



CONSTITUTION OF THE PROPOSED UNITY FIJI

This is the Constitution of the proposed Unity Fiji which is applying to
be registered as a political party.

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STRICTLY CONFIDENTIAL

UNITY FIJI
CONSTITUTION

PART I: PRELIMINARIES

1. Definitions

1.1 In this Constitution terms shall have the meanings defined below:

"Party" means the Unity Fiji

"President" means the President of the Unity Fiji

"Party Leader" means the Leader of the Unity Fiji

"Founding Member" has the meaning given in Article 9.6.

"Member" otherwise defined in the context of specific clauses of this Constitution means the member of the Party.

"Executive Board" has the meaning given in Article 10.

"Subscription" means the membership fees levied on members of the Party upon joining and due and payable in January of each year.

"Branch" means the official branch of Unity Fiji established in the Central, Western, Northern and Eastern Divisions of Fiji as defined in the Political Parties Decree (2013).

"Divisional Branch" has the same meaning as "Branch".

"Platform" means the platform of Unity Fiji.

"Manifesto" means the manifesto of Unity Fiji.

PART II: ESTABLISHMENT

2 Name and identification

- 2.1 The name of the Party shall be "Unity Fiji" which is referred to throughout this Constitution as the "Party". The acronym of the Party shall be UF.
- 2.2 The Party symbol shall be as depicted in Schedule 1. The Party logo is "**People First**"
- 2.3 The Party colours shall be green, blue, and aqua (turquoise). The green signifies the land, the blue the ocean and the aqua is the integration of the people with the natural resources.
- 2.4 The Party is a body corporate with the ability to sue and be sued and to borrow.
- 2.5 The Party shall have a common seal approved by the Executive Board.

3 Registered office

- 3.1 The physical address of the registered office of the Party is 63 Vunakece Road, Namadi Heights, Suva, Fiji. Its postal address is PO Box 38, Nabua, Suva, Fiji.
- 3.2 The Party shall establish and operate representative offices in the Central, Western, Eastern and Northern Divisions.

4 Interim arrangements

- 4.1 The following interim arrangements may be established to coordinate and facilitate the establishment of the Party:
 - a) The Founding Members may appoint an Establishment Committee to coordinate the registration and establishment of the Party. The Founding Members shall be members of the Establishment Committee.
 - b) The Establishment Committee shall appoint the interim office holders of the Party, including the Registration Officer of the Party, that are required for the registration of the Party.
 - c) The Establishment Committee may appoint an Interim Executive Board to guide the policies and strategies of the Party up to the first meeting of the Annual General Meeting of the Party where the members of the substantive Executive Board shall be appointed.
 - d) The Interim Board shall have the same functions and enjoy the same authority given to the substantive Executive Board under this Constitution.

- 4.2 The above interim arrangements shall cease once the Annual General Meeting makes the substantive appointments of the Executive Board.

PART III: GUIDING STATEMENTS

5. Purpose of the Party

- 5.1 The Purpose of the Party is to ***win and sustain the confidence and support of the people to govern Fiji.***
- 5.2 To achieve its Purpose the Party shall aim at the following:
- a) **Unity, security and freedom of the people of Fiji.** The Party will build genuine unity of all our people; lasting peace and security for everyone that call Fiji home; and protect individual freedom and basic rights of all its citizens. These essential national building blocks combined with relevant and sound policies will provide jobs to our school leavers and deliver essential services to all the peoples of Fiji.
 - b) **A multiracial platform but at the same time recognizing that Fiji is composed of different ethnic groups.** The Party will address the different needs and aspirations of every ethnic groups in Fiji in an integrated and consultative fashion. Such a multiracial and consultative approach will build true national unity, bring lasting peace and security, and secure the confidence of the people in the future of Fiji. The Party is built on a strong conviction that together we can re-build our nation; promote unity in diversity, respect the different identities and promote genuine integration of citizens of Fiji. The Party will promote tolerance of different political views and strengthen transparency and openness to public scrutiny.
- 5.3 To ***win and sustain the confidence and support of the people to govern Fiji,*** the Party shall prepare the following guiding documents:
- a) A **Platform** before each national elections that sets out the stance of the party on relevant national issues; and
 - b) A **Manifesto** before each national elections to articulate specific actions that Party proposes to do to achieve its Vision and Missions.
- These documents will be updated, revised and amended from time to time by the Executive Board.
- 5.4 In pursuing its Purpose and in all its activities, the Party must promote the equal participation of men and women at all levels of the Party.

- 5.5 The Party will uphold and respect human rights, including the right to health, the rights of all communities, migrants, children and person with disabilities, as well as gender equality, empowerment of women and intergenerational equity

6. Vision

- 6.1 The Party aspires to a Fiji that is **truly united under a shared vision** where its people appreciates and accept its ethnic diversity and identities, live in **peace**, and enjoy **freedom, economic prosperity** and a strong sense of national **security**.

