

CONSTITUTION

1. Introduction

- 1.1 This is the constitution (the “**Constitution**”) of the political party known as The Progress Party (the “**Party**”).

2. Statement of Objectives and Values

- 2.1 The Party will produce policies reflecting the following key values, namely the need:

- 2.1.1 to sustain a diverse and successful economy for the benefit of all islanders;
- 2.1.2 for a balanced, sustainable and viable environment;
- 2.1.3 to promote an inclusive and caring community;
- 2.1.4 to support the mental and physical well-being of islanders;
- 2.1.5 to feel safe and secure in our island.

- 2.2 The Party will:

- 2.2.1 provide a platform for the endorsement of candidates for election to the States Assembly;
- 2.2.2 provide an infrastructure to support the Party’s elected representatives;
- 2.2.3 actively participate in the political process;
- 2.2.4 engage with and involve Members in the progress of the Party;
- 2.2.5 encourage Islanders to participate in public elections;
- 2.2.6 encourage Members to stand for public office;

(hereinafter 2.1 and 2.2 referred to as the “**Objectives and Values**”)

3. Registration of The Progress Party under the Political Parties (Registration)(Jersey) Law 2008 (the “2008 Law”)

- 3.1 On the registration under the 2008 Law the Party shall become an official party to further its Objectives and Values by endorsing candidates for election to public office.



PART ONE

THE PROGRESS PARTY MEMBERS

4. Membership of the Party

- 4.1 The Party is open to all who share its Objectives and Values and who undertake as Members to be bound by the Constitution.
- 4.2 The Party shall consist only of its Members.

Classes of members

- 4.3 From the registration of this Party, the Party members shall consist of:
 - 4.3.1 the founding Members; and
 - 4.3.2 each person who subsequently becomes a Member in accordance with this Constitution;and referred to in this Constitution as “**Member**” or “**Members**” as the context refers in accordance with the bye-laws.

Application for membership

- 4.4 Membership of the Party will be open to any person ordinarily resident in Jersey in accordance with the bye-laws.
- 4.5 Applications for persons wishing to be members of the Party will be in accordance with the bye-laws.

Members’ obligations

- 4.6 Membership of the Party is subject to the Member
 - 4.6.1 agreeing to be bound by this Constitution; and
 - 4.6.2 agreeing to work to sustain and promote the Objectives and Values of the Party; and
 - 4.6.3 paying such subscription to the Party as may be determined.

Membership List

- 4.7 The names of Members shall be entered on the Party’s membership list (the “**Membership List**”) which shall be kept, administered and up-dated in accordance with the bye-laws.



4.8 Inclusion on the Membership List shall be conclusive as to membership of the Party.

Membership Termination

4.9 A person shall cease to be a Member:

4.9.1 on resigning by notice in writing delivered to the Secretary;

4.9.2 on not paying the subscription fee when called upon to do so in accordance with the bye-laws;

4.9.3 as a result of an allegation of misconduct or a breach of the bye-laws by a Member which in the opinion of the Disciplinary Committee is sufficiently serious to warrant expulsion from the Party;

each referred to as "**Termination of Membership**")

4.10 A person whose membership is terminated shall not be regarded as a Member or have the rights or obligations thereto of a Member and shall be removed from the Membership List.

Suspension of Membership

4.11 A person may be suspended as a Member for a period of time in accordance with the bye-laws.

4.11 The bye-laws may provide amongst other matters:

4.11.1 for the suspension from membership of a Member while any money is due to the Party by that Member.

4.11.2 for the suspension from membership of a Member pending investigation of an allegation of misconduct a breach of the bye-laws or codes of conduct.

4.11.3 for the suspension from membership of a Member where an allegation is upheld by the Disciplinary Committee but the penalty does not warrant expulsion;

each referred to as a "**Suspension of Membership**".

4.12 A person whose membership is suspended shall not be regarded as a Member or have the rights or obligations thereto of a Member for the period of suspension.



Subscription of Members

- 4.13 Subject to the bye-laws a subscription fee will be payable.
- 4.14 Subscriptions shall be payable by the Members in such amounts as determined from time to time by the Party at annual general meeting.
- 4.15 No Member by reason only of being a Member or a former member of the Party shall be liable to contribute any other amount personally to the assets and liabilities of the Party in the absence of fraud or criminality on the part of that Member.

