

# Constitution & By-Laws

## *Preamble*

We, believing in the greatness of God and our nation.

We, desirous of giving the Filipino people a better future under the rule of law and social justice.

We, committed to the liberation of our people from grinding poverty and unconscionable inequality by nurturing national unity, peace and development.

We, determined to harness responsibly Mother Nature's gift of abundant resources to ensure the protection of the environment and the promotion of sustainable development.

We, inspired by the historic People Power movements, to expand grassroots-based people's participation and civic engagement of our people particularly the youth and women in nation building and economic development.

We, driven to evolve innovative and futuristic solutions and systems in dealing with the socio-economic and political problems besetting our nation and our people.

We, fulfilling our sacred mandate to serve and protect our people under a regime of good governance, transparency and public accountability.

We, exercising our political and civil rights to pursue these noble objectives, unanimously agreed to establish a new political party embodying our collective ideals, and it is with these common ideology and shared vision that we ordain and promulgate this Constitution and By-Laws.

## ***ARTICLE 1 - Name and Symbols of the Party***

**Section 1.** The Party shall be known as “**NATIONAL UNITY PARTY**”.

**Section 2.** The short name of the Party is "NU PARTY".

**Section 3.** The party anthem shall be provided by the National Congress as soon as may be practicable.

**Section 4.** The party slogan is “One Nation, One Future” or such other slogan as the National Congress may provide otherwise.

**Section 5.** Until the National Congress provides otherwise, the party logo shall consist of a green monolithic block embossed with the Party’s acronym representing unity and solidarity and a yellow candle light with three rays representing the shared values and future of Luzon, Visayas and Mindanao.

## ***ARTICLE 2 - Declaration of Principles AND POLICIES***

NATIONAL UNITY PARTY seeks to achieve its objectives and programs based on these principles.

### **1.1 BELIEF IN GOD**

NATIONAL UNITY PARTY acknowledges God Almighty as the Supreme Being. In order to achieve this, the Party shall protect the rights and dignity of every Filipino regardless of race, religion or political affiliations.

### **1.2 SOVEREIGNTY OF THE STATE, NATIONAL INTEREST AND DEMOCRACY**

NATIONAL UNITY PARTY shall uphold not only the national and territorial integrity but the ecological security of the Philippines. It shall subscribe to the principle that sovereignty resides in the people and that the Philippines is a democratic and republican state.

### **1.3 SOCIAL JUSTICE AND RESPONSIBILITY**

NATIONAL UNITY PARTY believes that every person is equal under the law regardless of circumstance. To this end, it shall promote equal access to all economic, political and social opportunities available. The Party shall uphold the constitutionally enshrined right of equal protection under the law and that no person shall be deprived of his life, liberty, property and the pursuit of happiness without due process.

### **1.4 ENVIRONMENTAL AWARENESS**

NATIONAL UNITY PARTY supports of the policy of sustainable development by promoting environment friendly socio-economic activities with the government performing a supportive and moderating function. It subscribes to the general policy of liberating and deregulating the market forces and privatization and at the same time, strengthening public awareness and institutions on environmental protection as well as ecological challenges, particularly climate change and global warming.

## ***ARTICLE 3 - General Platform of Government (Goals and Objectives)***

**Section 1.** NATIONAL UNITY PARTY will work towards the emergence of a strong, peaceful, prosperous and ecologically balanced Republic through increased support to various

economic and development activities and the protection of people's social and political rights. To attain this goal, NATIONAL UNITY PARTY commits to the following objectives:

**1.1** To cultivate and promote a graft free and transparent government bureaucracy. To this end, promote the participation of the community and effective governance of the nation.

**1.2** To promote global economic competitiveness and greater participation in world market. Support the development of local industries to compete in international trade and finance.

**1.3** To advance social responsibility and corporate citizenship for the growth of a socially-progressive citizenry through the promotion of good corporate governance, best practices and creative continuity of social, cultural and economic reform policy.

**1.4** To uphold at all times the rule of law and of the majority as mandated under the 1987 Philippine Constitution together with the protection of the very basic human rights.

**1.5** To achieve a socially conscious people keeping in mind that the Philippines being an archipelago remains one nation.

**Section 2.** The Party Platform which shall specify the goals of the National Unity Party shall be provided by the Central Committee and presented to the National Congress for its approval.

#### ***ARTICLE 4 - Party Membership***

**Section 1.** Any Filipino is qualified for membership in the Party. Provided that, he is:

**1.1** is at least 18 years old at the time of his application.

**1.2** is not a member of any organization whose objectives, principles, and programs are contrary to, or inconsistent with objectives, principles and programs of the Party.

**1.3** accepts the Party's Constitution, commits to work actively and carry out decisions of the Party.

**1.4** submits to Party discipline.

**Section 2.** Applications for membership are filed with the Municipal Committee or City Committee which transmits its recommendations to the Provincial Executive Committee who acts on the same.

**2.1.** The National Congress and the Central Committee, however, may directly accept applications for membership in consultation with the appropriate local committee.

