	2. Financial statements shall be prepared within 4 months following the end of the PDC’s financial year.
	3. The PDC shall present its financial statement to the Annual General Meeting using the prescribed template, having been approved at a constituted meeting of the PDC’s Executive.

## ARTICLE THIRTEEN (13): MANAGEMENT OF FUNDS, POWERS AND DUTIES OF THE EXECUTIVE BODY

1. No member of the Executive body shall receive a salary as a member of the Parish Development Committee. However, the executive body may approve reimbursement of expenses incurred by an officer in the performance of his duties, providing it is within the budget as approved by the Executive.
2. The Executive body shall have the general direction and control of the financial affairs of the PDC. It shall represent the PDC before all competent authorities and in dealings and transactions with third parties; with power to institute or defend lawsuits in the name of or against the PDC. In general, the Executive shall carry out such duties, in the management of the PDC, that have not been specifically assigned by the Act, Regulations, or these rules.
3. The Executive body shall not make payments exceeding (*sum to be determined by PDC*) without the approval of the general membership.
4. The Executive body shall identify the limit above which the treasurer will require full approval of the Executive.

## ARTICLE FOURTEEN (14): FUNDS

1. All monies received on account of membership application fees, dues, fines, contributions, donations, fundraising, or other material, proceeds, and or interest on investment(s), shall be applied in carrying out the objectives of the PDC, and in paying the expenses of any officer or approved member representative in accordance with the provisions of the PDC, providing that such provisions are in adherence with this Constitution.
2. Funds shall be used in support of any approved community, DA, Parish, social, sports, cultural, or welfare project as approved by a constituted Executive Meeting.
3. Funds shall be used in support of a written application or request from any member (organisation), in executing any community, DA, Parish-oriented activity towards the achievement of that organisation’s objectives and as approved by a constituted Executive Meeting.
4. Officers or approved member representative shall not be paid for services rendered but instead, be reimbursed for approved travelling and incidentals.
5. Any officer or designate found guilty of misappropriating funds of the PDC shall repay the amount misappropriated and be excluded from the PDC and may be liable for prosecution.

Any officer or designate misapplying funds of the PDC shall have to account to the PDC Executive for the expenditure and may be required to repay the said amount.

### Investment of Funds

1. Funds of the PDC that may not be required for immediate use, or to meet the usual recurring liabilities, may with the consent of a majority of the representatives present and entitled to vote at a General Meeting, be invested by the PDC in any amount in any of the following ways:
	1. In any security approved by the Financial Services Commission in which the PDC Executive is authorized to invest.
	2. In shares, or deposits with any other registered company or cooperative society both of which should have current audited statements, and which are authorized to receive said investments and whose operation is not in conflict with the objectives of the PDC.
	3. In its business enterprise, owned wholly or in part by the PDC.
2. The PDC may purchase or take on lease in the name of the PDC, any land, and may sell, exchange, mortgage, lease or build upon that land with power to alter and pull down the building and again rebuild. An official receipt issued by the PDC shall be evidence of payment for all monies arising from or in connection with the sale, exchange, mortgage, or lease.

## ARTICLE FIFTEEN (15): FINANCIAL LIABILITY

1. The executive body with the consent of a Regular, Annual, or Special General Meeting may borrow money for the PDC, upon the security of any assets of the PDC and shall have the power to execute all deeds or other documents, which may be required for that purpose.
2. The PDC Executive shall not enter into any financial liability above (*sum to be determined by PDC*) without the permission of the members in the Annual General Meeting.
3. Any financial liability above (*limit to be determined by PDC*) must be approved by the members at an Annual General Meeting or a Special General Meeting.

