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## **CONSTITUTION OF ADVANCED CONGRESS OF DEMOCRATS (ACD)**

**PREAMBLE:** We, the democrats of Nigeria, having resolved to form a political party in pursuit of our ideological agenda for the good of all Nigerians, so hereby make, enact and give to ourselves the following Constitution whose provisions shall be binding on ourselves. In doing so, we pledge our abiding royalty to the Federal Republic of Nigeria whose Constitution shall at all times supersede the Constitution of our party.

### **ARTICLE 1. NAME:**

There shall be a democratic political party to be referred to, known as and called the ADVANCED CONGRESS OF DEMOCRATS hereinafter referred to as ACD (where the context so admits)

### **ARTICLE 2. MOTTO**

The Motto of the party shall be “Justice, Peace and Growth”

### **ARTICLE 3. SLOGAN:**

The Slogan of the party shall be:

Democracy for Ever

Bye bye to poverty.

### **ARTICLE 4. EMBLEM:**

The Emblem of the party shall be a crown symbolizing real power to the people and our sincere commitment to true democracy in Nigeria. Green colour Signifies wealth and the party’s commitment to an agricultural based economy; white signifies our commitment to purity, transparency, honest and accountability to the people of Nigeria; black signifies our recognition of the sufferings of blacks all over the world and our commitment to alleviating them; red represents the struggles of our democratic heroes gone. as well as our determination to continue.

### **ARTICLES 5. LEGAL STATUS**

The party shall forward its Name, Emblem, Constitution, Manifesto and Address to the Independent national Electoral Commission (INEC) and shall

to all intent and purposes be in consonant with the provisions of the constitution of the Federal Republic of Nigeria and shall meet such other conditions as may be required under the provisions of the Constitution of the Federal Republic of Nigeria.

**ARTICLES 6. SUPREMACY:**

Subject to the provisions of the Constitution of the Federal Republic of Nigeria or any other laws for the time being in force, the provisions of the Constitution shall take precedence over and above any rules and regulations of the Party.

**ARTICLES 7. REGISTERED OFFICE:**

The registered office of the Party shall be in the Federal Capital Territory Abuja, with branches in the state capitals, local government areas including Abuja area councils, and wards, of the Federation.

**ARTICLE 8. PRINCIPLES, AIMS AND OBJECTIVES:**

1. The Principles, aims, Objectives of the party shall at all times and in all ramification conform with the fundamental objectives and directive; principles of state policy as enshrined in chapter ii of the Constitution of the Federal Republic of Nigeria and accordingly, the party shall pursue the political economic, social, educational and other objectives which shall confirm with the aforesaid fundamental objectives and directive principles of the state policy as stated in the aforesaid chapter two of the Constitution of the Federal Republic of Nigeria.
2. The principle of the Party is growth for the general welfare of the citizenry.
3. The objectives of the party shall be:
  - a. To participate effectively in installing selfless, credible and capable political leadership through democratic and constitutional means for the purpose of creating socio-economic conditions which the productive energies of individuals and corporate groups will be enhanced and utilized for national development.

- b. To promote peace, order and good governance whose primary responsibility shall be the welfare and security of all citizens based on the principles of freedom, equality, fairness and justice
- c. To co-sponsor and present candidates for election in the Local Government Councils and similar councils in the Federal Capital Territory and legislative houses and for the offices of Governor, Deputy Governor, President and Vice president.
- d. To undertake other activities which in the opinion of the party are ancillary, incidental or conducive to the promotion of the aforementioned aims and objectives.
- e. To promote unity, integrity, sincerity and stability of the Federal republic of Nigeria.
- f. To promote participatory democracy at all levels of government, and to ensure accountability and transparency in governance.
- g. To encourage and promote the development of Agriculture, Commerce, Industry, Science and technology and gainful employment through its Institutions for sustainable growth.
- h. To harness the educational and economic potentials of Nigeria for the establishment and sustenance of economic environments.
- i. To relentlessly fight the evils of gross mismanagement and rampant corruption which have permeated our social life, and to ensure restoration of public confidence, law adherence, justice and fair play.
- j. To promote cultural values of black people all over the world and maintain international peace, harmony, co-operation and war against terrorism.
- k. To uphold the Rule of law, defend the freedom of press and fundamental human rights of all Nigerians.
- l. To serve as a moral reference point and be an effective forum within the polity of Nigeria.
- m. To decisively influence and sanitize political activeness in the country and work for determination of the political fortunes and control of government.
- n. To endeavour to upgrade the quality of our politicians and the integrity of our politics.
- o. To crminate poverty, ignorance, disease, discrimination of all kinds and exploitation in our society.

- p. To form global partnership with Nigerians in the Diaspora for promotion and enhancement of good government and true patriotic leadership in the various political pursuits.

#### **ARTICLES 9, MEMBERSHIP**

- a. Membership of the Party shall be open to every citizen of Nigeria irrespective of his religion, ethnic origin, place of birth, sex, social or economic status, provided that the person is not below the age of 18 years and is not a member of another political party, or if he was such a member, has resigned such membership;
- b. A member accepts the principles, aims and objectives, fundamental values, policies and programmes of the party.
- c. Application for membership shall be made on an individual basis;
- d. A person shall be registered as a member of the Party at the Ward in which he normally resides; and
- e. Each member shall pay the prescribed annual membership fee.
- f. every member shall possess a membership card
- g. Every member shall strive to understand and propagate the ideology, aims and objectives of the party.
- h. A member shall be disciplined and shall refrain from anti-party and unpatriotic activities.

#### **ARTICLE 10. RIGHTS AND OBLIGATIONS OF MEMBERS:**

- (A) i. Qualifications for membership shall from time to time be prescribed by the National Executive Committee of the Party or any other bodies authorized to do so by the National Executive Committee or the National Convention.
- ii. Upon registration, a member shall be deemed to have:
  - a. Accepted to abide by the provisions of this Constitution as well as the policies, programmes regulations and ideals of the party.
  - b. accepted to abide by all lawful rules, regulations, directives and decisions of the party or any of its organs and
  - c. Accepted to promote the principles, aims and objectives of the party and to refrain from pursuing and cause of action that may be inconsistent with or inimical to the interest of the Party.