7. Values

- 7.1 In its governance, Unity Fiji will abide by these God given values:
- a) Put the **service of the people** at the center of the Party's missions;
 - b) Be **inclusive and consultative** in its governance to return the decision making to the people;
 - c) Be **honest and accountable** in all its activities;
 - d) Promote **mutual respect, tolerance and love** among all citizens;
 - e) Respect the **diversity** of ethnic cultures and **identities**; and
 - f) Being mindful of the important roles of **Religion, the Vanua and Civil Societies**, the Party will collaborate with them in developing relevant policies and forge partnership with them in the delivery of its plans.

- 7.2 The Party will uphold the above Values in all its policies, strategies, decision making and practices. The Party can amend, add or delete these Values by a decision of the Executive Board.

8. Missions

- 8.1 To achieve its Vision and abiding by its Values, the Party will pursue these missions:
- a) Build a **stronger nation** for our future generations on three fundamental pillars: **unity; peace and security**; and **freedom**;
 - b) Develop our economy sustainably to **provide jobs and incomes** to our people;
 - c) Improve access to affordable basic services such as **health, education, water, energy and housing**;
 - d) Take better care of the **needs of special groups of people in Fiji especially the youth, women, the poor and the disabled**; and
 - e) forge **partnerships with the regional and international communities** based on **mutual respect**.

PART IV: MEMBERSHIP

9.1 Eligibility

- a) The membership of the Party shall be open to all citizens of Fiji above 18 years of age who share the Vision and fundamental values of the Party;
- b) The applicant for membership is not a member of any other political party in Fiji;
- c) While a member of the Party, he/she has not publicly declared an intention to be a candidate for election to the House of Representatives other than as a candidate of the Party;
- d) Persons who are registered as voters under the Electoral (Registration of Voters) Decree 2012;
- e) In the 5 years preceding the date of the application for registration, the person has NOT been declared an undischarged bankrupt;
- f) The person has NOT been convicted of an offence and sentenced to imprisonment for a period of not less than six months; and
- g) A public officer shall not be eligible to be a member of the Party provided that the applicant has resigned from the respective public office and must comply with the provisions of the relevant Decrees.

9.2 Application and Admission

- a) An eligible person wishing to be a member of the Party shall apply using the prescribed form and become a member on acceptance by the Executive Board, payment of the requisite subscription and registered on the official membership register kept by the Party at its headquarters;
- b) A member application shall be deemed accepted if not rejected in accordance with this Constitution;
- c) Initial membership shall run for one year from the last day of March, June, September, or December following commencement; and
- d) The Party may refuse to admit any person as a member of the Party if it has reasonable grounds to believe that a person does not meet the requirements of Section 6 (1) of the Political Parties Decree 2013 and other relevant laws.

9.3 Subscriptions.

- a) The Executive Board shall determine a subscription to be paid by members on joining the Party and being a member. The Executive Board shall review the membership subscription from time to time. The Executive Board may waive this subscription in the interest of the party and levy different levels of subscriptions for different groups of members;

- b) Members whose subscriptions are due shall receive notices of meetings and elections for a further 3 months; and
- c) Members who do not renew their subscriptions before the end of the 3 months period [refer (b) above] must reapply for membership.

9.4 Register

- a) The Party shall maintain a register of membership at its registered office. The register shall contain all relevant details required by law and include the name, residential address, voter identification number, date of joining and date of resignation of the members.

9.5 Rights and Duties

- a) The financial members of the Party has the following rights and duties:
 - i. Attend the Annual General Meeting and take part in its voting;
 - ii. Inspect the financial accounts of the Party;
 - iii. Inspect the membership register; and
 - iv. Submit written suggestions and questions to the Executive Board.

9.6 Expiry of Membership

- (a) When the member's current membership term expires;
- (b) When the member no longer meets all the requirements of Section 6 (2) of the Political parties Decree 2013 and other relevant laws;
- (c) When the membership is terminated by the Executive Board;
- (d) When the member resigns; or
- (e) When the member dies.

9.7 Founding Members

- a) A Founding Member is a member identified and registered as one of the founders of the Party;
- b) A Founding Member's rights and privileges under this Constitution shall not be altered, amended or abolished by the Executive Board or the Annual General Meeting;
- c) A Founding Member's rights and privileges lapses upon resignation from the Party or death.

9.8 Resignation

- a) A member may resign from the Party by written notice addressed to the General Secretary of the Party and the Registrar of the Political Parties.

Part V: Governance and Administration

10 Executive Board

- a) An Executive Board shall govern the Party.

10.1 Appointment

- a) The Annual General Meeting of the Party will appoint the members of the Executive Board for a term of 4 years. The members of the Executive Board may seek re-election at the expiry of their term.
- b) The Executive Board shall have a minimum of seven and a maximum of twelve members, such membership to include the President, the Party Leader, Deputy Party Leader, four divisional representatives, one youth representative and one women representative.
- c) The Founding Members of the Party shall be *ex-officio* members of the Executive Board.
- d) Members of the Executive Board and its sub committees shall not take any action on behalf of the Executive Board unless authorised by the Board.

