

**Social
Democrats**

Constitution

Updated: 11th June 2022

Preamble

Social Democrats believe in an inclusive, fair and just society in which dignity, respect, and equality of outcome are paramount. The Party, in its efforts, shall strive towards these ends.

The Party's purpose is to work towards the realisation of:

- A just society that ensures dignity for all its people as part of a true republic;
- A strong economy that offers diverse opportunities and stable national finances;
- Open, transparent and accountable government;
- Sustainable economic, social and environmental planning and decision-making, guided by the best available evidence.

Revisions

11 th June 2022	National Conference
27th February 2021	National Conference
28th November 2020	Special Conference
22nd June 2019	National Conference
26th January 2018	National Conference
11th November 2017	National Conference
19th November 2016	National Conference - Constitution Adopted

1. Principles

The Party is committed to the traditions of social democracy, based on prioritising the benefit of the many over the privilege of the few, on a shared commitment to the common good, and on the enduring values of solidarity and fairness both nationally and internationally. Social democrats have always aimed to establish both material and legal conditions of freedom and equality of outcome, in parallel with equal participation and opportunities in life, to ensure that our national resources and collective efforts are marshalled to the benefit of society as a whole rather than the individual. The Party shall draw on this legacy to build a movement that rises to the challenges of today and re-imagines a fairer, more equal future for Ireland and her people in a more just world. The Party is part of an ongoing international project of growth and reform that strives towards a society of which we can all be proud.

1.1 Equality

Informed by progressive values, the Party is fundamentally committed to creating a more equal Ireland that realises the economic, social and cultural rights of all. The Party believes that in a modern Ireland, every person should have the opportunity to reach their full potential as an active participant in society. Therefore, to establish a true republic, the state must play a proactive role in promoting equality and do so by providing high-quality public services, investing in communities and social infrastructure, ensuring fair taxation that enables distribution of resources on an equitable basis, mitigating risk to individuals and protecting human rights and civil and religious liberties.

1.2 Progress

The Party supports a strong, stable and innovative economy as essential to realising a true republic. The Party is committed to creating the conditions for enterprise and entrepreneurial endeavour to thrive. In parallel with entrepreneurial freedom comes social responsibility, which the Party is committed to ensuring through legal and regulatory practice. The Party believes in the importance of a vibrant and diverse economy which will promote businesses, both large and small, indigenous and international. The provision of good-quality employment that gives people the opportunity to earn a fair income, foster their talents and realise their potential is essential to this end. The Party supports an economy where the rights of workers are protected and vindicated through collective bargaining and workplace democracy and where all those contributing to the economy, through paid and unpaid work, are valued.

1.3 Democracy

Our aim is a society free from class distinction, a society without prejudices and discrimination, where each individual has an impact on the development of the society as a whole. The Party believes that only a competent, inclusive and open government, underpinned by transparency in political and administrative decision-making, can truly deliver the equal society and strong economy necessary for democracy to thrive. The Party is committed to building accountable institutions worthy of public trust. The Party believes in inclusive, participatory processes that encourage and value a broad spectrum of voices and favour a democracy that empowers people and those they elect to represent them.

1.4 Sustainability

The Party believes in developing sustainable infrastructure that serves communities, respects our natural resources and protects the environment. Building a society that is economically, socially and environmentally sustainable requires long-term economic planning, evidence-based policy and stable public finances. We are committed to coherent, long-term community development and planning to safeguard our country for future generations.

2. Establishment

The Party is hereby established, in accordance with the rules, procedures and principles set out in this document and for the purpose set out herein.

2.1 Name

The name of the Party is “Social Democrats” and also may be referred to as “the Social Democrats”, “Na Daonlathaigh Shóisialta” as Gaeilge and “the SocDems” in abbreviated form. Social Democrats is referred to throughout this Constitution as “the Party”.