Member rules

- 4.16 The bye-laws may provide for rules of membership of the Party, referred to as the “**Membership Rules**”).



PART TWO

ADMINISTRATION OF THE PARTY

1. Meetings of the Party

- 1.1 The Party shall hold an annual general meeting for its Members.
- 1.2 The Party may hold other general meetings or extraordinary general meetings.
- 1.3 At a general meeting:
 - 1.3.1 each member shall have the right to exercise one vote on each issue or motion; and
 - 1.3.2 each issue or motion shall be decided by a simple majority of votes cast.
- 1.4 A general meeting is subject to:
 - 1.4.2 The provisions of the bye-laws relating to the equality of votes on a decision;
 - 1.4.3 To the provisions of the bye-laws.

2. The Executive Committee of the Party

- 2.1 There shall be an executive body of the Party which shall administer its affairs in the name of the Party and on its behalf (“the **Executive Committee**”).

3. Executive Committee Functions

- 3.1 The Executive Committee shall:
 - 3.1.1 be responsible for all matters of Party management organisation promotion and administration;
 - 3.1.2 develop Party policy and manifesto for the Party to approve at annual general meeting;
 - 3.1.3 perform such other functions as necessary to further the Objectives and Values of the Party.



4. Executive Committee members

- 4.1 Subject to the transitional arrangements and as otherwise contained herein the Executive Committee will consist of the following persons:
- 4.1.1 The Leader
 - 4.1.2 The Deputy Leader
 - 4.1.3 The Party Chair
 - 4.1.4 Treasurer
 - 4.1.5 Secretary
 - 4.1.6 Such other Committee members as the bye-laws may specify.
- 4.2 The Leader, the Treasurer and the Secretary are the officers of the Party as required by the 2008 Law.
- 4.3 Only Members are entitled to be members of the Executive Committee.
- 4.4 Subject to the transitional arrangements and as otherwise contained herein the quorum of the Executive Committee is 5.
- 4.5 The powers of the Executive Committee are not otherwise affected by a vacancy in the Executive Committee membership provided that it is quorate.

5. Executive Committee meetings

- 5.1 The Executive Committee shall meet as the bye-laws may specify.
- 5.2 At a meeting of the Executive Committee:
- 5.2.1 each Executive Committee member shall have one vote on any issue or motion;
 - 5.2.2 each issue or motion shall be decided by a simple majority of those votes cast.
- 5.3 A meeting of the Executive Committee is subject to:
- 5.3.1 the provisions of the bye-laws relating to the equality of votes on a decision;
 - 5.3.2 to the provisions of the bye-laws.



- 5.4 The Executive Committee may appoint any of its members to exercise and perform the functions powers and duties of any officer while that officer is for the time being unable to act.
- 5.5 The Executive Committee may appoint such sub-committee or sub-committees and or working parties as they shall from time to time determine are necessary.
- 5.6 Subject to the overriding Objectives and Values and as contained within this paragraph the Executive Committee may otherwise regulate its own procedure in accordance with the bye laws.

6. Election of Executive Committee members

- 6.1 Save for the transitional arrangements and as otherwise contained herein, the members of the Executive Committee shall be elected by the Members at an annual general meeting.
- 6.2 An Executive Committee member shall hold office in accordance with the bye-laws.
- 6.3 Executive Committee members shall be eligible for re-election unless the bye-laws state otherwise.
- 6.4 All Executive Committee member posts shall be honorary unless the bye-laws state otherwise.

7. Vacation of office

- 7.1 An Executive Committee member shall cease to hold office:
 - 7.1.1 on resigning by notice delivered in writing to the Secretary
 - 7.1.2 on Termination of Membership
 - 7.1.3 on being declared bankrupt
 - 7.1.4 on being imprisoned for longer than 3 months
 - 7.1.5 on the appointment of a delegate for the Member's affairs
 - 7.1.6 on not attending 3 or more consecutive Executive Committee meetings without the written consent of the Executive Committee
 - 7.1.7 on being removed by the Party at an extraordinary general meeting in accordance with the bye-laws.