10.2 Roles

- a) The roles of the Executive Board shall be to:
 - i. Set the strategic direction of the Party;
 - ii. Approve the election platform and manifesto of the Party;
 - iii. Select candidates to stand at the national and local general elections;
 - iv. Approve the election and campaign strategies;
 - v. Approve the funding strategy;
 - vi. Endorse the selection of office holders and appoint the management group of the Party;
 - vii. Approve a process for conflict resolution;
 - viii. Approve the code of conduct;
 - ix. Appoint the external auditor;
 - x. Approve the budget;
 - xi. Approve the audited annual financial accounts; and
 - xii. Set the dates and agenda of the Annual General Meeting.

10.3 Meetings and Secretary of the Executive Board

- a) The General Secretary of the Party shall be the Secretary to the Board who shall:
 - i. Send out notices of the meetings to all members with a draft agenda.
 - ii. Take records of the discussion of the Board and circulate this record to members as soon as possible after the meetings.

- iii. Provide administrative support for the meetings of the Board
- b) The Executive Board shall meet at least four times in a year. The Board can meet more frequently as required to perform its responsibilities.
- c) The General Secretary shall notify all members of the Executive Board of the scheduled meetings by email and phone at least 7 working days before the scheduled meeting and submit a draft agenda. Unless a member notifies the Secretary that he or she is unable to attend, that member will be recorded as absent from the meeting.
- d) The quorum of the Board shall be half of the appointed members including at least two of the Founding Members. A meeting of the Board may not proceed without the presence of the Party Leader and the Deputy Party Leader.
- e) A meeting of the Executive Board may be held without a quorum but its decisions are not valid unless endorsed by a subsequent meeting of the Board.
- f) The Executive Board shall endeavor to reach consensus on all its decision.
- g) The General Secretary and the National Treasurer shall attend Board meetings.
- h) Observers can attend the Executive Board meetings on the leave of the Chairman.

10.4 Sub Committees

- a) The Executive Board may appoint sub-committees for any specified purpose to help perform its functions set out in this Constitution.
- b) The Executive Board shall ratify the decisions of the sub-committees.
- c) All sub-committees shall keep a record of their meetings and table the record at the next meeting of the Executive Board.
- d) The General Secretary shall be the Secretary of all sub-committees of the Board.

10.5 Remuneration

- a) The members of the Board shall not be remunerated by the Party. The Party will bear the expenses for holding Board meetings.

10.6 Confidentiality and Disciplinary Proceedings

- a) The members of the Executive Board shall sign a declaration of secrecy to safeguard the confidentiality of the papers and discussions at the Board. A breach of this declaration shall be regarded as a serious breach that may initiate disciplinary proceeding by the Board.
- b) The Executive Board may determine its own disciplinary procedures regarding its members which may include suspension, dismissal from the Board or expulsion from the Party. The Executive Board will give the member in writing the reasons

for considering disciplinary actions and allow the member the opportunity to respond to these reasons.

11. President

11.1 There shall be a President of the Party who shall be appointed by the Annual General Meeting for a 4 year term. The President does not necessarily have to be a Member of Parliament. The President shall not serve more than two terms.

11.2 The functions of the President are:

- a) Responsible for the proper governance of the Party and the smooth functioning of its administration;
- b) Chairs the Executive Board and the Annual General Meeting of the Party;
- c) Work closely with the Party Leader and Deputy Party Leader to achieve the purposes and missions of the Party; and
- d) Responsible for maintaining unity within the Party and take all the necessary steps to encourage office holders to work together for the interest of the Party.

11.3 The Executive Board shall determine the terms and conditions of the President and these terms and conditions shall not be varied during the term of the President.

11.4 The President is free to resign from his position at any time during his/her term.

11.5 The Annual General Meeting shall have the authority to terminate the appointment of the President in the event of a serious dereliction of his or her duties or/and breach of the Party's Constitution and/or Code of Conduct. The Annual General Meeting shall only exercise this authority if there is a motion put to the Executive Board by a member of the Board and carried by two thirds of the members of the Board. The Board shall commission an independent report of the performance and/or breach of the Constitution and/or Code of Conduct and allow the President to response to these breaches.

12 Party Leader

12.1 There shall be a Party Leader who shall be appointed by the Executive Board, in consultation with the Parliament Caucus and with the consensus of the Founding Members. The Party Leader shall be a sitting Member of Parliament unless the Party does not have a Member of Parliament There shall not be a fixed term for the tenure of the Party Leader.

12.2 The roles of the Party Leader are to:

- (a) Lead the Party;
- (b) Chair the Party Parliamentary Caucus;

- (c) Develop and articulate the strategies of the Party;
- (d) Speak on behalf of the Party;
- (e) Be the public face of the party;
- (f) Liaise with other political parties and stakeholders; and
- (g) Other roles as may be assigned by the Executive Board and the Annual General Meeting from time to time.

12.3 In choosing the Party Leader, the Executive Board shall take into consideration the attributes listed in Schedule 2.

12.4 The Party Leader shall only be changed by two thirds of the votes of the members of the Executive Board and Caucus and the consensus of the Founding Members.