2.2 Objectives

The objectives of the Party are to:

- Advocate for and support social democratic values and policies in communities throughout Ireland and the world;
- Participate in public affairs through contributing to debate, campaigns and involvement in community initiatives;
- Participate in democratic institutions by nominating, endorsing and supporting candidates for elected office with the purpose of trying to achieve our goals through legislation and programme initiatives;
- Provide a forum for members to contribute to the policies of the Party.

2.3 Gender and Diversity

The Party will promote diversity, inclusiveness and gender parity across all of its structures and practices to endeavour to reflect the social, cultural and economic mix of Irish society. This Constitution will operate without discrimination on the basis of race, national or ethnic origin, colour, religion, gender, gender identity or expression, sexual orientation, age, mental or physical ability, membership of the Traveller community, civil status, family status or socio- economic status.

3. Policy Development

The Party's approach to policy development is evidence-led, inclusive, participative and transparent. The National Conference will determine the direction of Party policy.

The development of policy will be:

- Shaped by research and evidence, by academia and by representatives of affected groups, including public, private and third sector workers, civil society groups, NGOs, community organisations, service users and others;
- Informed by input from and collaboration between party members, branches, public representatives and other groups;
- Transparent with reporting and accountability to party members;
- Flexible to accommodate changing technology, conditions, the political environment and electoral cycles.

4. Membership

Membership is the foundation upon which the Party is built. Party members are entitled and encouraged to participate fully in the life of the Party. In recognition of the value of diversity, all members are invited to share their experience and knowledge in pursuit of the principles set out in this Constitution.

- 4.1** Any person may be a member of the Party provided:
- They are not a member of any other political party in the Republic of Ireland;
 - They are a resident of the Republic of Ireland or an Irish citizen living outside of the Republic of Ireland.
- 4.2** Members are expected to conduct themselves in a collegiate manner at all times and to treat other members of the Party with dignity and respect, based upon shared principles and objectives.
- 4.3** All members are expected to abide by the rules and regulations set out in this Constitution.
- 4.4** All members are expected to abide by such rules and regulations as may be issued from time to time by the National Executive or any other division of the Party authorised to issue such rules or regulations within this Constitution.
- 4.5** Members shall pay an annual subscription fee to the Party as may be affixed by the Party from time to time. The National Executive may, at its discretion, waive the membership fee of any member.
- 4.6** Membership for a continuous period of at least 6 months bestows an automatic right on that member to vote in all matters for which a vote is called pursuant to this Constitution.
- 4.7** The Social Democrats are a campaigning party that prioritise evidence-based policy proposals and endeavour to maximise member engagement. The Party values the engagement of members at all levels of the Party and encourages every member to become active in their branch, campaigns and policy groups.

5. National Conference

5.1 The National Conference shall be the supreme decision-making body for the Party save where otherwise provided in this Constitution.

Where practicable, the National Conference shall be held annually, with not more than 18 months between the end of one National Conference and the beginning of the next National Conference save for the following exception – that the National Conference scheduled to take place after the June 2019 National Conference shall commence before the 31st March, 2021 at the latest. All words in section 5.1 following the third mention of National Conference shall be deleted from the constitution with effect from 31st March 2021.

A Special Session of National Conference may be called by the National Executive.

5.2 All members of the Party who have paid their membership fee at least six months prior to National Conference shall be entitled to vote at National Conference.

5.3 The duties and powers of the National Conference are as follows:

- To deliberate and decide on the policies and Constitution of the Party;
- To receive and discuss annual reports from the National Executive, National Council, the Parliamentary Party, General Secretary and the National Treasurer;
- To receive and discuss motions submitted by branches and the National Executive in accordance with the Standing Orders of the Party;
- Elect the Chairperson, Vice-Chairperson and ordinary members of the National Executive in accordance with the Standing Orders of the Party;
- Elect a Standing Orders Committee of the Party consisting of five members, at least two of whom shall identify as female and at least two of whom shall identify as male;
- Elect any other Committee of the Party for a designated task;
- Delegate powers and give directions to other bodies of the Party.