- 7.2 If an Executive Committee member ceases to hold office before the expiry of the member's term, the Party may at a general meeting elect another person to fill the vacancy if the Party Chair requests this
- 7.3 A person who is elected to fill such a vacancy shall hold office for the remainder of the term of the Executive Committee member whom he or she replaces.

8. The Annual Report

- 8.1 The Executive Committee shall publish an Annual Report to the Members at least 7 days prior to the annual general meeting.
- 8.2 The Annual Report will contain, amongst other matters:
- 8.2.1 report on Finances
 - 8.2.2 report on Policies
 - 8.2.3 report on membership total
- 8.3 The Executive Committee may otherwise determine the contents of the Annual Report.

FINANCES

9. Treasurer

- 9.1 The finances of the party shall be managed by the Treasurer in accordance with the bye-laws.

10. Party Funds

- 10.1 Party funds may only be spent on furthering the Objectives and Values and developing the policies of the Party, supporting Selected Candidates which shall include the Party's general administration costs or for such other purposes as are for the time being authorised or required by the Executive Committee.

11. Accounting

- 11.1 The Treasurer shall keep full and accurate accounts of all monies received and spent by the Party and of its assets and liabilities.
- 11.2 The accounts shall provide a true and fair view of the Party's affairs and explain its transactions.



11.3 The Party's financial records shall be available for inspection by the Party Chair and or the Executive Committee at any time.

11.4 The bye-laws may provide for the auditing of the Party's accounts.

12. Bank Account

12.1 A bank account may be opened for the Party and be operational on the basis of two signatures of the Executive Committee, one of whom must be the Treasurer.

13. Donations financial gifts etc

13.1 The Party through the Executive Committee may fundraise, accept donations or accept financial gifts from Members and or third parties.

13.2 The bye-laws may provide for rules and regulations in relation to fundraising donations and or financial gifts.

13.3 The bye-laws may provide for the auditing of the Party's fundraising donations and or financial gifts.

14. Bye-Laws

14.1 The Party may make bye-laws for the internal management of its affairs. In case of discrepancy between the Constitution terms and the bye-laws, the Constitution shall take precedence.

14.2 In relation to the Membership Rules the bye-laws may provide for the following matters, namely:

14.2.1 the process for becoming a Member;

14.2.2 the criteria as to whom will be accepted as a Member;

14.2.3 classes of members;

14.2.4 The setting of annual subscriptions;

14.2.5 conduct of Members;

14.2.6 the suspension or termination of a membership;

14.2.7 the appeal processes in relation to acceptance, suspension and or termination of a membership; and

14.2.8 generally such other rules and regulations regarding Membership as may be appropriate



- 14.3 In relation to general meetings of the Party and meetings of the Executive Committee the bye-laws may provide for the following matters, namely:
- 14.3.1 the frequency they are to be held, the manner in which they shall be convened, the business that is to be transacted and the notice that is to be given to a member;
 - 14.3.2 quorums, and the persons who shall preside;
 - 14.3.3 in the case of equality of votes the resolution of a question of casting vote of the person presiding or by lot;
 - 14.3.4 the method of voting to be used and the recording and counting of votes (including the conclusiveness of a count); and
 - 14.3.4 generally such other rules and regulations as may be appropriate
- 14.4 In relation to the Executive Committee the bye-laws may provide for the following matters, namely:
- 14.4.1 the number of Executive Committee members
 - 14.4.2 the classes of members who are eligible to be Executive Committee members;
 - 14.4.3 the continuance of Executive Committee members in office (notwithstanding the expiry of their terms) until their successors take up office;
 - 14.4.4 circumstances in which Executive Committee members are or are not eligible for re-election;
 - 14.4.5 the manner in which candidates for election as Executive Committee members shall be nominated;
 - 14.4.6 the appointment by the Executive Committee of sub-committees, and the delegation by the Executive Committee of functions and powers to them;
 - 14.4.7 duties of the Executive Committee, Executive Committee members and members of sub-committees; and
 - 14.4.8 generally, the regulation of the way in which the Executive Committee is to administer the affairs of the Party.
- 14.5 In relation to the discipline of Members the bye-laws may provide for the following matters, namely:
- 14.5.1 the prescription or adoption of any code or rules of conduct for Members and or Elected States Members