13. Deputy Part Leader

13.1 There shall be a Deputy Party Leader who shall be appointed by the Executive Board after consultation with the Parliament Caucus for tenure of 4 years. The Deputy Party Leader shall be a sitting member of parliament of the Party unless the Party does not have a Member of Parliament.

13.2 The role of the Deputy Party Leader is to assist the Party Leader in the leadership of the Party.

14 Parliament Caucus

14.1 The Party shall establish a Parliament Caucus which shall comprise all the Members of Parliament of the Party.

14.2 The Party Leader shall be the Chairman of the Parliament Caucus and the Deputy Leader shall be the Deputy Chairman. The Parliament Caucus may appoint its own Secretariat.

15. Management Group

15.1 A Management Group shall administer the Party on behalf of the Executive Board. Each position in the Group shall be by contract for a fixed term and have well defined terms of reference which should not overlap with others in the Group. The Executive Board shall approve the terms of reference and have the authority to amend them from time to time.

15.2 The Management Group of the Party comprise the General Secretary, National Treasurer, Research and Membership Officer and Office Assistant for a fixed term. The Executive Board shall have the authority to amend the number and

designation of the Management Group of the Party from time to time taking into account the resources of the Party.

- 15.3 The Management Group of the Party who are not appointed by the Annual General Meeting shall be appointed through a transparent process approved by the Executive Board from time to time.
- 15.4 The Executive Board shall approve the terms and conditions of the Management Group of the Party. These terms and conditions shall not be varied during the duration of the contract.
- 15.5 The General Secretary shall, within seven days after any change in the Management Group, notify the Executive Board and Divisional Offices of the Party.

16. General Secretary

- 16.1 There shall be a General Secretary of the Party who shall be the Head of the Management Group of the Party.
- 16.2 The Executive Board shall appoint the General Secretary of the Party for a period of 4 years.
- 16.3 The functions of the General Secretary are:
 - a) Responsible to the Executive Board for the administration of the Party and the performance of the Management Group;
 - b) Ensure that the Party complies with the requirements of the Political Parties and Electoral Decrees 2013/2014 and all other relevant laws
 - c) Secretary to the Executive Board and the Annual General Meeting;
 - d) Implement the decisions of the Executive Board;
 - e) Prepare and submit reports to the Executive Board;
 - f) Lead and supervise the administrative staff of the party;
 - g) Make all the necessary arrangements for the Annual General Meeting;
 - h) Maintain proper accounting records and prepare annual financial statements; and
 - i) Other duties approved by the Executive Board.
- 16.4 The General Secretary shall be the communication coordinator of the Party who shall:
 - a) Prepare a communication strategy for approval by the Executive Board;
 - b) Implement the communication strategy;
 - c) Coordinate all communications activities of the Party

- d) Draft media releases;
- e) Be a spokesman of the Party;
- f) Liaise with the media; and
- g) Other tasks approved by the Executive Board.

17 National Treasurer

- 17.1 The Executive Board shall appoint a National Treasurer for a period of 4 years.
- 17.2 The National Treasurer shall be responsible to the Executive Board for the proper financial management of the Party including its branches. The functions of the National Treasurer are:
- a) Prepare and update a list of procedures that will safeguard the financial integrity of the party resources for the approval of the Executive Board;
 - b) Prepare the annual budget for the approval of the Executive Board at least two months before the end of the financial year;
 - c) Implement and monitor the budget of the Party during the year;
 - d) Submit monthly financial reports to the Executive Board of the expenditure and revenue of the Party;
 - e) Prepare and submit the annual financial accounts to the External Auditor no later than 3 months after the end of the financial year;
 - f) Prepare financial reports of the Party to comply with the relevant laws governing political parties;
 - g) Manage the payroll and the procurement of the Party under agreed procedures;
 - h) Assist in fundraising for the Party; and
 - i) Any other functions approved by the Executive Board.

18 Other members of the Management Group

- 18.1 The functions of the Research and Membership Officer are:
- a) Receive all notices of application for membership and submit them to the Executive Board for acceptance;
 - b) Maintain a membership register and provide Divisional Party Officers with lists of members as necessary under this Constitution;
 - c) Hold and maintain the Electoral & Political Parties Decrees /campaigning data of the Party and that of the Divisional Offices;
 - d) Ensure compliance with data protection legislation in Fiji;
 - e) Organise and run membership recruitment and renewal campaigns;
 - f) Ensure that the Party has a wide a range of social and political activities to facilitate member retention;
 - g) Develop and maintain the Party's websites, Facebook and twitter; and
 - h) Any other functions approved by the Board or the General Secretary.