5.4 Decisions of the National Conference remain in force until a subsequent Conference determines otherwise.

5.5 Standing Orders Committee

5.5.1 The Standing Orders Committee shall meet on its own or, where deemed necessary, with the General Secretary and National Executive. It shall meet as often as is required prior to the National Conference with a view to organising the National Conference. Responsibilities of this committee include, amongst other things:

- The consideration of motions submitted and the drafting of composite motions, if appropriate;
- The consideration of nominations submitted for posts created by this Constitution;
- The preparation of a preliminary and final agenda for Conference in conjunction with the National Executive;
- Any related business.

5.5.2 The Committee shall prepare a report for the National Conference which will include proposals for the following:

- The appointment of a Chief Teller and Assistant Tellers, the appointment of a Returning Officer and Scrutineers as well as the conduct of elections;
- The consolidation or composition of motions on related topics;
- The Order of Business for Conference, including the times allocated to each session;
- The time limits to be imposed on speeches;
- Any related business;
- In the case of a Special Session of the Party Conference, proposals for any variation to Standing Orders as is necessary to ensure the Conference can conduct its business.

This report shall be sent to all of the branches prior to Conference and its adoption shall be considered by Conference as the first item of business. If adopted, by a simple majority of members present, it shall then take immediate effect.

5.5.3 The Committee shall make additional reports to Conference from time to time on any matter relating to Conference business as it considers appropriate and necessary and this may include proposals in relation to any urgent motion or motions to be taken.

5.5.4 The Committee shall have responsibility for:

- The admission of members to the National Conference;
- The supervision of the Conference, including the counting of votes;
- The admission of observers;
- The admission of the media to sessions of the Conference.

6. Structures

There shall be three structures sharing the governance and administration of the Party in addition to National Conference. These are as follows:

- National Council
- National Executive
- Parliamentary Party

6.1 National Council

6.1.1 Purpose

The purpose of the National Council is to play a key role in developing Party strategy and policy and to co-ordinate and direct campaigns. It shall also have responsibility for the appointment of trustees of the Party in whom the assets of the Party shall vest.

6.1.2 Policy Committee

The National Council will appoint an eight-member Policy Committee to oversee the research and development of proposals. The Policy Committee may establish subgroups to progress policy development in particular areas. Branches are encouraged to make proposals for policy development through their National Council representatives and through the Policy Committee.

6.1.3 Composition

The National Council is comprised of:

- Two representatives from each constituency. Each constituency shall elect two National Council representatives and one alternate member using a secret ballot and single transferable vote, who will, in as far as is practicable, be of different gender identities. The alternate member will have attendance and voting rights only in the event that either representative cannot attend;
- All members of the National Executive;
- All elected Party public representatives.

6.1.4 Secretary

The General Secretary or their representative shall act as the Secretary to the National Council.

6.1.5 Meetings

The National Council will meet at least three times per calendar year. Members should be notified of a meeting at least 10 days in advance by the General Secretary. Quorum shall be reached when at least half of all branches are represented by at least one member. A meeting of the National Council may be called by the Party Chairperson or shall be called by the General Secretary upon receiving a petition signed by at least 50% of branch chairpersons.

6.1.6 Accountability

The Party Leader(s) and the National Executive will provide a report to members of the National Council at every meeting. The membership of the National Council will be afforded an opportunity to put questions to the Party Leadership and National Executive. The Chairperson of the Party will present a report of each meeting to the National Executive.

6.2 National Executive

6.2.1 Functions

The National Executive shall be the chief administrative authority of the Party, subject only to the National Conference.