**2.2.** Applications will be evaluated based on the criteria that the National Membership Committee will formulate.

**Section 3.** The Oath of Allegiance and induction rites of the new members shall be administered by the Municipal, City, Provincial or Regional Committee according to the procedures prescribed by the Central Committee.

**Section 4.** Membership in the Party is terminated by death, resignation, or expulsion by the Chapter General Assembly as provided in Article 6 hereof.

#### ***ARTICLE 5 - Rights and Duties of Party Members***

**Section 1.** A party member in good standing shall be entitled:

**1.1** to participate in all activities of the Party;

**1.2** to be fully informed of all activities, plans of the Party and the use of Party funds and properties;

**1.3** to avail himself of Party services and facilities following the guidelines prescribed by the National Congress;

**1.4** to vote, and where qualified for the position involved, to be voted for.

**Section 2.** A Party member is obliged:

**2.1.** to conduct himself at all times in accordance with the principles, objectives and programs of the Party.

**2.2.** to keep himself fully informed of the plans, activities and services of the Party.

**2.3.** to pursue Party objectives and actively participate in the implementation of Party programs.

**2.4.** to help recruit qualified Party members in accordance with the standards as set forth under Article 4, Section 1 of this Constitution.

**2.5.** to pay the membership fee and the regular dues prescribed by the Central Committee, and the special assessments that may be imposed and/or approved by the Provincial Committee, City Committee or Municipal Committee.

**2.6.** to comply with duly promulgated decisions and to abide by the rule of the majority.

## ***ARTICLE 6 - Party Discipline***

**Section 1.** The observance of organizational discipline is a basic obligation of all Members of the Party.

**Section 2.** A member may be asked to withdraw his membership in the Party by a two-thirds (2/3) majority of the Chapter General Assembly. Should the Member refuse to withdraw, he may be expelled by a two-thirds (2/3) vote of a Chapter General Assembly.

**Section 3.** Forced withdrawal or expulsion may be resorted to on any of the following grounds:

**3.1.** acts constituting disloyalty to the Party.

**3.2.** willful and deliberate violation of the Constitution and By-Laws

**3.3.** lack of interest or unwillingness to participate in Party activities such as deliberate and unjustified refusal to undergo seminars sponsored by the Party.

**3.4.** desertion and refusal to uphold his/her duties and obligations as a member.

**3.5.** other acts inimical to the Party as determined by the Central Committee.

**Section 4.** Refusal to pay dues and/or assessments after due notice and demand shall not be a ground for expulsion but will disqualify a member from voting and from being voted.

**Section 5.** Any Party Committee concerned may, by majority vote, suspend or fine, censure or otherwise discipline, for sufficient and valid cause any erring Party Member.

**Section 6.** The imposition of Party discipline shall not be made without affording the erring member the opportunity to explain and defend himself after receipt of the written notice

specifying the charges against him. The member shall be entitled to counsel should he wish to avail one for himself.

**Section 7.** Any disciplinary action including expulsion by the Chapter General Assembly may be subject to appeal. However, the decision of the Central Committee shall be final and immediately executory.

**Section 8.** The Central Committee is mandated to immediately draft the guidelines and procedure for disciplinary hearings and investigation. These guidelines shall be made available to all party members and shall serve as their official notice.

### ***ARTICLE 7 - The Party Organization***

**Section 1.** The Party shall be organized as follows:

**1.1.** Municipal Committee - It is composed of all members who are elected municipal officials and leaders of the municipality. The Municipal Committee shall be responsible for the operations of the Party at the Municipal level.

**1.2.** City Committee - It is composed of all members who are elected city officials and leaders of the City. The City Committee shall be responsible for the operations of the Party at the City level.

**1.3.** Provincial Committee – It is composed of all the Municipal Committee Chairmen, City Committee Chairmen and members who are elected Congressmen, Provincial Governor, Vice Governor, Provincial Board Members and leaders of the province. The Provincial Committee shall be responsible for the operations of the Party at the provincial level.

**1.4.** Regional Committee – It is composed of all Provincial Committee Chairmen, elected Members of the House of Representatives, Provincial Governors, Vice-Governors and Provincial Board Members of the Region. The Regional Committee shall oversee the operations of the Party in the region.

**1.5.** National Congress - It is composed of Chairmen of Regional, Provincial, City Committees and Municipal Committees, who are President, Vice President, Cabinet Members, Senators, Congressmen, Provincial Governors, City and Municipal Mayors, National Party Officers and such other persons to be determined by the Central Committee. The National Congress shall exercise the Party authority and function as provided for in Article 8.

**Section 2.** All Party Committees are mandated to:

**2.1.** implement the programs, policies and projects of the Party at their respective levels.

**2.2.** nominate to the National Electoral Congress all candidates of the Party at their respective levels.

**Section 3.** Each Party Committee, except the National Congress, shall meet regularly at least once a month. To ensure compliance and monitoring, the minutes of the meeting shall be submitted to the Secretary General of the Party within ten (10) days therefrom through the fastest mode available.

**3.1.** the Central Committee may meet from time to time but in no case should it be less than once a year. It shall determine the date, time and place of such meeting. Notice shall be given specifying the date, time and place of the meeting to ensure the existence of a quorum.

