

MODEL CONSTITUTION OF A NATIONAL CHAPTER

The Preamble

- RECOGNIZING: The supremacy of parliament as the institution to whom a government is answerable and accountable.
- AWARE: That corruption poses a grave danger to the well-being of people and to the development of their society.
- ALARMED: That corruption diverts scarce resources from basic human needs and destroys confidence in the integrity of our institutions.
- CONCERNED: That it is essential that we develop healthy, balanced relations between the state, civil society and the marketplace and that parliament can be strengthened as effective institution of accountability in approving the policies and actions of government.
- ACKNOWLEDGING: That corruption can best be controlled by strengthening systems of accountability, transparency and public participation in the governance process.
- REALIZING: The great value of parliamentarians coming together to create a proactive strategy, to share information, experience and lessons learned, and to develop initiatives to strengthen their parliament in the fight against corruption.
- REITERATING: Our commitment to promote legislation to strengthen society and uphold transparency and accountability by:
- Building the commitment and capacity of parliament to exercise accountability with particular relation to financial matters;
 - Sharing information lessons learned and best practices;
 - Undertaking projects to reduce corruption and promote good governance;
 - Cooperating with international financial institutions and organizations in civil society with shared objectives; and
 - Recognizing that the rule of law is paramount in the development of a healthy, free and productive society.

Do hereby resolve to form a National Chapter for parliamentarians against corruption as a tool for strengthening parliament's effectiveness as the first line in the fight against corruption.

ARTICLE 1 NAME

The name of the National Chapter of the Global Organisation of Parliamentarians against Corruption (GOPAC) shall be GOPAC-[country name] registered under the laws of

ARTICLE 2 REGISTERED OFFICE

The registered office ofshall be situated at

ARTICLE 3 NATURE AND OBJECTS OF THE NATIONAL CHAPTER

The National Chapter agrees to collaborate with other National Chapters of GOPAC within the Regional Chapter known as Regional Chapter of GOPAC.

1. The National Chapter is a non-profit organisation and must operate in a democratic and transparent manner. Its main objective is to bring together parliamentarians, former parliamentarians and others within the country to combat corruption and promote transparency and accountability in order to ensure high standards of integrity in public transactions.
2. The National Chapter is non-partisan and must be open to persons of both genders and all faiths.
3. The National Chapter's constitution shall not depart from the aims and objectives or be inconsistent with GOPAC's constitution.

The objects for which the National Chapter of GOPAC is established are:

1. To fulfill the objectives of GOPAC within the country for the establishment of standards of conduct designed to promote transparency, accountability and good governance;
2. To develop a Chapter strategy, monitor national developments and encourage the emergence of a broad alliance within the country against corruption.
3. To promote the rule of law and the accountability of state institutions;
4. To develop capacity in parliaments and parliamentarians within the country to oversee the activities of the government and other public institutions thereby making them more accountable;
5. To foster and facilitate the exchange of information, knowledge, best practice and experience among its members on anti-corruption measures;
6. To encourage parliament and parliamentarians to develop and enact legislation that promotes good governance, transparency and accountability;

7. To promote measures aimed at dealing effectively with corruption and to raise general awareness on the issue of corruption at all levels of society;
8. To inform parliamentarians and policy makers on the existence, nature and ways of combating corruption;
9. To advocate for the inclusion of anti-corruption measures in all government programs and work for the improvement of the capacities of national and regional institutions to deal effectively with corruption;
10. To work with national and regional bodies in the mobilisation of resources for anti-corruption programs, including:
 - Supporting the activities of other National Chapters and similar organizations within the Regional Chapter and GOPAC;
 - Sharing information through the use of websites, e-mail and other services;
 - Sponsoring anti-corruption workshops;
 - Liaising with and working in co-operation with international organisations, parliamentary institutions, civil society, and other organisations on all matters aimed at improving governance, transparency and accountability;
 - Conducting research and disseminating information on best practices; and
 - Promoting the causes of members in furtherance of the aims and objectives of the organization.
11. To do all other things as are incidental or conducive to supporting and promoting the realisation of any of these objects, including the capacity to raise money from public or private sources.