19 Annual General Meeting

- 19.1 The Party shall hold an Annual General Meeting once a year. The Executive Board will determine the time, place and date for the Annual General Meeting. The General Secretary will be the secretary of the Annual General Meeting.
- 19.2 Only financial members can attend and vote at the Annual General Meeting. The quorum of the Annual General Meeting will be one third of the financial membership of the party.
- 19.3 The General Secretary shall give at least 30 days written notice of the time and place of the Annual General Meeting. Such notice shall specify all business to be conducted at the meeting.
- 19.4 Accidental failure to dispatch notice of the Annual General Meeting or a ballot paper in due time or at all to a person entitled to vote shall not invalidate an election or be treated as an irregularity, unless a majority of persons entitled to vote have not received notices or ballot papers at all or have received them too late to make it practicable to attend the meeting.
- 19.5 The Annual General Meeting may by a two-thirds majority agree to consider urgent or important business which has arisen since notice of the Annual General Meeting was given.
- 19.6 The Annual General Meeting may continue without a quorum if no member present objects.
- 19.7 Documents, papers, notices and minutes of all Annual General Meeting and Special General Meetings shall be kept in a secure place by the General Secretary of the Party.
- 19.8 The business of the Annual General Meeting shall include:
 - a) to receive a report from the President on the activities of the Party and the Executive Board since the previous Annual General Meeting;
 - b) to consider and, if thought fit, approve the audited accounts of the Party for the previous financial year together with an the external auditor's on those accounts, and to receive a report from the Treasurer including an outline budget for the following year;
 - c) to appoint External Auditors as required by the Political Parties Electoral Decree;

- d) to receive reports from the Divisional Representatives on the proceedings of the Divisional Conferences/Meetings since the previous ANNUAL;
- e) to transact any other business specified by the Constitution, or directed by the Executive Board; to consider any motion which has been submitted by any member of the Party to the Secretary in time for circulation with the notice of the Annual general Meeting; and
- f) to receive nominations for the election of Members of the Executive Board and to elect members in a secret ballot.

19.9 The Executive Board shall appoint an independent person to act as Returning Officer. The Returning Officer shall be responsible for the receipt of nominations and for the preparation and distribution of ballot papers, their receipt and counting on return, and the declaration of the results.

19.10 The members of the Executive Board shall be elected by and from members of the Party at the Annual General Meeting. If an election is contested, there shall be a secret ballot.

19.11 Nominations for election shall be invited in the notice summoning the Annual General Meeting, and shall close 14 days before the Annual General Meeting. The nominations must be proposed and seconded, and shall be in writing signed by the proposer, seconder and candidate.

19.12 Where elections are contested, ballot papers shall be distributed to financial members of the Party present at the Annual General Meeting, and must be returned to the Returning Officer at the Annual General Meeting.

19.13 An unsuccessful candidate who alleges that there has been or may have been an irregularity in the election may within one calendar month after the declaration of the result ask for an investigation by the Party in accordance with the Party Constitution. Subject to any order made after such an investigation, no irregularity shall invalidate an election.

20 Special General Meeting

20.1 The Board may call for a Special General Meeting to deliberate and decide on an important matter which cannot wait for the Annual General Meeting. The Board shall nominate a time and a venue for the Special General Meeting.

20.2 The General Secretary shall give out a notice of the Special General Meeting no less than 14 days before the meeting with the draft agenda.

21 Divisional Branches

- 21.1 The Party shall establish branches in the Central, Eastern, Western and Northern divisions provided that no branch shall be formed with less than 5 members.
- 21.2 The purpose of a Divisional Branch shall be to ***secure and sustain the confidence of the Division for the Party to govern Fiji.***
- 21.3 Each Divisional Branch shall have a representative office.
- 21.4 The Divisional Branch shall not hold any assets or incur liabilities. These shall vest in the Party.
- 21.4 The Divisional Branch will be administered by a Divisional Management Committee which is accountable to the Executive Board. The Management Committee will be headed by a President, a Branch Treasurer and 3 members of which one shall be designated to be the Secretary of the Committee.
- 21.5 The financial members of each Divisional Branch shall elect the members of its Divisional Management Committee at its Annual General Meeting or any other means approved by the Executive Board. The Divisional Branch shall submit the names of the members of the Division Management Committee to the Executive Board for endorsement. The tenure of each member of the Divisional Management Committee will be 4 years.
- 21.6 Minimum membership for each of the branch will be:
- a) Central Division 25;
 - b) Western Division 20;
 - c) Northern Division 15; and
 - d) Eastern Division 10.
- 21.7 The members of the divisional branch shall be:
- a) All members of the Party whose registered membership address is within the divisional area, unless they have opted to be a member of another divisional branch; and
 - b) No person may be a member of more than one Division.
- 21.8 All Divisional Branches shall be bounded by the provisions of this Constitution.
- a) The President of the Divisional Branch shall be accountable to Executive Board on all the affairs of the Branch.

- b) The Branch Treasurer shall report to the National Treasurer. The Branch Treasurer shall abide by the financial instructions issued by the National Treasurer and follow the financial management requirements as set out in this Constitution and other documents issued by the National Treasurer for the proper management of its finance. The Branch Treasurer shall report to the National Treasurer as and when required on the financial matters of the Branch.
- c) The Executive Board shall determine the accounting period of all Divisional Branches.
- d) The Branch shall not open its own bank accounts unless authorised by the Executive Board.
- e) The Branch may collect member's subscriptions which should be receipted and deposited into the Party's main account as soon as possible. The Branch shall maintain a register of members subscriptions that it collects on behalf of the Party.
- f) The Branch Treasurer shall keep records of all donations whether in cash or kind, received by the Branch and shall allow these records to be examined when required by the National Treasurer or the auditors of the Party.
- g) A Branch shall not levy a subscription or fee from its members, except those approved by the Executive Board.
- h) A Branch shall not incur any liability in the form of borrowing, overdraft, suppliers credit or other forms on behalf of the Party.
- i) The Branch shall not own assets which shall all vest in the Party.
- j) A Branch shall not enter into an agreement or contract on behalf of the Party except by the approval of the Executive Board.
- k) The Branch President shall submit the accounts of the Branch to the Executive Board twice in a year in June and December each year.
- l) The Party Auditor shall audit the financial accounts of the Branch. The Executive may order special audits of the Branch accounts.