- iii. Every member shall have the right to actively participate in the activities and discussions of the branch of the party of which he is a member provided, such member is a current financial member and subject to any qualification, rules and regulations of provisions of this constitution
- iv. Every member shall have the right to vote and be voted for into any office or post of the party during any election provided, such member is and has been active and is a current financial member of the party continuously for 12 Calendar months.
- v. The first elections to any offices or posts of the Ward, Local Government, State or National levels shall not be subject to the provisions of sub-section (iv) above.

(b) **Register of Members:** a register of members shall be kept and maintained at every level of the party's secretariat, namely, Ward, Local Government Area, State and National, provided always that every such level of the party shall update its membership record from time to time. It shall be the responsibility of a member to ensure that his/her name is duly entered in ward register.

(c) **Termination of membership:** membership shall be terminated by resignation of membership, expulsion, or death. If by resignation or expulsion such a member shall be legally obliged to return to the party all its properties in his/her possession; and if by death of a member, his/her next-of-kin shall be similarly obliged.

#### **ARTICLE 11. PARTY ORGANIZATION:**

- (1) **Party Levels:** There shall be five levels of Party Organization, namely:
  - (a) Ward
  - (b) Local Government Area (LGA)
  - (c) State
  - (d) Zonal
  - (e) National

This provision relating to Ward, LGA and State levels shall apply *mutantis mutandis* to the Wards and Area Councils of the Federal Capital Territory as if it were a State.

#### **(2) Principal Party Organs:**

- (a) The following shall be the principal organs of the party:

- (i) The Ward Executive Committee
- (ii) The Ward Congress
- (iii) The L.G.A Executive Committee
- (iv) The L.G.A Congress
- (v) The State Executive Committee
- (vi) The State Congress
- (vii) The Zonal Caucus
- (viii) The National Caucus
- (ix) The National Executive Council
- (x) The National Convention

(b) Each executive committee or council shall implement the policies of and shall be accountable and report to the congress or convention at its own level.

(c) In all respect, Party hierarchy shall ascend correspondingly from the ward to the national level.

(d) The Zonal Caucus and the National Caucus shall not be normally involved in the day-to-day running of the Party. Their functions are spelt out in article 11(3) (N) & 11(3) (Qr) of this Constitution.

(e) Each state executive committee and the national executive council shall have a standing sub-committee to be known as the Working Committee whose functions shall be as spelt out in this Constitution.

(f) The above principal organs of the Party shall have power to set up standing or investigative and ad-hoc committees for their respective purposes, or for such purposes that will allow for the overall operational efficiency of the party structures.

(3) Composition, Functions & Powers of Party organs

**(A) Composition, of the Ward Executive Committee**

The Ward Executive Committee shall comprise the following officers and ex-officio members:

- (i) Chairman
- (ii) 2 Deputy Chairmen (1 male, 1 female)
- (iii) Secretary
- (iv) Assist Secretary
- (v) Treasurer
- (vi) Financial Secretary
- (vii) Assistant Financial Secretary
- (viii) Publicity Secretary
- (ix) Organising Secretary
- (x) Assistant Organising Secretary (xi) Legal Adviser
- (xiii) Women Leader
- (xiv) Council of the ward if produced by the Party
- (xv) The Chairman of the host Local Government Area if produced by the Party and hails from the ward.

**(B) Function and Powers of the Ward Executive Committee**

The Ward Executive Committee shall:

- (i) Organise the Ward Congress and implement its decisions;
- (ii) Propose policies for the consideration of the Ward congress;
- (iii) Undertake membership drive and propagate the ideology and manifesto of the party;
- (iv) Issue rules and regulations on the administration and other activities of the Party
- (v) Raise funds for the Party;
- (vi) Supervise the Party's projects in the ward;
- (vii) Impose disciplinary sanctions (including expulsion) on any erring or defaulting member;
- (viii) Take any other lawful action in the best interest of the Party.

**(C) Composition of the Ward Congress**

A ward congress shall be composed of all registered members of the Party in that ward. Mode of identification for the purpose of attendance at the ward



Congress shall be by show of valid membership card, provided that the founding congress shall be convened by the protem ward ex-committee.

#### **(D) Functions and Powers of the Ward Congress**

The Ward Congress shall

- (i) Elect 10 Delegates to the L.G.A Congress and 5 Delegates to the State congress, of the Party.
- (ii) elect members of the Ward Executive Committee;
- (iii) Constitute the electorate of primary elections of the councillorship candidate of the party in the ward.
- (iv) approve the budget of the Party in the ward;
- (v) receive External Auditor's report;
- (vi) Ratify disciplinary measures taken by the Ward Executive Committee.
- (vii) evolve policies for the Party in the ward;
- (viii) Pass a vote of no confidence to remove a ward officer from office for wrong doing ;(ix) consider any other business proposed by the Executive Committee or a member.
- (ix) Take any other lawful decision in the best interest of the Party in the ward.

#### **(E) Composition of the L.G.A Executive Committee**

The L.G.A Executive Committee shall comprise the following offices and ex-officio members:

- (i) Chairman
- (ii) 2 Deputy Chairmen
- (iii) Vice Chairmen who shall be the Ward Chairmen
- (iv) Secretary
- (v) Assistant Secretary
- (vi) Treasurer
- (vii) Financial Secretary
- (viii) Assistant Financial Secretary
- (ix) Publicity Secretary
- (x) Assistant Organising Secretary (xi) Legal Adviser
- (xi) Auditor
- (xii) 3 other members elected for special duties (1 male, 1 female, 1 youth)

- (xiii) The Chairman and Deputy Chairman of the Local Government if produced by the Party
- (xiv) All National and State officers of the party who hail from the LGA.