The National Executive shall have sole competence in the following matters:

Elections and Democracy

- Giving effect to the decisions of National Conference and National Council;
- Oversight of all election campaigns;
- Determination of election strategy, including the numbers of candidates to be selected at conventions;
- Approval of election candidates nominated by branches;
- Approval of the appointment of local area representatives;
- The calling of a leadership election, conditional upon two thirds support of the National Executive;
- Recognition of new branches;
- Dissolution or suspension of branches;

Legal & Finance

- Oversight of all financial affairs and all legal matters;
- Approval of loans, mortgages and leases or similar instruments with the consent of the Trustees;
- Employment of employees of the Party, subject to the role of the Party Leader(s) in the recruitment and management of Party employees whose primary role is to support the Party's parliamentarians and Party Leader(s);
- The conduct of any litigation by or on behalf of the Party;
- Ensuring compliance with all legislative requirements and SIPO and other relevant guidelines;
- The appointment of the "Appropriate Officer" to prepare the Party's accounts, and ensuring that the person appointed has sufficient authority within the Party to discharge the legislative obligations of the Party in respect of its financial accountability;
- Ensuring that the Treasurer, and the Appropriate Officer if a different person, have the required skills, knowledge, experience and resources to discharge their official role and all relevant legislative obligations on behalf of the Party.

Other

- Oversight and management of the affairs of the Party;
- The creation and oversight of sub-committees to carry out specified functions, where appropriate;
- The performance of the grievance and disciplinary function as set out at Article 11 of this Constitution;
- Interpretation of this Constitution.

6.2.2 Membership

The National Executive shall have eighteen regular members:

- The Party Chairperson;
- The Party Vice-Chairperson;
- The Party Treasurer;
- Ten ordinary members of the party elected at National Conference of which at least four must identify as female and at least four must identify as male; No person who is for the time being a member of the Parliamentary Party, a Councillor, or a member of Party Staff or Oireachtas staff employed directly by party representatives, may be elected as an ordinary member of the National Executive, or as the Party Chairperson, Vice-Chairperson, or Treasurer;
- Two (2) members of the Parliamentary Party, who must be the co-leaders when that role is shared by two co-leaders, or the sole Party Leader and one other member of the Parliamentary Party selected at their sole discretion;
- Two (2) Councillors selected by the local councillors at their sole discretion, one of whom represents a predominantly rural area and one of whom does not;
- The General Secretary who shall be present but shall not be empowered to vote on any matter.

The term of office shall commence at the close of the National Conference and shall terminate upon the election of ordinary members of the National Executive. No ordinary member shall serve more than three consecutive terms as a member of the Executive.

Any member who is absent for three or more consecutive meetings, without explanation, shall be deemed to have vacated their office. In the event of a vacancy, the National Executive shall co-opt a replacement.

6.2.3 Meetings

The National Executive shall meet at least six times per year or as required. Quorum shall be 50% of the entire membership of the National Executive.

6.2.4 Votes

All votes shall require a simple majority to pass, save where otherwise stated in this Constitution. In the event of a tie, the vote of the chair shall be determinative. Decisions of the National Executive are binding.

6.3 Parliamentary Party

6.3.1 Membership

The Parliamentary Party shall be comprised of all Party T.D.s, Senators and M.E.P.s.

The Parliamentary Party shall elect a Chairperson from among its members and the Chairperson of the Parliamentary Party shall organise the business of the Parliamentary Party.

6.3.2 Role

It is the role of the Parliamentary Party to discuss and decide on parliamentary affairs.

The members of the Parliamentary Party elected to the National Executive shall report on the decisions and work of the National Executive to the Parliamentary Party and shall communicate the views of the Parliamentary Party to the National Executive.

6.4 Online Meetings

For the avoidance of doubt, meetings of the National Executive, the National Council and any other committee created by this Constitution or established by the National Executive may meet using online or virtual communications.

7. Leadership

7.1 The Leader(s) of the Parliamentary Party shall carry out such duties as are specified in this Constitution and as may be required by the Parliamentary Party.