- 14.5.2 the issuing by the Executive Committee of directives in writing that relate to the conduct of Members and or Elected States Members and are binding on them.
- 14.6 The bye-laws may also provide:
 - 14.6.1 for any other matter for which an Article provides that bye-laws may be made; and
 - 14.6.2 for any other matters that are reasonably necessary for or incidental to the purposes of this Constitution.
- 14.7 Reference to the words in 'accordance with the bye-laws', the 'provisions of the bye-laws' or similar phrases are to such bye laws that may be published from time-to-time and do not necessarily infer or deem to infer that relevant bye-laws are yet in force.
- 14.8 The bye-laws shall bind each Member of the Party
- 14.9 Subject to the transitional arrangements the powers of the Party in relation to adopting amending or removing bye-laws shall be exercisable:
 - 14.9.1 at an annual general meeting; or
 - 14.9.2 at a general meeting that has been convened specially for the purpose
- 14.10 Following a decision of the Members the Secretary shall (or arrange to) publish the amended updated or new bye-laws in a timely manner and in such form that is likely to bring them to the attention of the Members.



PART 3 A

CANDIDATES FOR ELECTION | STATES MEMBERS

1. Candidate List

- 1.1 As and when deemed necessary by the Executive Committee a list of candidates (the “**Candidates’ List**”) considered appropriate by the Party to stand for election (or bye-elections) or re-election to the States Assembly will be established and maintained.

2. Candidate requirements

- 2.1 In order for a Candidate to be eligible to be on the Candidates’ List a Candidate must be a Member.
- 2.2 All Members have the right to place their name on the Candidates’ List.
- 2.3 Only Selected Candidates (as defined below) may stand for election or re-election in the name of the Party.
- 2.4 A Member who stands against a Selected Candidate (as defined below) shall automatically cease to be a Member.

3. Selection Process

- 3.1 Candidates shall be selected from the Candidates’ List by a Selection Panel appointed by the Executive Committee and endorsed by the Executive Committee as persons suitable to stand on behalf of the Party (the “**Selected Candidates**”).
- 3.2 The selection policy and procedure to select Candidates shall be as determined by the Executive Committee in accordance with the bye-laws.

4. The Selected Candidates

- 4.1 The Selected Candidates in an election campaign:
- 4.1.1 shall have the endorsement and support of the Party;
 - 4.1.2 must adhere to the Objectives and Values of the Party;
 - 4.1.3 must adhere to the Membership Rules and bye-laws;
 - 4.1.4 must adhere to the Executive Committee’s directions.



PART 3 B

STATES MEMBERS

1. The Successful Candidate(s)

- 1.1 The Selected Candidate(s) elected at a public election as a States of Jersey member or whomever is already an elected States of Jersey member and becomes a Member (“**Elected States Member**”) shall have the endorsement and or the support of the Party.

2. The Elected States Member obligations

- 2.1 The Elected States Member shall:

2.1.1 adhere to the overriding Objectives and Values of the Party;

2.1.2 adhere to the Membership Rules and bye-laws as may be in force from time to time;

2.1.3 discuss any proposition with the Party Whip prior to a vote on that proposition in the States Assembly;

2.1.4 adhere to the Party Whip’s instructions in accordance with the bye-laws and any code of conduct the Party Whip may introduce from time to time.

3. Removal of support by the Party of the Elected States Member

- 3.1 An Elected States Member shall cease to have the endorsement and support of the Party:

3.1.1 On Termination of Membership

3.1.2 On resigning from the Party by notice delivered in writing to the Secretary

3.1.3 For the reasons set in in 3.2 below

- 3.2 An Elected States Member may cease to have or have suspended the endorsement and support of the Party:



3.2.1 for not adhering to the instructions of the Party Whip in the manner in which the Elected States Member promotes and or votes on propositions presented to the States Assembly in accordance with the bye-laws;

3.2.2 as a result of the Elected States Member's behaviour being found sufficiently serious by the disciplinary committee to warrant termination of membership from the Party.