**(F) Function and Powers of the Local Government Area (LGA) Executive Committee.**

The LGA Executive Committee shall:

- (i) Organise the LGA Congress and implement its decisions;
- (ii) Propose policies for the consideration of the LGA congress;
- (iii) Undertake membership drive and propagate the Ideology and manifesto of the party;
- (iv) Issue rules and regulations for the Party administration in the LGA.
- (v) Raise funds for the Party;
- (vi) Organize and supervise the party administration in the LGA;
- (vii) Organize electioneering campaigns and mobilization of voters and the Party's electoral officers in the L.G.A
- (viii) Organize the Party's project in the L.G.A
- (ix) Take disciplinary measures (including expulsion) against erring or defaulting members;
- (x) Undertake any other lawful activity or measure in the best interest of the Party in the L.GA, subject to ratification by the LGA Congress.

**(G) Composition of the Local Government Area (LGA) Congress**

The L.G.A Congress shall consist of:

- (i) All members of the Executive Committee of each ward;
- (ii) All members of the L .G.A Executive Committee;
- (iii) Chairman and Deputy Chairman and Councilors of the Local Government if produced by the party;
- (iv) Members of the State House of Assembly if they are produced by the Party and hail from the L.GA.
- (v) 10 Delegates elected by the Ward Congress.
- (vi) The first L.G.A Congress shall be convened by the protem L.G.A Chairman and shall consist of 10 delegates elected from each ward.

**Functions and Powers of the LGA Congress**

The LGA Congress shall:

- (i) elect 5 (five) Delegates to the State Congress Party;
- (ii) elect members of the L.G.A Executive Committee;
- (iii) ratify disciplinary measures taken by the L.G.A executive Committee
- (iv) approve the budget of the Party in the L.G A;
- (v) receive Internal and External Auditor's reports;
- (vi) evolve policies for the Party in the L.G.A;
- (vii) pass a vote of no confidence to remove any L.G.A office from office for wrong doing;
- (viii) take any other lawful decision in the best interest of the Party in the L.G.A

### **(I) Composition of the State Executive Committee**

The State Executive Committee shall comprise of the:

- (i) Chairman
- (ii) 3 Deputy Chairmen (1 from each Senatorial District)
- (iii) Vice Chairmen who shall be the L.G.A Chairmen of the Party
- (iv) The Governor, the Deputy Governor if produced by the party.
- (v) The Speaker and the Deputy Speaker if produced by the Party or the leader and the Deputy Leader of the Party in the State House of Assembly.
- (vi) Secretary
- (vii) Assistant Secretary
- (viii) Treasurer
- (ix) Financial Secretary
- (x) Assistant Financial Secretary (xi) Auditor
- (xi) Assistant Auditor
- (xii) Publicity Secretary
- (xiii) Assistant Publicity Secretary.
- (xiv) Organizing Secretary
- (xv) 3 Assistant Organizing Secretaries (1 per Senatorial district).
- (xvi) 3 Members elected for special duties (1 male, 1 female, 1 youth)
- (xvii) Legal Adviser
- (xviii) Women Leader
- (xix) Youth Leader
- (xx) All National officers of the Party who hail from the State

## **(J) Functions and powers of the State Executive Committee**

The State Executive Committee shall

- a) Propagate the party's ideology and manifesto;
- b) Organize the party's election campaigns;
- c) Ensure the effective administration of the Party in the State;
- d) Implement the decisions and directives of the state congress, zonal advisory council, and national convention;
- e) Screen and accredit governorship aspirants of the Party in the State.
- f) Prepare the state annual budget of the Party;
- g) Employ and determine the conditions of service of all party employees in the state.
- h) Take disciplinary measures (including expulsion) of the defaulting or erring members; and
- i) Exercise such other powers and functions as are vested on it by this Constitution.

## **(K) Composition of the State Congress**

The State Congress shall consist of:

- I. The State Executive Committee
- II. The Governor and the Deputy Governor of the State if produced by the Party
- III. All members of the Federal Executive Council (i.e.) council of Ministers) who are members of the Party and hail from the State;
- IV. The speaker and the Deputy Speaker of the State House of Assembly if produced by the party;
- V. All Federal legislators produced by the Party;
- VI. All local government legislators produced by the party;
- VII. All local government legislators (Councilors) produced by the party;
- VIII. All members of the State Executive Council (the state cabinet) who are members of the party.
- IX. All Special Assistants to the Governor and to the Deputy Governor who are members of the party;
- X. 5 delegates elected from each Ward branch of the party;
- XI. The Chairman and the Secretary of each Ward branch of the party;
- XII. The L.G.A Chairman and the L.G.A Deputy Chairman if produced by the party in the State.

XIII. All special advisers and special assistants to the President who hail from the state and who are members of the party.

XIV. All members of the zonal caucus who are from the state.

XV All members of the national Executive Committee of the party who are from the state. Provided that the founding state congress shall be convened by the protem state chairman and shall be made of 20 delegates elected by each L.G.A.

### **(L) Functions and powers of the State Congress.**

The State Congress shall:

- (i) elect officers of the state executive Committee
- (ii) Elect S delegates to the National conventions of the party.
- (iii) Elect 3 representatives (1 per senatorial district) to the Zonal Caucus the party for its geo-political zone.
- (iv) Discipline Party members in the state by suspension and refer same to the National Executive for rectification (or rectify the suspension measures by L.G.A organs of the party) or ratify disciplinary measures by L.G.A organs of the Party;
- (v) Organize state electioneering campaigns;
- (vi) Ratify the results of local government primaries in the State;
- (vii) Elect the governorship candidate of the Party in the State.
- (viii) Receive internal and External Auditors Reports;
- (ix) Ratify decisions/actions of the state Executive Committee.
- (x) Approve the state budget of the Party:
- (xi) Take any other lawful decision in the best interest of the party in state.