ARTICLE 4 MEMBERSHIP

1. Full membership shall be available to the following, upon application and payment of an annual subscription:
 - Legislators and former legislators; and
 - Legislators who have been denied their right to take office.
2. The following upon application shall be members with observer status: institutions; individual donors, NGOs, Supreme Audit Institution and other organizations that support similar objectives as this organization or provide funding for its activities.
3. The annual subscription fee is to be determined by the Global Board of Directors and shall cover the period from January 1st to December 31st of each year.

4. Membership shall be subjected to the approval of the Board of Directors of the Regional Chapter.
5. Full membership in a National Chapter also includes membership in the Regional Chapter and in GOPAC.

ARTICLE 5 TERMINATION OF MEMBERSHIP

1. Membership shall terminate upon death, removal, or voluntary withdrawal from the organisation.
2. A member must give the Executive Committee written notice of his/her decision to withdraw from the organization.
3. A member may be suspended or removed from the register of members by a decision of the Regional Board of Directors if a member is more than one year in arrears of subscription payment OR by the GOPAC Global Board of Directors for cause as determined by the Global Board of Directors.
4. A member who has been suspended or removed from the register may appeal his/her suspension or removal to the Global Board of Directors within three months of the date of the decision of the Regional Board. The Global Board of Directors will set up a special committee to hear arguments and render a decision that is binding on all parties.

ARTICLE 6 CODE OF CONDUCT

1. All members shall behave and conduct their affairs in a manner consistent with the values that the National Chapter, Regional Chapter and GOPAC promote and defend, as well as strive to uphold the integrity of those values.
 2. A member must avoid actual and perceived conflicts of interest.
 3. A member must report to the Executive Committee of the Regional Chapter and to the GOPAC Global Secretariat all actual and perceived conflicts of interest as soon as the member becomes aware of any circumstances which may give rise to an allegation of a conflict of interest.
 4. The evaluation of a breach of the values of the organization will be made by the GOPAC Global Board of Directors in consultation with the Executive Committee of the Regional Chapter, who shall have full authority to decide on the appropriate sanction that may be imposed in any given case.
-
-

ARTICLE 7: STRUCTURE

1. The National Chapter is composed of National Chapter members and shall have an Executive Committee consisting of a Chair, Vice-Chair, Secretary and Treasurer. A National Chapter can also establish a Secretariat if required and funding is available.
2. The National Chapter shall be supported by the GOPAC Global Executive Committee, the Global Secretariat and a Regional Chapter if one exists.

ARTICLE 8: THE EXECUTIVE COMMITTEE

1.
 - a) The Executive Committee is the administrative organ of the Chapter and shall be comprised of a Chair, a Vice-Chair, a Secretary and a Treasurer elected from the current membership.
 - b) The term of office of a member of the Executive shall expire at the next annual general meeting of the Chapter and not exceed a period of two years.
 - c) The Chair cannot serve in the same post for more than two terms and at the end of that term must be replaced by another member.
 2. The Executive Committee is responsible for all matters pertaining to the National Chapter, except where a responsibility or task has been expressly vested in another organ.
 3. In particular it shall have the following functions:
 - a) To receive all applications for membership or affiliation to the organization;
 - b) To propose to the Regional Chapter and the Global Secretariat the annual work program and budget of the National Chapter;
 - c) To organise a calendar of activities in consultation with the Regional Chapter and the Global Secretariat;
 - d) To inform the Regional Chapter and the Global Secretariat about the activities of the National Chapter through reports;
 - e) To act as the official communication organ of the National Chapter;
 - f) To facilitate and promote communication between members;
 - g) To enter into contracts on behalf of the National Chapter; and
 - h) To borrow, raise, receive and spend funds for the objects and purposes of the organisation.
-
-

4. The borrowing powers of the Executive Committee cannot be exercised unless:
 - a) Prior approval has been obtained from the membership at a special meeting called with notice to discuss same;
 - b) The source of borrowed funds is the Regional Chapter or GOPAC;
 - c) Prior approval has been received from the GOPAC Executive Committee; and
 - d) The loan is secured with the organization's funds or assets.
5. The Executive Committee may delegate any of its powers or duties (except borrowing powers) to its own sub-committee.
6. A quorum for the Executive Committee shall be three.
7. The manner and timing of meetings are to be decided by the Chair. The Secretary at the request of the chair shall call meetings. In the absence of the Chair, the Executive Committee shall appoint one of its members to chair a meeting.
8. Decisions are made by majority vote and each member is entitled to one vote. In the event of there being no majority, the chair or his substitute has a casting vote.
9. Minutes will be kept of meetings and decisions made which must be signed by the Chair and Secretary.