4. Effect of Removal of Endorsement and Support by the Party of the Elected States Member

4.1 In cases where the Elected States Member resigns or the Party expels the Elected States Member he or she shall:

4.1.1 no longer be listed as a Member of the Party; and

4.1.2 no longer be entitled to hold themselves out as being a Member; and

4.1.3 the Leader shall make a public statement to that effect.



PART 3 C

PARTY WHIP

1. Appointment

- 1.1 The Executive Committee shall appoint from the Elected States Members a party whip (the “**Party Whip**”).

2. Role and Responsibility of the Party Whip

2.1 The Party Whip:

- 2.1.1 shall seek to ensure the Elected States Members vote on propositions in accordance with the Party’s Objectives and Values and manifesto pledges;
- 2.1.2 will be responsible for managing discipline of the Elected States Members;
- 2.1.3 has the power to introduce amend or replace a code of conduct for Elected States Members to abide by subject to the approval of the Executive Committee;
- 2.1.4 has the power refer a complaint about an Elected States Member under the provisions of Part 4 Disciplinary and to suspend and or withdraw the whip pending outcome of said complaint; and
- 2.1.5 may relax the whip after consultation with the Executive Committee.



PART 3 D

LEADER

1. Appointment

- 1.1 Save for the appointment of the founding Leader any subsequent Leader shall be elected by the Members from the list of those Members who have expressed a wish to be Leader and this at general meeting in accordance with the bye-laws.
- 1.2 If the Leader has not been elected to the States Assembly, then another Elected States Member should be elected to that role by general meeting.
- 1.3 Unless the Leader is removed by a vote of the Members or resigns the Leader shall hold office.
- 1.4 Unless the bye-laws so provide the Leader shall be eligible for re-election to that post.

2. Role and Responsibility of the Leader

2.1 The Leader shall:

- 2.1.1 be the principal spokesperson of the Party;
- 2.1.2 be the focal point of inspiration and encouragement for Members and supporters of the Party;
- 2.1.3 represent the Party in the States Assembly by being the principal spokesperson of the Elected States Members;
- 2.1.4 appoint and oversee negotiation teams with the prior approval of the Executive Committee in the event of discussions on any political arrangements with other parties or individual States Assembly members;
- 2.1.5 be required to work in conjunction with the Party Chair regarding representation and development of the Party and its Objectives and Values; and
- 2.1.6 be required to work collaboratively with the Party Whip; and



2.1.7 assume and perform such and all other responsibilities and roles expected of a leader of a democratic political party.



PART 3 E

DEPUTY LEADER

1. Appointment

- 1.1 A Deputy Leader shall be elected by the Members from the list of those Members who have expressed a wish to be Deputy Leader in accordance with the bye-laws.
- 1.2 If the Deputy Leader has not been elected to the States Assembly, then another Elected States Member should be elected to that role by general meeting.
- 1.3 Unless the Deputy Leader is removed by a vote of the Members or resigns the Deputy Leader shall hold office in accordance with this Constitution.
- 1.4 Unless the bye-laws so provide the Deputy Leader shall be eligible for re-election to that post.

2. Role and Responsibility of the Deputy Leader

- 2.1 The Deputy Leader shall:

- 2.1.1 subject to the instruction of the Leader be a spokesperson of the Party;
- 2.1.2 subject to and in conjunction with the Leader be a focal point of inspiration and encouragement for Members and supporters of the Party
- 2.1.3 in the absence of the Leader represent the Party in the States Assembly by being the principal spokesperson of the Elected States Members
- 2.1.4 be required to work in conjunction with the Leader and or the Party Chair regarding representation and development of the Party and its Objectives and Values; and
- 2.1.5 be required to work collaboratively with the Leader and or the Party Whip; and
- 2.1.6 assume and perform such and all other responsibilities and roles as required.



PART 4

DISCIPLINARY

1. Panel

- 1.1 There shall be a standing disciplinary panel (the “**Disciplinary Standing Panel**”) established in accordance with the bye-laws.