### **(L) Composition and Administration of the Zonal Caucus.**

- (i) Each of the six geo-political zones shall have a Zonal Advisory Council Composed of 3 members from each state who are per (men, women or youth) of renown, wisdom and noble standing society elected from their respective states including Abuja.
- (ii) Each Zonal Caucus shall elect its Chairman, Deputy Chairman Secretary and Treasurer to run its affairs;

- (iii) Each zonal Caucus shall have power to appoint an: Administration officer based in its zone to assist its Secretariat in administration of affairs.
- (iv) All state levels of the Party in a zone shall contribute (funds and materials) equally to the administration of their Zonal caucuses.
- (v) Meeting of the Zonal Caucus shall rotate in the states of the zone;
- (vi) The National Chairman of the Party shall convene the first meeting of each Zonal caucus.
- (vii) Each Zonal Caucus shall maintain audited accounts;
- (viii) Each Zonal Caucus shall report, as appropriate, to the National Executive Council;
- (ix) No member of the Zonal Caucus shall hold Executive Council or Executive Committee office at any level, except ex-officio and unless he/she first resigns its membership;
- (x) The Chairman of Zonal Caucus shall be a National Deputy Chairman of the Party.

### **(M) Functions and Powers of the Zonal Caucus**

Each Zonal Caucus shall:

- (i) serve as an appellate body to receive, consider and dispose of petitions and appeals from any aggrieved member, officer or organ of the Party in its zone;
- (ii) consider and ratify recommendations for the expulsion of any member provided that such recommendation comes from a State Congress;
- (iii) monitor Party activities in its zone to ensure conformity with the Party's constitution and manifesto and submit periodic reports;
- (iv) advise the state and national levels of the Party on the basis observation made and in the best interest of the Party;
- (v) raise funds to support the Party financially and materially;

- (vi) have power on its own to recommend any punitive action against a member or lower organ of the Party in its zone;

### **(N) Composition of the National Executive Council**

The National Executive Council shall comprise the following officers as ex-officio members.

- (i) National Chairman
- (ii) 2 Deputy National Chairmen Special Duties ie Labor (one from North and one from South)
- (iii) 6 National Deputy Chairmen, each of whom shall be the Chairman of the Zonal Caucus, of the Party in his/her zone;
- (iv) National Vice-Chairmen, each of who shall be the Chairman of the State Executive Committee and the Federal Capital Territory Executive Committee of the Party;
- (v) National Secretary
- (vi) 7 Deputy National Secretaries (one for labor)
- (vii) 8 Assistant National Secretaries (two for Students and Youth)
- (viii) National Treasurer
- (ix) 6 Assistant National Publicity Secretaries
- (x) Financial Secretary
- (xi) National Legal Adviser
- (xii) National Publicity Secretary
- (xiii) Organizing Secretary
- (xiv) 6 Assistant organizing Secretaries.
- (xv) Youth Leader
- (xvi) Women Leader
- (xvii) 7 Other members elected by the National Chairman for special duties, one from each of the geo-political zones of the country and one specifically from the Federal Capital Territory:

**Note:** Each of the 6 National Vice-Chairmen, In addition-to deputizing and/or acting for the national Chairman (as appropriate), shall be in charge of the affairs of any of the following sectors of special interest to the party, as may be assigned, namely:

- a. Men and Elders

- b. Women and Elders
- c. Youth and Students
- d. Special citizens and Citizens Societies, Labour
- e. Professionals and Business Class
- f. The Diaspora and International Groups
- g. In all organs of the party women shall fill at least 15% of the posts.

### **(O) Functions and Powers of the National Executive Council**

The National Executive Council shall:

- (i) Be responsible for the overall administration of the Party through the National working Committee which is a sub-committee of the National Executive Council.
- (ii) prepare the agenda for the National Convention;
- (iii) prepare and submit annual reports and budget proposals for the consideration of the National Convention;
- (iv) Initiate policies and programmes for the consideration of the national convention.
- (v) deal with problems referred to it from the State level, the Advisory councils, and the national Convention, of the Party;
- (vi) Make rules for the party discipline and loyalty which shall be binding on all organs and members of the Party.

### **(P) Functions and Powers of the National Caucus**

The National Caucus, which shall be the Caucus of the Party, shall be consulted as often as possible by the National Executive Council on all policy matters relating to manifesto implementation, conflicts or crisis resolution, election strategies, party projects and party discipline and the Advisory Council shall be obliged to advise and guide it accordingly.

The National Caucus shall also:

- (i) Have the power to intervene in disputes to prevent fractionalization of the Party at any level for any reason whatsoever;
- (ii) Serve as an appellate body to receive, consider and dispose of petitions and appeals by any affected person or organ that is dissatisfied with the decision of the Zonal Caucus on the subject concerning them;



- (iii) Monitor Party activities nationally to ensure conformity with the Party's norms and standards and report findings with recommendations to the national Executive Council or the National convention of the Party as appropriate;
- (iv) Support the Party financially, materially and voluntarily when called upon to do so;
- (v) Have the power on its own to recommend to the national Executive Council, disciplinary action against any member, officer and or any organ of the Party, for any serious wrongdoings or offence against the Constitution;
- (vi) Have power to pass a vote of no confidence on the National Executive Council and recommend its dissolution to the National Convention of the Party, provided this is supported by a 2/3 majority in meeting attended by at least 3/4 of the total membership of the Caucus. A confidence vote must also be listed in the agenda in the invitation to the meeting made available to members at least one week before the day of meeting.