The powers, duties and responsibilities of the Leader(s) include the following:

- Leading and inspiring the Party membership and representatives by good example, maintaining professional standards, and exercising accountability.
- Being the principal representative(s) and spokesperson(s) of the Social Democrats
- The appointment of parliamentary spokespersons and other parliamentary-related positions.
- Having a key role in the development of policy, in conjunction with the Parliamentary Party and Policy Committee, in the development of policies, in accordance with procedures established or to be established for this purpose.
- The selection and regulation of team(s) to undertake discussions and/or negotiations with third parties, including other political parties, subject to the approval of the National Executive.
- Managing and controlling the Party's Parliamentary Activities Allowance in line with relevant guidelines, and being accountable for payments made in respect of that Allowance by way of providing an annual report to the National Executive and the Parliamentary Party
- Directing the recruitment, management and the political functions, of those Party employees and agents who are working primarily with the Parliamentary Party and the Party Leaders, in consultation with the National Executive or the General Secretary, as and when appropriate.
- Where the Party Leader(s) deem(s) a matter involving an elected representative of the Party to be significant and urgent, the Leader(s) may, having consulted with the Party Chair, suspend the Party Whip from that elected representative, which suspension will continue until the matter is investigated and determined upon in line with fair procedures.
- Ensuring that when more than one leader is appointed, that each Leader supports the other, that their respective strengths are utilised to maximise effect, and that they present as united representatives of the Party and its Principles at all material times.
- Carrying out such other duties as may be specified in this Constitution and as may be required by the Parliamentary Party.

- 7.2** A leadership election shall take place after a motion calling for such an election is passed by a majority of the Parliamentary Party. Such an election may be for individual or shared leadership for a five-year unless this five-year term terminates during the period after a General Election has been called and before the formation of the incoming Government thereafter, whereupon the term of office shall end on the election of new leadership in compliance with Clause 7.4. All candidates for Leader must be members of Dáil Éireann, Seanad Éireann or the European Parliament.
- 7.3** The National Executive shall also have the power to call a leadership election. Such a motion shall require a two-thirds majority of the National Executive.
- 7.4** Following a general election in consequence of which the Party does not enter into Government, the term of office of the Party Leader(s) shall end three months after the date of formation of the new Government. Should no party member be elected to the Dáil, Seanad or European Parliament, the leadership falls open to all members eligible to vote for party leader.
- 7.5** For the avoidance of doubt, reference to the Leadership of the Party in this document may include joint or shared leadership by two or more individuals. In the case of shared leadership two or more individuals may contest the election as a panel.
- 7.6** The election shall be by secret ballot and apply a single transferable voting system. The National Executive shall decide whether the election takes place by postal ballot and/or digital ballot.
- 7.7** Anyone who has been a member of the Party continuously for a period of no less than six months prior to the calling of the election shall be eligible to vote in the election of the Party Leader(s).
- 7.8** All other matters relating to the organisation of the election, including the nomination process, will be decided by the National Executive, who shall also appoint a returning officer.

8. Officers

The following Officers shall fulfil the duties assigned to them by this Constitution and any other duties which may from time to time be required of them by the National Executive, the Parliamentary Party or the Party Leadership:

- Chairperson
- Vice-Chairperson
- Treasurer
- General Secretary

8.1 The Chairperson shall:

- Chair meetings of the National Council, the National Executive and the National Conference;
- Carry out such reporting obligations as are specified in this Constitution and as may be required of them from time to time by the National Council and the National Executive;
- Be directly elected by all members present and entitled to vote at the National Conference.

8.2 The Vice-Chairperson shall:

- Fulfil the duties of the Chairperson at the request of the Chairperson or in the absence of the Chairperson;
- Assist the Chairperson in their duties;
- Be directly elected by all members present and entitled to vote at the National Conference.

8.3 Members of the Parliamentary Party shall not be eligible to stand for election to the position of Chairperson or Vice-Chairperson.