2. Tenure

- 2.1 The tenure of the members of the Disciplinary Standing Panel will be in accordance with bye-laws.

3. Membership of the Disciplinary Panel

- 3.1 A disciplinary panel consisting of two members from the Disciplinary Standing Panel plus the chair (the “Disciplinary Panel Chair” as established in accordance with the bye-laws) shall be convened each time a disciplinary issue against a Member is referred for determination in accordance with the bye-laws.

4. Procedure and conduct of proceedings

- 4.1 The procedure and conduct of a disciplinary issue against a Member shall be in accordance with the bye-laws.

5. Appeal

- 5.1 The Member shall have a right of appeal to the Disciplinary Appeal Panel (as defined below) against a decision of the disciplinary panel that heard the Member’s case in accordance with the bye-laws.

APPEAL

Appeal against a disciplinary decision

6. Appeal Panel

- 6.1 There shall be a Disciplinary Appeal Panel in accordance with the bye-laws.



7. Tenure

7.1 The tenure of the members of the Disciplinary Appeal Panel will be in accordance with the bye-laws.

8. Appeal Panel

8.1 The Disciplinary Appeal Panel shall be convened if a Member appeals against a finding of a Disciplinary Panel in accordance with the bye-laws.

9. Procedure and conduct of appeal

9.1 The procedure of an appeal hearing and conduct of the Disciplinary Appeal Panel shall be in accordance with the bye-laws.

10. Determination

10.1 On hearing the appeal the Disciplinary Appeal Panel may reject or uphold the decision of the disciplinary committee.

10.2 There is no further right of appeal.



PART 5

MISCELLANEOUS

1. Dissolution

1.1 In accordance with the bye-laws the Party may be dissolved at any time at a general meeting.

1.2 Any property or funds of the Party remaining following the payment of all debts and liabilities of the Party shall be distributed to a charity or charities working in Jersey as the Executive Committee shall approve prior to dissolution.

2. Amendment of Constitution

2.1 In accordance with the bye-laws this Constitution may be amended from time to time at an extraordinary general meeting.

3. Ownership of Intellectual Property rights

3.1 Any Website social media platform set up by and for the use of the Party and other related Party material, internet presence, domain names, email accounts, logos and related copyright is owned by the Party.



PART 6

TRANSITIONAL ARRANGEMENTS

This article applies from the date the Constitution is registered under the 2008 Law till the first annual general meeting of the Party.

1. Members

1.1 The founding members shall be:

1.1.1 those whom signed the application under the Law for the Party to be registered as a political party and whom have stated they wish to be a founding Member.

2. Executive Committee

2.1 The interim Executive Committee members shall be:

2.1.1 Senator Stephen William Pallett - interim Leader

2.1.2 Deputy Stephen George Luce - interim Secretary

2.1.3 Edward James Noel - interim Treasurer

(the "Interim Executive Committee Members")

2.2 The Interim Executive Committee Members may appoint at the inaugural general meeting an interim Party Chair, Deputy Leader and such other interim members of the Executive Committee as they consider appropriate.

2.3 The interim Executive Committee Members may hold office till the first annual general meeting at which time they are all subject to election by the Members.

3. Party Whip

3.1 The interim Party Whip shall be appointed by the Executive Committee from the Elected States Members as and when considered necessary.

3.2 The interim Party Whip may hold office till the first annual general meeting at which time the Party Whip will be subject to re-appointment by the elected Executive Committee.



4. Inaugural general meeting

4.1 An inaugural general meeting will be held within 30 working days of the registration of the Party under the 2008 Law to:

4.1.1 confirm the appointment of the Interim Executive Committee Members;

4.1.2 appointing an interim Party Chair, Deputy Leader, Party Whip and such other interim Executive Committee members as and if considered appropriate.

4.1.3 adopt such interim bye-laws as may be required till the first annual general meeting of the Party; and

4.1.4 any other business that is considered necessary or appropriate.

4.2 The quorum for the inaugural general meeting shall be 3 Members.

5. First AGM

5.1 The date of the first annual general meeting shall be determined by the interim Executive Committee which shall be a date no later than one year from the registration of the Party pursuant to the 2008 Law.