#### **(Q) Composition of the National Convention**

The National Convention shall consist of:

- (i) The Chairman and all members of the National Executive Council.
- (ii) The President and the Vice President of Nigeria if produced by the Party.
- (iii) All Legislators (National. State) produced by the Party.
- (iv) Members of the National Caucus
- (v) Members of the Zonal Caucus
- (vi) Ministers
- (vii) Governors & Deputy Governors produced by the Party.
- (viii) State Commissioners.
- (ix) Five elected delegates from each Local government Area or the Federation
- (x) Slate Chairman and Secretary
- (xi) All Chairmen of the Local Government Councils if produced by the Party.
- (xii) Local Government Party Chairmen provided that the founding convention shall be convened by the protem National Caucus mad up on leaders per state. The rounding convention shall consist of delegates per sate.

## **(R) Functions and Powers of the National Convention:**

The National Convention shall be the highest and final Authority of the Party. It shall:

- (i) decide the nationwide policies and programmes of the Party;
- (ii) ratify the decisions of the National Executive caucus on disciplinary matters referred to it;
- (iii) Receive annual reports and recommendations from the Nations Executive Council and take decisions on them.
- (iv) have power to delegate any of its functions and power to the National Executive Council or any other organ of the Party, s' Inch shall be obliged to comply accordingly;
- (v) elect national officers of the party
- (vi) ratify the result of the Party's Presidential Primaries;
- (vii) review or amend this constitution as the need arises;
- (viii) raise funds for the management of the Party including participation in general elections;
- (ix) approve the national budget of the Party;
- (x) Exercise such other powers and functions as in the Constitution.

## **(4) Other Party Organs.**

### **(A) Working Committee**

The Working Committee at national, state, local governments are, and ward levels shall comprise the principal officers namely:

- a. The Chairman
- b. The Secretary
- c. The Financial Secretary
- d. The Treasurer
- e. The Auditor
- f. The Publicity Secretary
- g. The organizing Secretary
- h. The women leader
- i. The youth leader
- j. The Legal Adviser and 8 other members (2 Deputy National Chairmen ie Vice-Chairmen) elected for special duties (ie Zonal Chairmen of the Party)

(2) Each Working Committee shall be a sub-committee of the Executive Council or committee of its level and shall assist it to implement decisions and programmes and report back to it. It shall also oversee party administration and carry out special duties.

(3) The working committee shall oversee the day to day running of the Party and prepare programmes, and formulate policies for the party for ratification by the N.E.C

**(B) Standing and Ad Hoc Committee:**

The National Convention, the National Executive Council, the Congress, Executive Committees and Caucuses of the Party shall have power to set up, investigative panels, Standing and Ad Hoc Committees for their purposes and for the overall operational efficiency of the Party and its structures.

(2) The composition, tenure, terms of reference and appointments to such committees shall be as may be decided by the Chairman of the organ.

**(C) Board of Trustees**

(i) The Party shall have a Board of Trustees consisting of at least seven members of proven integrity, drawn from the six geo-political zones in whom immovable properties of the Party shall be vested,

(ii) The Trustees shall be nominated by the National Executive Council and appointed by the National Convention at whose pleasure the Trustees shall hold office.

(iii) The Trustees shall hold all properties in trust for the Party, subject to the directive of the National Executive Council and shall each sign all documents in which the common seal of the Party shall be affixed as required by law.

(iv) A Trustee may be removed from office on the recommendation of the National Caucus which shall state clearly the reason (s) for the recommendation for removal by the National Convention, as stated in 4c (ii)

(v) In the event of death resignation or removal of a trustee from office. The Trustee or his

- (vi) All office holders in the party and in government and all employees of the party are disqualified from appointment as trustees.
- (vii) The trustees shall be registered under the part C of the Companies and allied matters act 1990
- (viii) The National Secretary of the Party prepare an inventory of all properties movable and immovable belonging to the Party and shall deposit a copy of the said inventory with the trustees.
- (ix) The Chairman of the Board of Trustees shall be nominated by the National Executive Council from among the members and appointed as such by the National Convention

**(D) Indissolubility of the Party**

No external person or authority shall have power to suspend or dissolve the party or any of its organs should any such authority embark on that, the Party will remain operational even if underground

**ARTICLE 12. FUNCTIONS AND POWERS OF OFFICERS**

**(i) The National Chairman**

- a) The National chairman shall be the Chief Executive of the Party and shall preside over the meetings of the National working Committee and Executive Council. He shall oversee the working and day to day activities of the party, and provide an effective leadership for the Party.
- b) He shall protect and promote the policies of the Party
- c) He shall summon and preside over meetings of the National working Committee, National Executive Council and the National Convention.
- (a) He shall Appoint members into special investigative panels, committee whenever the need arises.
- (b) He shall authorize expenditures.
- (c) Have powers to delegate his duties, give lawful directives to all levels of the party; and exercise a casting vote where necessary;
- (d) He shall supervise and control all officials of the Party;
- (e) He shall ensure through supervision, strict compliance with the provision of the party's constitution.

**(ii) National Deputy Chairman**

- a. The Deputy Chairman shall preside at the meetings in the absence of the National Chairman
- b. He shall act for the National Chairman in his absence.
- c. He shall be assigned specific functions.

**(iii) National Vice Chairman shall:**

- a. Co-ordinate and report to the National Executive
- b. Co-ordinate all activities of the party in his/her state.
- c. Report back to the State all decisions of the National Executive Council and National Convention.
- d. Perform such duties as may be delegated to him by the Nations Executive Council.

**(iv) National Secretary**

The national Secretary, in addition to the specific functions, conferred him by this Constitution, shall:

- a. Take or cause to be taken and kept, all minutes of the meetings of the National working committee, National Convention and Nations Executive Council, after being edited and allowed by the Chairman.
- b. Furnish every member or attendee at such meeting with copies of such minutes.
- c. Conduct such correspondences as may be required.
- d. Prepare the order of business for meetings of all national organs of the Party with the approval of the National Chairman.
- e. Supervise the day to day activities of the National Secretariat under the general direction of the Chairman of the Party.

**(v) National Treasurer**

The National Treasurer shall:

- a. Receive and promptly pay into the Party's Account all monies received for and on behalf of the Party;
- b. Keep an impress account as and when authorized by the National Executive Council.
- c. Ensure that proper account records are kept and may cause such books to be produced;
- d. Be a cosignatory to the Party's Accounts.