- 8.4** The Party Treasurer shall be competent in terms of preparing and managing accounts and shall be co-opted by the National Executive following that assessment. The Treasurer shall ensure that:
- The financial affairs of the Party are properly managed;
 - Adequate records are kept and reports are provided;
 - The Executive is regularly informed of the state of the Party's finances;
 - The Party comply with all legal obligations with respect to funding;
 - The Party follow best practice with respect to the Party's financial recording;
 - The Party strives for transparency and openness;
 - The Party's accounts and financial statements comply with generally accepted accounting practice, with guidelines issued by the Standards in Public Office Commission, and with any other relevant guidelines and standards.
- 8.5** The General Secretary shall be appointed by the National Executive after an open and fair competition and shall:
- Be the Chief Operating Officer of the Party;
 - Be responsible for the management of the head office and staff;
 - Organise the National Conference in conjunction with the Standing Orders Committee;
 - Carry out directions and decisions of the National Executive, National Council and National Conference;
 - Support the development of the Party, branches and membership.

9. Candidate Selection

9.1 Candidate Strategy & Development Committee

The Candidate Strategy & Development Committee shall be made up of no fewer than seven members.

The National Executive shall appoint the members of the Candidate Strategy & Development Committee.

9.2 Elections to Dáil Éireann, Local Authorities and the European Parliament

- 9.2.1** In respect of elections to Dáil Éireann, Local Authorities and the European Parliament, having consulted with the local branches, the Candidate Strategy & Development Committee shall prepare a report for the National Executive recommending the maximum and minimum numbers of candidates to be put forward for election in each constituency or electoral area. The Committee shall take into account any matters which it believes to be relevant.
- 9.2.2** The report of the Candidate Strategy & Development Committee shall be forwarded to the National Executive who shall approve, reject, seek a further draft or amend the report with the agreement of the Candidate Strategy & Development Committee.
- 9.2.3** Following consultation with the branches the National Executive will decide when the Candidate Selection process is opened for each constituency.
- 9.2.4** The Candidate Strategy and Development Committee will undertake any further duties assigned by the National Executive and implement the processes as outlined in the Candidate Selection process approved by the National Council.
- 9.2.5** Both the National Executive and the Candidate Strategy & Development Committee shall take into account Irish law and the Party's commitment to encouraging diversity in public life. It shall be the policy of the Party that race, national or ethnic origin, colour, religion, gender, gender identity or expression, sexual orientation, age, mental or physical ability, membership of the Traveller community, civil status, family status or socio-economic status shall not be taken into account in candidate selection other than to increase participation from among under-represented groups or to comply with Irish Law.

- 9.2.6** Each member of the party registered as a member within the electoral constituency for a period of no less than six months prior to the calling of the selection convention shall be eligible to vote in the selection of a candidate for election within that constituency. The vote shall be conducted by way of secret ballot and single transferable vote.
- 9.2.7** The National Executive shall devise a set of rules for the Candidate Selection process and candidate selection criteria subject to approval by the National Council. When approved the rules and criteria shall be sent to all members. The Candidate Strategy & Development Committee will operate under these criteria and rules.
- 9.2.8** It shall be within the sole discretion of the National Executive to ratify or reject a candidate chosen by a branch. The National Executive may in exceptional circumstances and in consultation with Branch chairs, forego any or all of the requirements of the constituency selection process as it deems necessary.
- 9.2.9** Notwithstanding the above, the National Executive shall retain the right to select candidates acting in consultation with branches.

9.3 Elections to Seanad Éireann and to the Presidency of Ireland

The National Executive, subject to approval by the National Council, shall establish and disseminate rules for candidacy for election to Seanad Éireann and to the Presidency of Ireland. The National Executive shall have authority to determine, at its discretion, if it is in the best interests of the Party to contest an election to Seanad Éireann or to the Presidency of Ireland.

9.4 Rights and Duties of Elected Representatives

A party member who holds a seat in Dáil Éireann, Seanad Éireann, the European Parliament or who is a member of a Local Authority is expected to contribute meaningfully to the implementation of the Party's programme and to adhere to any policies approved by the Party Conference or otherwise agreed by the Party. For the avoidance of doubt, an elected representative has the right to form her or his own views and to take decisions within areas mandated by the post to which they have been elected, subject to the Party's principles, policies and political programme.