## ARTICLE SIXTEEN (16): TRANSPARENCY, INSPECTION OF BOOKS, AUDIT AND ANNUAL RETURNS

1. The executive body shall present the PDC’s books for inspection by any member or authorized person having an interest in the PDC’s funds at all reasonable hours at the PDC’s registered office or at any place where the books are kept, and it shall be the duty of the Secretary to produce such books as required.
2. The Registrar or any person authorized in writing may inspect the registered office, books, securities, or documents concerning the business of the PDC during any reasonable time *i.e. during normal business hours*. During the said inspection, the Registrar or representative may examine the conditions and affairs of the PDC and make such inquiries to ascertain the viability of the organisation.
3. It shall be the duty of the Secretary and or Treasurer of the PDC to provide all relevant financial statements to include income and expenditure, all related documents, invoices, and receipts for the annual audit.
4. The PDC’s accounts shall be audited by the Registrar or another entity authorized in writing, biennially.
5. The audit under this section shall include a valuation of the PDC’s assets and liabilities to include overdue debts.
6. The Registrar and every other person appointed to audit the accounts of the PDC shall have the power when necessary to:
	1. Summon at the time of the audit, any agent, servant, member, officer, or former officer of the PDC who it is believed can give material (books, documents, cash, or securities) and information regarding any transaction of the PDC or the management of its affairs.
7. Executive members through the Treasurer shall provide the Annual General Meeting with the last audited financial statement, to include an account of Income and Expenditure, and Balance Sheet.
8. It shall be the duty of the Secretary and Treasurer of the PDC to supply the Auditor (certified and approved by the SDC Registrar) for the Annual Audit with a certified list of the number of contributions, dues, and fines in arrears in respect of every particular fund for the year under review.
9. The PDC shall once a year, no later than the 31st day of March, forward to the Registrar, Annual Returns, to include income and expenditure statements, and funds and effects of the PDC, which should also include monies from previous years as well as investments.
10. The Annual Return shall:
	1. Separately highlight expenditure vis-à-vis the different objectives of the PDC.
	2. Be generated to include the 31st day of December of the preceding year.
11. The PDC shall forward the Annual Return, as well as a copy of the Auditor’s Special Report (if received), to the Registrar.

### Quinquennial Valuations

1. At least once every five (5) years, the SDC may request that the assets and liabilities of the PDC be valued by a qualified Valuator, to be appointed by the PDC and approved by the SDC. The PDC shall be responsible for all associated costs. The Valuator shall send the valuation report to the PDC Secretary and the SDC.
2. On receiving the Valuation Report:
	* 1. The executive body shall call a Special General Meeting and lay before such meeting a copy of the report.
		2. Before the Special General Meeting, all members of the PDC shall be entitled to an electronic copy or otherwise, of the report. This should be circulated at least fourteen (14) days before the

meeting.

1. Every report sent to the SDC shall:
	1. Bear the valuator’s signature and official stamp.
	2. State the address and calling or profession of the valuator.
	3. Contain an abstract and a statement about the results of the valuation.

# PART 4

## ARTICLE SEVENTEEN (17): DISSOLUTION

### Dissolution

* 1. The PDC shall be dissolved by a resolution of an Annual General Meeting convened for that purpose.
	2. The reasons for dissolution shall be clearly outlined in this resolution.
	3. A two-thirds (2/3) majority shall be required to carry this resolution.
	4. The PDC Executive shall retain office until all the legal proceedings have been completed for the dissolution of the PDC.

## ARTICLE EIGHTEEN (18): AMENDING THE CONSTITUTION

1. This Constitution may at any time be altered, amended, or added to by a resolution passed and approved at an Annual General Meeting or Special General Meeting by an absolute majority.
2. Any resolution for the alteration or amendment to the Constitution shall be submitted to the Secretary of the PDC Executive and must be signed by a two-thirds (2/3) majority of the members of the PDC that are in good standing.
3. The Secretary of the PDC Executive shall then forward the resolution to the President or Chairman of the PDC.
4. The resolution(s) to be debated and voted on shall be circulated among members (organisation) at least four (4) weeks before the meeting.
5. Any alterations, amendments, or additions to the constitution shall be written in the section so designated.
6. Additionally, no new rule being considered shall conflict with existing provisions in the constitution. Any new rule considered shall be communicated to the SDC within thirty (30) days of said addition.

# PART 5

## THE PDC SEAL

* 1. Executive members shall adopt for the use of the PDC, a distinctive seal having the name of the PDC inscribed thereon.

Read, debated, and adopted by the General Membership on **THIS DAY, \_\_\_\_\_\_\_\_\_\_\_, IN THE MONTH OF \_\_\_\_\_\_\_\_\_\_\_ IN THE YEAR \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.**

## SIGNING PAGE

The signatures below represent persons who participated in the development of this Constitution, commencing on the \_\_\_\_ day of \_\_\_\_\_\_ in the year \_\_\_\_ and ending on the \_\_\_\_ day of \_\_\_\_\_\_ in the year \_\_\_\_\_\_.

**Verified by:**

Name of President or Chairman:

Signature:

**Endorsed by (SDC Representatives):**

Name of Parish Manager

Signature:

Name of Governance Coordinator

Signature:

**Participants in the Ratification Process:**

Name:

Organisation representing:

Signature:

Name:

Organisation representing:

Signature:

## DRAFTERS OF THIS CONSTITUTION

| **Name** | **Title**  | **Contact Information**  |
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1. Insert date first constitution was developed or date of first ratified constitution. [↑](#footnote-ref-0)
2. Insert date of last amendment to the constitution. [↑](#footnote-ref-1)
3. Insert date when amended changes to the constitution were agreed on. [↑](#footnote-ref-2)