**(vi) The National Financial Secretary shall:**

- a. Collect all monies due to the party and pay such monies to the National treasurer not later than five days after collection.
- b. Prepare and submit proposals for raising Party funds, for the consideration of the National Executive Council.
- c. Ensure that proper accounts and records are kept and may cause such books to be produced for inspection at periodic auditing.

**(vii) The National publicity Secretary**

The National Publicity Secretary shall be responsible for party information, promotion services and activities, all of which must be consistent with the Constitution of the party Manifesto and the policies of the Party.

**(viii) The National Legal adviser**

The National Legal Adviser shall:

- a. Advise the party on all legal matters and arrange for the legal defence of the party and its officers whenever necessary.
- b. Deal effectively with all correspondence pertaining to legal matters affecting the party or its officers.

**(ix) The National auditor**

The National Auditor shall audit the books of accounts of the party and report annually to the National Executive Council to audit such account from time to time.

**(x) The Youth Leader**

The youth leader shall coordinate the activities of all the youth wings of the party, and act as a bridge between the larger party and youths.

**(xi) The Women Leader**

The women leader shall coordinate the activities of all women groups and act as a bridge between the larger party and the women groups.

**(xii) Other Elected members**

The other elected members of the National Executive Council shall perform such functions (special duties) as may be assigned to them by the National chairman of the party.

**(xiii) Assistant National Officers**

The Assistant National Officers shall assist their principal Officers in the performance of their duties.

**(xiv) Officers At Other Levels**

- a. All other officers at the State, Local government and Ward levels shall have the same powers and functions at their respective levels prescribed for National Officers provided that the legal Officers at all levels shall as far as practicable be legal practitioners within the contemplation of the legal practitioners Act 1975.
- b. At the state level where the state chairman is absence, he shall designate the deputy state chairman to act for him.
- c. In the event of his removal or resignation from office, a party officer shall immediately hand over to his Chairman or the Chairman's nominee all records, files and other property of the Party in his possession

**ARTICLE 13: TENURE OF OFFICE**

- (a) All state and National officers of the Party shall hold office for the period or three (3) years and may be re-elected to the same office for not more than a further period of three (3) years or to another office.
- (b) All Local Government and Ward Officers of the Party shall hold office for a period or three (3) years and may be re-elected to the same office for not mole than a further period of three (3) years or to another office.
- (c) Delegates to the Local Government Congress, State Congress and National Convention who are not pa or government functionaries shall cease to be delegates once the congress or convention is over.
- (d) Delegates to the Local Government Congress, who arc party or government office holders shall serve for a period of three (3) years while

those to the state congress and national convention shall serve for four (4) years.

- (e) Any officer elected into the National Executive Councilor State, Local Government or Ward Executive Committee may resign his office by giving 30 days' notice in writing to the appropriate executive committee.
- (f) Should a vacancy exist in any of the offices, the relevant committee shall appoint a substitute subject to the ratification at the next congress. Office so appointed shall remain in office for the unexpired period of the term.
- (g) Any officer or officers may be removed during his tenure in office through vote of no confidence passed on him by the membership of the convention, the case may be. (i.e if the case is included in the agenda of the convention)

## **ARTICLE 14. MEETINGS**

### **(A) Frequency and Quorum**

1. Ward Executive Committee
  - a. This organ shall meet for business at least once every quarter and as often necessary.
  - b. The Quorum of the meeting shall be 1/3 of the committee membership.
2. Ward Congress
  - a. The congress shall be held at least once year and as often as necessary.
  - b. Each quorum shall be 1/5 of the registered membership in the ward
3. Local Government Executive Committee
  - a. This committee shall meet at least once in 3 months and; as often as necessary.
  - b. It shall meet at any other time at the request of the Chairman or if at least 1/3 of its membership in writing requests the Chairman to do so and copy the Deputy Chairman and Secretary of the committee. If the Chairman fails to call such a meeting within 14 days after delivery of the request to him, the members of the committee shall have power to summon the meeting by sending a circular to all its members not less than 14 days from the date of the circular.
  - c. The quorum shall be 1/3 of its membership.



#### **4. Local government Congress**

- a. The congress shall be held at least once a year and as often as necessary.
- b. The quorum shall be 1/3 of its membership provided that a representative each of at least 2/3 of the Ward branches in the L.G.A is represented.

#### **5. State Executive Committee**

- a. The state executive committee shall meet at least every quarter and also at the instance of the Chairman or at least a third of the committee's membership
- b. The quorum shall be 1/3 of its membership.

#### **6. State Congress**

- a. The state congress shall be held at least once a year on a date to be determined by the state executive committee. A special congress may be held on the decision of the state executive committee or at the request of at least 2/3's of the state executive committee in the state, in such a case, a notice of not less than 14 days shall be given.
- b. The quorum shall be 1/3 of its composition provided that not less than 2/3 of all the LGA's in the state are represented by at least 1/3 of the State delegates to the congress from each of the LGA in the State.

#### **7. National and Zonal Caucuses**

- a. The National Caucus and the Zonal Caucus shall meet at any time at least once a year.
- b. The quorum shall be 1/3 of its membership.

#### **8. National Working Committee**

- a. Shall meet not less than once in 3 month.
- b. The quorum of such meeting shall be 1/4 of its membership.

#### **9. National Executive Council**

- a. The National Executive Council shall meet at least once a year and at any other time as may be decided by the Chairman or at the request of at least 1/3 of its membership.
- b. The quorum shall be 1/4 of its membership

#### **10. National Convention**

- a. National Convention shall be held at least once in 4 years or on a date to be determined by the National Executive Council. A special Convention may be held on the decision of the National Executive Council or at the request of at least 2/3's of all State Executive Committee. In this case, a notice of not less than 30 days shall be given.
- b. The quorum for the Convention shall be 1/3 of its membership, provided that not less than 2/3 of all the State branches are represented by at least 1/3 of the expected participant at the convention from each of those states.