21.10 A member of the Divisional Management Committee shall cease to be a member of the Committee upon ceasing to be a member of the Party or failing to attend three or more meetings of the Committee without giving notice.

PART V: ELECTIONS

22 Elections Strategic Sub Committee

22.1 The Board shall appoint an Elections Strategic Sub Committee with no more than six members to help the Party attain its purpose of ***securing and sustaining the***

confidence of the people for the Party to govern Fiji. The Board may appoint Board members or any other Party member to be members of the Elections Strategic Sub Committee. The Party Leader shall be the Chairman of the Elections Strategic Sub Committee. The General Secretary shall be an ex officio member of the Sub Committee

22.2 The Elections Strategic Sub Committee shall be deemed to be a Sub Committee of the Board and bounded by rules of the Board set out in this Constitution.

22.3 The responsibilities of the Elections Strategic Sub Committee are:

a) At least six months before the next national elections or at a time determined by Board submit to the Board for approval:

- i. an election strategy;
- ii. a campaign strategy;
- iii. a fund raising strategy to fund the required expenditure of the elections;
- iv. a budget for the elections; and
- v. a manifesto.

b) Coordinate the implementation of the strategies mentioned above and submit reports to the Board.

23 Candidate Selection Sub Committee

23.1 The Executive Board will appoint the candidates of the Party for the national and local municipal elections. The Board will prescribe the process of and the timelines for selecting the candidates for the national and municipal elections.

23.2 For national elections, the Executive Board shall appoint a Candidate Selection Sub Committee with no more than 5 members to select candidates under its prescribed processes and timelines. The members of the Candidate Selection Sub Committee can be any financial member who in the opinion of the Board has the required skills and experience to undertake the selection of candidates. The Board will appoint the Chairman of the Sub Committee from one of its members.

23.3 The Candidate Selection Sub Committee shall be deemed to be a sub committee of the Board and bounded by the rules set out in this Constitution.

23.4 The Sub Committee's tasks are to search, screen and recommend potential candidates to the Executive Board. The Executive Board may undertake its own screening of the candidates recommended by the Candidate Selection Sub Committee. It is not mandatory for the Executive Board to accept the recommendations of the Candidate Selection Sub Committee.

- 23.5 In selecting the candidate for the national elections, the Executive Board shall take into account the following:
- a) The ability of the candidate to achieve the Party's Object of ***winning and sustaining the confidence of the people for the Party to govern Fiji***;
 - b) Candidates should share in the Vision and Missions of the Party and uphold the Guiding Principles and the Values of the Party;
 - c) The Board should put the most weight on the candidate's ability to pull national votes followed by regional or provincial appeal ;
 - d) Candidate must demonstrate experience in relevant fields including community based work;
 - e) Candidate should have other attributes as the Executive Board may deem necessary;
 - f) The distribution of candidates amongst the divisions; and
 - g) Any candidate for election to public office standing as a representative of the Party must be a current member of the Party.

- 23.6 The membership of any member of the Party who stands at any public election as candidate or agent in opposition to a properly nominated candidate of the Party shall automatically and immediately be suspended.

24 Candidates Subscription

- 24.1 The Board shall determine the financial contribution that each candidate to the national and municipal elections is required to pay. The Board may change the level of financial contribution required at each election. These subscriptions must be paid into the Party's account and shall only be applied to the expenses of the Party for the election that the candidate is contesting.

25 Party List of Candidates

- 25.2 The Board shall establish the rules governing the preparation of the party list. The General Secretary shall be responsible for the preparation of the party list and its submission to the Supervisor of Elections within the stipulated time and pay the necessary fees.

- 25.3 The Board may prevent the candidate from being included in the party list if he or she is unable to pay the financial contribution or has not fulfilled the relevant conditions of this Constitution.

Part VII: Operations

26 Financial Management

- 26.1 The Party shall maintain financial management system and practices that promotes integrity, accountability, and prudence in the allocation, use and recording of all its resources. The party's financial management system shall comply with Fiji generally accepted accounting standards.
- 26.2 The Board shall set the financial policies of the Party. The National Treasurer shall be responsible to the Board for the execution of the financial policies.
- 26.3 The Management Group will keep the proper books of accounts and prepare annual financial statements which are to be submitted to the Executive Board within three months after the end of the financial year.