10. Entry into Government

- 10.1** In circumstances where the majority of T.D.s in Dáil Éireann are not members of the Party, the Party, its members or representatives shall not enter into government other than by way of a resolution passed by a Party Conference called for that purpose.
- 10.2** Upon the request of the Parliamentary Party, the National Executive shall call a Special Conference for the sole purpose of placing before the Conference a resolution that the Party, its members or representatives, be allowed to enter into government.
- 10.3** A resolution that the Party be allowed to enter into government shall be deemed passed if approved by at least 60% of the eligible voters present.
- 10.4** For the avoidance of doubt, the National Executive may shorten such time as is required for the calling of such a Special Session where necessary.

11. Grievance Procedure

- 11.1** The Party commits itself to the highest level of fairness in the handling of grievance and disciplinary issues. The National Executive shall put in place the necessary structures to enable the resolution of any issues arising within the Party, either between members or at an organisational level. In particular, the National Executive shall make provision for:
- A Code of Conduct reflecting party values that aims to allow all members of the party to participate fully;
 - A confidential recipient to receive any complaint being made;
 - Guidance by which branches shall resolve internal issues;
 - A disciplinary body capable of satisfactorily resolving issues;
 - A final and entirely independent appeals body before which any decision of the disciplinary body may be challenged;
 - The manner in which each of these bodies shall conduct their business;
 - A non-exhaustive schedule of matters into which these bodies are capable of inquiring;
 - An exhaustive list of disciplinary measures to which the disciplinary body and appeals body may have recourse and the mechanisms by which they are to be given effect by the National Executive.
- 11.2** At all times, the Party guarantees that any person making a complaint and any person in respect of whom disciplinary action is taken shall be afforded the full protection of natural and constitutional justice.

12. Financial Affairs

12.1 Transparency

- 12.1.1** The Party commits itself to the highest level of openness, transparency and accountability. In particular, the Party commits itself to full compliance with all legislative requirements relating to financial affairs in political matters. Further, it commits itself to adhering to Irish, European and International best practice in financial matters.
- 12.1.2** Where practical, the Party shall engage with statutory and non-statutory bodies with the objective of increasing openness, transparency and accountability in all sectors of public life.
- 12.1.3** All divisions of the Party, including but not limited to branches and national governance bodies, commit themselves to openness, transparency and accountability in all financial matters. Each branch shall, where possible, make publicly available detailed accounts.
- 12.1.4** Responsibility for governance and oversight of financial affairs of each division of the Party shall lie primarily with the Treasurer and Chairperson of each division. Responsibility for governance and oversight of financial affairs of the Party shall lie primarily with the Treasurer and Chairperson of the Party.
- 12.1.5** Failure on the part of any Party member to discharge their duties with respect to the financial management of the Party or any division thereof shall be subject to disciplinary action.

12.2 Party Funding

- 12.2.1** The rate of annual membership, and conference fees shall be fixed from time to time by the National Executive. The National Executive has the power to reduce or waive fees in any case of financial hardship.
- 12.2.2** All funds received by the Party from the State, including the Parliamentary Activities Allowance and the Electoral Acts funding, shall be applied for the purposes for which they were given and shall be separately accounted for in the Party's annual accounts in accordance with SIPO guidelines and any other relevant regulations and guidelines.

- 12.2.3** The receipts and payments of the Party shall be audited annually by an auditor appointed by the National Executive for that purpose. The financial year of the Party ends on the 31st December in every year, to which day the accounts of the Party shall be balanced.
- 12.2.4** A full report, approved by the auditor, shall be delivered to the membership annually.
- 12.2.5** Only the Party nationally shall have the right to use a bank account in the name of the Social Democrats. Other Party bank accounts shall always be named explicitly with the name of the Branch, Standing Committee or similar of the Party to which it belongs.
- 12.2.6** The Party shall not accept donations from any source where the source or the donor is incompatible with the party's values and principles of open government, transparency and accountability.
- 12.2.7** The primary sources of funds shall be:
- Annual membership subscriptions paid by members;
 - Profits of fund-raising events organised internationally, nationally, at branch level or locally;
 - Donations and bequests;
 - Contributions from elected representatives;
 - Such funding as may be available from state or EU finances.