#### **14B: CONDUCT AT MEETINGS**

- i. The meeting of any organ of the Party shall be convened by the Secretary of that organ on the directive of its Chairman, or, where necessary by the Chairman himself.
- ii. The conduct of all meetings shall be in accordance with parliamentary procedures. The Chairman shall preside over the meeting. A member shall speak only when permitted to do so by the Chairman. Discipline shall prevail. Decisions shall be taken by consensus or, failing which, voting would be called for. In that case a simple majority of vote cast shall be the winner.
- iii. Voting at any meeting Congress or Convention shall be in accordance with the rules and procedures of that organ.
- iv. Indiscipline at meetings including disruption of the meeting shall be punishable by an agreed penalty by members of such a meeting.

#### **ARTICLE 15. POWER SHARING**

All political positions, appointive positions, and positions in government available in or to the Party shall be zoned fairly and equitably to the six geopolitical zones of the country and in such a way as to reflect the federal

character principle and this shall be observed at all levels of the party. In the case of the state, local government areas and wards which are ethnically homogenous, the zoning of post shall take account of the geographical diversity of the area.

## **ARTICLE 16. PARTYADMINISTRATION**

- 1) The administration of the party shall be supported, facilitated and strengthened by a bureaucracy, which may necessitate the employment of competent persons to man specific duties.
- 2) At the National and state level, as much as possible the following departments or directorates shall be established.

### **i. Administration (Secretariat)**

To see to the day running activities-including minutes committees and official assistance to all committees including administrative discipline.

- ii. Any member of the party found guilty of the following offences shall be liable for punishments:
  - a) A breach of provisions of the constitutions.
  - b) Anti-party activities or conducting oneself in a manner likely to embarrass the party or bring it into hatred, contempt, ridicule or disrepute in whatever manner.
  - c) Disobedience or negligence in carrying out lawful directives of the party or of the officers of the party.
  - d) Flouting the rulings or decisions of the party; engaging in dishonest practices; defrauding the party; continuously being absent at meetings; carrying out anti-party propaganda or any other activity which would tend to disrupt the peaceful, lawful and efficient organization of the party or which are inconsistent with the achievements of the aims and objectives of the Party.
  - e) Assuring titles not recognized by the Constitution of the party; giving wrong of the secretariat; to keep records of party of meeting of the executives and other communications; to provide secretarial and to handle personal and welfare matters information to any organ of the party; unauthorized publicity of party dispute related grievance without exhausting all avenues of settlements or redress within the party.

## **2. Punishment**

- i. Punishment may be imposed by the Party as a disciplinary measure against any of its members and the gravity of the punishment shall depend upon the seriousness of the offence as the circumstances of each case permits.
- ii. Punishment to be imposed may take the form of:
  - a) Expulsion from the party provided that the power to expel shall only be exercised by the National Congress on the recommendation of the National Executive Council or the National Caucus.
  - b) Suspension for a specified period.
  - c) Suspension and removal from office;
  - d) Debarring from holding office:
  - e) Fine;
  - f) Warning (1st and 2nd)
- iii. Subject to (a) above, the working Committee at the relevant level of the party shall have the power to decide on any of the disciplinary measures, against any party member as specified in the sub-section above.
- iv. Every member shall have the right of fair hearing in all matters that affect him with regard to discipline, and the right of appeal against the disposal of his/her case,
- v. The National Headquarters shall be notified through the next higher organ of the Party (if any), of any disciplinary actions taken against any member of the party, and records of all such actions shall be kept by the National Secretary or any principal officer where the culprit is, whether at the level of the secretariat of the state, local government and ward levels of the party.

## **3. Appeal**

- i. Any member aggrieved by disciplinary decisions shall appeal within 30 days of such decision to the Zonal Caucus of his/her area. In the event of further dissatisfaction following disposal at this level, then the appellant shall be free to appeal to the National Executive Council of the party.

- ii. Pending the determination of an appeal in respect of expulsion, suspension, or other disciplinary measures, the member concerned shall be placed on suspension. No information in respect of the expulsion shall be made public until the expulsion is ratified by the National Congress
- iii. Any member placed under suspension shall not take part in party activities.

#### **4. Recall of Elected! Appointed Officers**

Before a cleared candidate steps into election or appointive position, he/she shall before the executive council of his ward, with a privileged legal practitioner as witness, and the required two-thirds of the registered members, sign an agreement of three letters as follows:

- i. 1st warning letter: for non-performance or misconduct after 4 months in office.
- 3) 3rd letter: effecting withdrawal for non-performance or misconduct after one year.

However no such letter, especially the third above, shall be issued by the relevant authority of the party without prior clearance and approval by the next higher organ of the party.

#### **ARTICLE 19. MODE OF ELECTION OF PARTY OFFICERS**

- i. The National Convention, State, Local government Area and Ward Congress of the Party shall meet to elect the officers of the party, at the relevant level, as specified in this Constitution.
- ii. Every registered member who has met his financial obligations to the party as and when due, and who has satisfied other requirements for nomination and elections specified under this Constitution is eligible to contest as long as they relinquish their post three months before they contest such elections.

#### **ARTICLE 20. OATHS OF OFFICE**

Every officer elected or appointed to a position shall subscribe to a prescribe Oath of office.

## **ARTICLE 21. PARTY FINANCES**

i. Income: The funds of the Party shall be derived from:

- a) Fees, subscriptions or other levies imposed on members.
- b) Donations and public collections
- c) Proceeds from investments and special fund raising activities.
- d) Gifts and grants by individual or groups.
- e) Allocations made by Government where legally applicable provided that collections and disbursements shall conform with guidelines of the Independent National Electoral Commission.
- f) Donations and contributions from Nigerians in the Diaspora.