27 Budget

- 27.1 The financial year of the Party will be the calendar year or as determined by the Executive Board.
- 27.2 The National Treasurer shall prepare a budget for each financial year under a format prescribed by the Board and submit to the Board for approval at least two months before the start of the financial year.

28 Audit

- 28.1 The financial accounts of the Party shall be audited by an auditor appointed by the Annual general Meeting.
- 28.2 The National Treasurer shall submit the financial accounts for auditing no later than 4 months after the end of the financial year.

29 Bank Accounts

- 29.1 The Party will open bank accounts as required by a resolution of the Executive Board with three signatories who are the Chairman, General Secretary, and another Board member to be appointed by the Board.
- 29.2 The Party may open more than one bank account with the approval of the Board.

30 Expenditure and Revenue Management

- 30.1 The National Treasurer will develop the proper rules for procurement of goods and services and for authorizing expenses. These rules should ensure amongst other

things that the expenses are budgeted, sufficient allocation is available and that the procurement rules have been followed before expenditures are authorized. The National Treasurer shall document and monitor proper internal controls and ensure that they are complied with to protect the integrity of the party's resources.

- 30.2 Two of the three authorized signatories in S29.1 will be required to authorize expenditure and withdraw funds from the bank accounts.
- 30.3 All revenue of the Party shall be receipted, recorded, and deposited to the Party's designated bank account as soon as possible after they are received.
- 30.4 The General Secretary of the Party will acknowledge all financial contributions. A contribution register will be maintained by the Party according to the law.
- 30.5 This Constitution prohibits the distribution of revenue to the members.

31 Financial Reporting

- 31.1 The National Treasurer shall keep, maintain for six years accounting records which shall be available for inspection.
- 31.2 The National Treasurer shall ensure that records of donation of over F\$5,000 shall be kept and submit donations reports to the Executive Board.
- 31.3 The National Treasurer shall annually produce accounts which shall be approved by the Executive Board and as required by the Political Parties decree shall be audited and submitted to the Electoral Commission.
- 31.4 The National Treasurer shall submit the accounts of the Party together with an independent report to an Annual General Meeting.
- 31.5 The Party shall, at least 30 days before general elections, submit to the Registrar a statement of its assets and liabilities.

32 Authorised Signatories

- 32.1 The Executive Board will determine the authorized signatories of the Party identifying documents that should be signed by the President, Party Leader and General Secretary. No other party member can sign official documents of the Party. These documents may include:
 - a) Documents to be presented to the Registrar including membership register, mergers, and other reports;

- b) The opening of bank accounts and the authorization to withdraw funds from these accounts;
- c) The audited annual accounts and financial statements of the Party;
- d) Any report or document of the Party required under Decree No.4 of 2013 or any other written law; and
- e) The nomination certificates for any nomination or election of a member of the Party.

33. Asset Management

- 33.1 The Executive Board shall establish policies and procedures relating to its assets which should include procurement, investment, management, maintenance, and disposal.
- 33.2 The National Treasurer shall be responsible for the implementation of the Board's asset management policies and shall submit reports to the Board together with the accounts.

34 Public Release of Documents

- 34.1 The Party will release to the public various policy documents from time to time which may include the Platform and Manifesto. The Executive Board will ensure that these documents are of acceptable quality to the Party and prepared after adequate consultations.
- 34.2 The Board will prescribe the approval processes for the release of these documents to the public

PART VIII: GENERAL PROVISIONS

35. Internal Dispute Resolution

- 35.1 The Party shall follow dispute resolution process prescribed by the Board with the following principles:
 - a) The President and the Party Leader shall have responsibility to resolve conflicts in the Party;
 - b) The conflict should first be addressed at the originating level. The President will address conflict that originates at the Board level, the Party Leader at the Caucus level and the General Secretary at the Management Group level
 - c) If the conflict is between the President and the Party Leader the General Secretary should find an acceptable third person who can be a member of the Board to resolve the conflict.

- d) The conflict should be addressed as early as possible; and
- e) If necessary the Board should meet to resolve the conflict.

36 Disciplinary procedures

36.1 The Board shall prescribe the disciplinary procedures of the Party along the following principles:

- a) The alleged breach of this Constitution or other rules of the Party shall be in writing and signed by a Party member and tabled at the Board;
- b) The Board may appoint a sub committee to evaluate the breach and report to the Board with the recommendations;
- c) The Board shall give the opportunity to the member to state his or her position;
- d) Depending on the breach, the Board may consider discipline which may include;
 - i. A warning;
 - ii. A fine;
 - iii. Suspension from the Party;
 - iv. Expulsion from the Party; or a
 - v. Combination of the above.

36.2 The Board may refer the matter to the police if warranted.

37 Code of Conduct

37.1 The Party shall have a Code of Conduct to be approved by the Executive Board. The members of the Executive Board, the Management Group and others working for the Party shall be required to observe the Code of Conduct. The Executive Board will monitor the compliance with the Code of Conduct and determine the process to be followed for breeches of the Code.

37.2 The Executive Board will ensure that the provisions of the Party's Code of Conduct are in compliance with the provisions of the Code of Conduct provided for under the First Schedule of the Decree No.4 of 2013. This is in Schedule 3.