12.3 Trustees

- 12.3.1** The property and assets of the Party shall vest in the Trustees on their appointment for the period of such appointment and, in the application of such property and assets, the Trustees shall be subject to, and comply with, directions of the National Executive. In the event of any Trustee refusing to comply with such directions, the National Council shall be entitled to remove the Trustee.
- 12.3.2** National Trustees may request briefings as necessary from the Treasurer and General Secretary regarding the financial affairs of the Party and will receive financial reports presented to the National Executive.

13. Interpretation

13.1 Settling disputes that arise on interpretation of the Constitution

- 13.1.1** Disputes and conflicts arising from the interpretation of the provisions of this Constitution shall be settled by the National Executive at their sole discretion. A decision of the National Executive on any issue arising from the interpretation of the provisions of this Constitution shall be final. Any decision of the National Executive on matters relating to the interpretation of this Constitution shall be disseminated to the members of the Party.
- 13.1.2** Any member of the Party, or body established under this Constitution, may refer matters of interpretation to the National Executive. The National Executive shall respond to any such reference in a timely manner.

13.2 Rules to be used by the National Executive in interpreting the Constitution

- 13.2.1** In construing the provisions of this Constitution the National Executive will have sole reference to the grammatical and ordinary sense of the words, unless such an interpretation would lead to some absurdity or inconsistency with the rest of the Constitution, in which case the grammatical and ordinary sense of the words in their context and according to the appropriate linguistic register may be modified, so as to avoid that absurdity or inconsistency, but not further. The National Executive will construe the provisions of this document in a manner consistent with the Irish Constitution, the Electoral Acts, and the best interests and traditions of the Party.
- 13.2.2** The power to appoint includes the power to replace.
- 13.2.3** Words importing the singular include the plural, and vice versa.
- 13.2.4** Each word or phrase in the Constitution is meaningful and useful, and thus, an interpretation that would render a word or phrase redundant or meaningless should be rejected.

- 13.2.5** When one or more things of a class are expressly mentioned others of the same class are excluded.
- 13.2.6** Where one reading of the Constitution would make one or more parts of the document redundant and another reading would avoid the redundancy, the other reading is preferred.
- 13.2.7** Notwithstanding the above, if in the opinion of the National Executive any article of this Constitution becomes inoperable or invalid, the National Executive may, for purpose solely of rectifying the said invalidity or inoperability, adopt an amendment of this Constitution. Such an amendment shall only be adopted on the proposal of the Parliamentary Party, by way of letter signed by every member thereof, and with the unanimous consent of the National Executive. Any such amendment shall be put before the next ensuing Party Conference for approval or rejection.

14. Amending the Constitution

Any amendment to this Constitution shall be by way of motion brought to the National Conference on behalf of a branch or the National Executive, in accordance with the procedure determined by the National Executive.

15. Provisions in relation to Transition to this Constitution

- 15.1** Subject to the provisions of this Constitution, every previously adopted constitution and by-law of the Party is repealed. All Party members who held office immediately before this Constitution took effect shall continue in office until such time as an election takes place.
- 15.2** Any person who was a member of the Party immediately before the ratification of this Constitution will remain a member of the Party.
- 15.3** This Constitution shall come into force immediately upon ratification of its provisions by a Party Conference. Officers elected at the first conference where this Constitution is being ratified shall be deemed to be elected under this Constitution.
- 15.4** For the avoidance of doubt the Party as constituted by the previous constitution, immediately before the ratification of this Constitution, shall be considered to be the same organisation as is created by this Constitution.
- 15.5** For the avoidance of doubt, all debts, obligations, contracts, leases or similar instruments entered into by the Party immediately prior to the ratification of this Constitution shall continue.