### **ii. Bank Accounts**

- a. The Party shall maintain bank accounts in the Headquarter of the National, State, Local government and Ward levels of the party, provided that where banking facilities are not available, the nearest banking facilities shall be utilized.
- b. The Executive Committees of the various levels of organization shall decide the banks for such accounts.
- c. The Chairman, shall be valid signatory to the party's bank accounts and other financial transactions:
  - i. The national Chairman and his counterparts in the State, Local Government, or Wards levels
  - ii. The National Treasurer and his counterparts in the State, Local Government, or Wards levels
  - iii. The National Secretary and his counterparts in the State, Local Government, or Wards levels.

### **iii. Audit**

The National Executive Council shall appoint a competent firm of Accountants to audit all the accounts of the Party annually and present the reports before the National Convention and the Independent national Electoral Commission for consideration and for further necessary action.

**ARTICLE 22. AMENDMENTS**

- i. This Constitution and the Schedules thereto, can be amended only by the National Convention of the Party.
- ii. Notice of any proposed amendment shall be given to the National Secretary at least two months before the date of the National Convention. The notice, which shall be in writing, shall contain a clear statement of the proposed amendment and reasons for such amendment.
- iii. Notice of proposed amendment(s) shall be served on the members of the National Convention at least 30 days before the date of the meeting at which the proposed amendment is to be considered.
- iv. This Constitution or any part thereof shall stand amended if a proposed amendment is supported by at least two third of the delegates present and voting.

**ARTICLE 23. INTERPRETATION**

- i. The National Executive Council shall be the final authority as to the interpretation of any aspect of this Constitution and its ruling shall be final.
- ii. Fractions resulting from the application of any aspect of this Constitution shall be rounded up to the nearest whole number.
- iii. Where new positions and offices are created as a result of the amendment of this Constitution, the relevant, Executive Committee, until the next Congress or Convention, shall till such positions and offices, in an interim capacity.

**ARTICLE 24. CITING AND COMMENCEMENT**

This Constitution shall be cited as Constitution of Advanced Congress of Democrats 2009 and shall come into effect from .....

**SCHEDULE**

**1. Nominations**

Nomination of candidates for political offices shall be conducted on the basis of closed direct primaries within the area to which the offices have been zoned.

## **2. Criteria for Nomination**

- a. A candidate for elections must be a registered member of the party
- b. He must satisfy the requirements for election under the country's Constitution and the electoral law.
- c. Any incumbent President, Governor, Legislator, Chairman of the Council and Councilor need not resign his/her position in order to run for another elective office.
- d. However, party officers who wish to vie for nomination shall do so within vacating their posts. During the period, their deputies shall occupy the post in an acting capacity. The officers can resume their party post if they fail to win the general election.

## **3. Primaries**

### **3.1 Ward Councilors**

There shall be direct closed primaries to be conducted at the ward level of a local government area where Party members in that ward shall vote by open ballot for the candidates of their choice.

### **3.2 Local Government Council Chairman**

The nomination of the claimant candidate shall be conducted at special congress of the Party held in the [GA. The congress shall comprise the following:

- i. All National officers of the Party from the [GA
- ii. All State officers of the Party from the [GA
- iii. All LGA officers of the Party
- iv. All Ward officers of the Party
- v. 5 delegates from each Ward in the LGA
- vi. All members of State and National Assemblies from the LGA who are members of the Party.



- vii. All Commissioners and special advisers from the LGA who are members of the Party.
- viii. The Local Government Chairman and Councilors from the LGA who are members of the Party.

The State Executive Committee shall ratify the nomination.

### **3.3 Nomination of Governorship Candidates**

There shall be a special State congress for the purpose of nominating a governorship candidate. Members shall be as follows:

- i. All national officers of the Party who are from the State
- ii. All state officers of the Party.
- iii. All local government officers of the Party
- iv. Chairman and Secretaries of the Party
- v. All members of the National and State Assemblies who are members of the Party.
- vi. All Chairmen of Council and Councilors who are member of the party from the State
- vii. 3 delegates from each, elected at Ward Congress of the state

The National Executive Council shall ratify the nomination, without prejudice to the forgoing, the National Executive Council, in consultation with the National Caucus, may adopt any other democratic option deemed suitable for the nomination of the party's gubernatorial candidate.

### **Nomination of a Presidential Candidate**

There shall be a Congress in the geo-political zone to which presidential candidature has been zoned by the Party to elect the Presidential Candidate. This special (zonal) congress for the purpose of electing the Party Presidential candidate shall be composed as follows:

- i. All national officers of the party who are from the zone
- ii. All state officers of the party in the zone
- iii. Chairman and secretaries of local government areas of the party in the zone
- iv. 5 delegates from each LGA in the zone elected at LGA Congress.

- v. All members of the Senate, House of Representatives, house of Assembly and Councilors who are members of the party and from the zone.
- vi. All State Commissioners and Special Advisers who are members of the party in the party in the zone
- vii. 5 additional delegates from each senatorial district of the zone.

After the above exercise, a special national convention for the ratification of the nominated candidate shall be convened b' the national executive council. Upon ratification, the candidate shall be deemed to have been duly elected by the national convention.

Council upon ratification, the candidate shall be deemed to have been duly elected by the national convention.

Without prejudice to the foregoing, the national executive council in consultation with the national caucus may adopt any other democratic option deemed suitable for the nomination of the party's presidential candidate.

### **3.5 Running Mate**

The Party's Presidential Candidate, gubernatorial Candidate and Chairmanship Candidate, in consultation with the Party's leadership shall nominate their respective running mates and present them at the national convention, state congress and LGA congress as the case may be for endorsement.

### **3.6 Nomination of Candidate for State Houses of Assembly, House of Representatives and the Senate.**

Nomination of candidates for State Houses of Assembly, House of Representatives and the Senate shall be through indirect primaries to be conducted at the appropriate levels i.e. Local Government Congress and state Congress (or through consensus).