ARTICLE 9: SECRETARY/SECRETARIAT

1. The following shall be the function of the Secretary/Secretariat:
 - a) To be the office of the National Chapter;
 - b) To keep records of membership and report memberships to the Regional Chapter and the Global Secretariat;
 - c) To promote new membership and affiliations;
 - d) To co-ordinate and facilitate the activities of the National Chapter. In particular, to provide a supporting role to the Executive Committee;
 - e) To collect and disseminate information concerning the National Chapter and its members;

- f) Ensure that the National Chapter's membership is well informed of its programs and activities;
- f) To maintain liaison and co-ordinate activities between the National Chapters in the region, the Global Secretariat, and other groups or institutions;
- g) To co-ordinate the National Chapter's representation at conferences; and
- h) The Treasurer/Secretary shall handle finances and keep all records and archives of the National Chapter.

ARTICLE 10: THE GLOBAL CONFERENCE

3. The National Chapter shall collaborate with the Regional Chapter and with GOPAC to organize a Global Conference if it is to be held in the country, to which observers and all national, regional and global members shall be invited.
2. The expenditure for staging the conference shall be the joint responsibility of GOPAC, the host Regional and National Chapters, and the Parliament of the host country.
3. The date and place of each conference shall be determined by the GOPAC Global Board of Directors in consultation with the Regional Chapters and any affected National Chapters.

ARTICLE 11 FINANCIAL PROVISIONS

1. Monies are to be used for the fulfilment of the National Chapter objectives and to maintain it as an autonomous entity.
2. Sources of finance shall include the following:
 - a) Fund raising activities;
 - b) Donations and grants;
 - c) Membership fees and subscriptions as established by the Global Board of Directors;
 - d) Contributions, including those from governments, government agencies, corporations or other business entities, international organisations, individuals and other organisations; and
 - e) Any other sources determined to be appropriate by the Board of Directors of the Regional Chapter of GOPAC.

ARTICLE 12 BANK ACCOUNT

1. A National Chapter may maintain its own bank account.
2. The Executive Committee shall by a general resolution keep a bank account in a financial institution in the country of the chapter and all financial transaction shall be carried out in the name of the National Chapter.
3. All cheques of the National Chapter shall be signed by the Treasurer and one other member of the Executive Committee designated as a signing officer.

ARTICLE 13 ACCOUNTS AND AUDIT

1. The Executive Committee shall prepare a budget and keep books of accounts which are to be audited annually.
2. Budgets and work plans shall be presented to a meeting of the Executive Committee to be approved annually.
3. The National Chapter shall prepare an annual report showing work accomplished, and the amounts and sources of funding received and spent in the fiscal year.

ARTICLE 14 AMENDMENTS AND REPEAL OF ARTICLES

1. This constitution may be modified, enlarged, abridged or supplemented by a special resolution passed and supported by two-thirds majority of members present voting at a national meeting or a special meeting of members called by the Executive Committee.
2. Any member proposing to amend the constitution shall submit the proposal in writing to the Executive Committee at least one month before the general or special meeting.
3. The Executive Committee shall communicate all such proposals to all members and the Global Secretariat in writing at least two weeks prior to the commencement of the meeting or the special meeting.
4. All changes adopted in accordance with Article 14.1 shall be included in an amended constitution.

ARTICLE 15 DISSOLUTION OF THE ORGANIZATION

1. A decision to dissolve a National Chapter requires a resolution passed at a special meeting called by the Executive and supported by three quarters of the votes of active members present in person or by proxy.
-
-

2. The decision by a National Chapter to dissolve must be presented to the Board of Directors of the Regional Chapter and the Global Secretariat within thirty days and be accepted by both entities before the decision can be considered final.
3. In the event that the National Chapter is dissolved or disbanded, its assets and funds shall be transferred to GOPAC.

ARTICLE 16

The following words shall bear meaning given below:

- “Parliamentarian” means a member elected or appointed to serve in a parliament or in a Congress or Legislative Assembly
- “Chair” means chairperson
-
-