37.3 The Code of Conduct shall contain disciplinary measures against a member or official of the party including:

- a) The methods and procedure of disciplinary action;
- b) Possible disciplinary actions and reasons;
- c) Criteria of various disciplinary actions; and
- d) Consequences of each action.

38 Right of Inspection

- 38.1 The various books and the list of members of the Party can be inspected by any member of the Party or a member of the public provided a written request is submitted to the General Secretary of the Party.

39. Mergers

- 39.1 The Executive Board may consider a merger with another political party if the other party shares the Party's Vision and platform. The Board may appoint a sub committee to evaluate and if required negotiate the merger.
- 39.2 As soon as the Board has discussed the report of sub committee of the merger, the Executive Board shall call a Special General Meeting of the Party to discuss and decide on the merger.

40 Provisions for the Dissolution of the Party

- 40.1 The Party can be dissolved by a resolution of the Annual General Meeting. When the resolution is approved by the Annual General Meeting, the Executive Board shall take all necessary measures to dispose in a prudent manner all assets, including properties, belonging to the Party in all divisional branches. The Executive Board may convene a SGM to consider the report on the disposal of these assets and the distribution of funds.

41 Constitutional Interpretation and Amendment

- 41.1 The Constitution can be amended by a special resolution of the Annual General Meeting requiring the attendance of two-thirds of all financial members. Notice of the resolution to amend the Constitution with a proposer and seconder must be sent to the members by the General Secretary 30 days before the Annual General Meeting.
- 41.2 This Constitution may be amended only by a resolution of the Annual General Meeting expressly moved for that purpose; a resolution not expressly moved for that purpose and which is inconsistent with this Constitution shall have no effect.
- 41.3 In the event of any question of interpretation arising, or any question on which this Constitution is silent, the Executive Board shall have power to act according to its interpretation of the Constitution, or at its discretion;
- 41.4 No word or construction in this Constitution shall be taken to imply any discrimination whatsoever with regard to sex, race, colour, creed, age, disability, sexual orientation, or any other ground other than political belief or practice;

- 41.5 One copy of the Constitution together with the Party Platform and the Manifesto shall be deposited with the Headquarters and one shall be kept within each Divisional Office.
- 42.6 Notwithstanding the foregoing sections, this Article may be amended only by resolution of the Annual General Meeting passed with the support of not less than two-thirds of the delegates.

SCHEDULE 1

Symbol of the proposed Unity Fiji



Schedule 2

Attributes of Party Leader

(a) Essential attributes of the Team Leader:

- (i) Strong national appeal across all categories of voters.
- (ii) Respected and well known nationally.
- (iii) Demonstrated leadership experience.
- (iv) Articulate public speaker
- (v) Good leadership style e.g. inclusive, decisive
- (vi) Competencies to debate national, economic, and social issues publicly.
- (vii) Strong in setting strategies

(b) Preferred attributes

- (i) Experience in parliament
- (ii) Experience in government
- (iii) Graduate
- (iv) Experience in communities

SCHEDULE 3:

UNITY FIJI

CODE OF CONDUCT

This code of conduct shall regulate the behaviour of members and office holders of the Unity Fiji, aspiring candidates, candidates and their supporters, promote good governance and eradicate political malpractices.

1. Unity Fiji shall uphold the Godly principles and shall:

- a) Put the service of the people first;
- b) Be inclusive and consultative;
- c) Be honest and accountable;
- d) Promote mutual respect, tolerance and love among all citizens; and
- e) Respect the diversity of ethnic cultures and identities;

2. Unity Fiji shall:

- a) respond to the interests, the concerns and the needs of the citizens of Fiji;
- b) respect and uphold the democratic process as they compete for political power so as to implement their policies;
- c) promote consensus building in policy decision making on issues of national importance;
- d) promote national patriotism and national unity; and
- e) respect, uphold and promote democratic values and principles, performing inclusive participation of political party members and accountable representation in governance.

3. Unity Fiji shall:

- a) respect the right of all persons to participate in the political process;
- b) respect and promote human rights and fundamental freedoms and the rule of law; and
- c) respect, uphold and promote human dignity, equity, social justice, equality and non-discrimination.

4. Unity Fiji shall:

- a) respect and uphold this Decree and any other written law relating to elections and political parties;
- b) respect and uphold their respective political party constitutions, political party election rules, political party nomination rules and any other political party rules and regulations developed and agreed upon in accordance with this code of conduct;
- c) respect, uphold and promote good governance, integrity, transparency and accountability;

- d) (d) respect, uphold and promote democratic practices through regular, free, fair and credible elections within the political party and include having democratically elected office holders and political party organs; and
- e) perform transparency and accountability in all party policies, rules, structures, procedures and performance.

5. Unity Fiji shall not:

- (a) engage in or encourage violence by its members or supporters;
- (b) engage in influence peddling, bribery or any other form of corruption;
- (c) accept or use illicit or illegal money;
- (d) accept or use public resources other than those allocated to the political party; and
- (e) advocate hatred that constitutes ethnic or religious incitement or vilification of others or any other communal antagonism.

END