### ***ARTICLE 8 - The National Congress***

**Section 1.** The National Congress shall meet at least once a year. It shall be composed of the national and local officers of the Party as provided in Article 7 hereof.

**Section 2.** It is the highest policy making body of the Party. Decisions and resolutions of the Central Committee may be voted, reversed and affirmed by the National Congress.

**Section 3.** Amendments to this Constitution shall be subject to ratification by the National Congress as provided in Article 14 hereof.

**Section 4.** Official candidates of the Party for national positions shall be nominated by the National Electoral Congress during the meeting of the National Congress and approved by the National Congress.

**Section 5.** Resolutions or decisions approved by the National Congress shall be final and binding upon the Party, its members and officers.

### ***ARTICLE 9 – The Central Committee***

**Section 1.** The Central Committee is the governing body of the Party. The Central Committee, through the Secretary General, shall be responsible for the operations of the Party, coordinate and direct the activities of the different Committees, and perform such other functions as may be provided herein.

**Section 2.** The Central Committee has the power to:

**2.1.** Formulate and adopt the policies, plans and program of the Party.

**2.2.** Approve proposed amendments to the Party Constitution, subject to the ratification of the National Congress.

**2.3.** Review, revise, alter, modify or repeal any resolution and/or decision approved by the other Party Committees at the Regional, Provincial, City and Municipal levels.

### ***ARTICLE 10 - The National Party Officers***

**Section 1.** The members of the National Congress shall elect from among themselves the following Party Officers who shall serve for a term of two (2) years:

**1.1.** Chairman.

**1.2.** Vice-Chairman.

**1.3.** President.

**1.4.** Vice-President for External Affairs.

**1.5.** Vice-President for Internal Affairs.

**1.6.** Secretary General.

**1.7.** National Treasurer.

**1.8.** Executive Director .

**Section 2.** The Chairman, Vice-Chairman, President, Vice-Presidents, the Secretary General, Executive Director and Treasurer, and such other members/officers as maybe designated by the President in consultation with the other incumbent National Party Officers shall form the Central Committee. The President and Secretary General shall ensure that quorum is achieved during the scheduled meetings of the Central Committee.

**Section 3.** The duties and functions of the Party Officers are as follows:

**3.1. Chairman**

The Party Chairman is the presiding officer of the National Congress and the Political Affairs Committee. He shall represent the Party in national and international conferences and other similar Party activities. In addition, the Chairman may perform other functions and such other powers as maybe delegated by the National Congress.

**3.2. Vice Chairman**

The Party Vice Chairman shall assist the Party Chairman in the performance of his functions and succeeds him in case of resignation, death and permanent incapacity of the Chairman.

**3.3. President**

The President is the Chief Executive Officer of the Party. He presides over the meetings of the Central Committee. Upon recommendation of other Party Committees, he can initiate the creation of special committees as circumstances may warrant. Likewise, upon the mandate of the National Congress, he shall perform other functions required by virtue of his office.

In case of incapacity, resignation or death of the President, the Central Committee shall immediately meet to elect a new President within a period of fifteen (15) days to decide who shall serve the unexpired term.

**3.4. Vice President**

The Vice President shall assist the President in the administration of the Party. The Vice-President shall perform duties that may be assigned to him by the President or the Central Committee.

**3.5. Secretary General**

The Secretary General shall be the Chief Operating Officer of the Party. He shall direct and supervise the affairs of the Central Committee, sign documents for the Party; implement the Party Programs; execute policies; and enforce Party discipline. He shall be the custodian of all the official records of the Party which shall include but not limited to the minutes of the meetings of all Party Committees and list of Members; and, prepare the reports to the Central Committee, including an annual report to the National Congress. Upon his recommendation and when circumstances warrant, Deputy Secretary Generals may be appointed in order to assist him. Such appointment shall be effective upon approval of the Central Committee.

**3.6. The National Treasurer**

The National Treasurer shall safeguard the funds of the Party and shall disburse the same according to the guidelines set by the Central Committee. He shall submit to the National Congress an annual audited financial statement of the Party. Upon his recommendation and

when circumstances warrant, a Deputy Treasurer maybe appointed to assist him. Such appointment shall be effective upon approval of the Central Committee.

### **3.7. Executive Director**

The Executive Director shall supervise the day-to-day operations of the Party. He shall perform duties as may be assigned to him by the President and Secretary General.

## ***ARTICLE 11 - The Committees***

**Section 1.** There shall be eight (8) Standing Committees, namely:

**1.1.** Membership Committee

**1.2.** Finance Committee

**1.3.** Public Information Committee

**1.4.** Committee on Grievance and Dispute Resolution

**1.5.** Committee on Community Development

**1.6.** Electoral Affairs Committee

**1.7.** Political Affairs Committee

The Chairmen of which shall be appointed by the President and such appointment shall be confirmed by the Central Committee who shall meet for such purpose.

**Section 2.** The functions of the various committees are as follows:

**2.1.** Membership Committee

The Membership Committee shall undertake the recruitment program of the Party. However, it shall be guided at all times by the Constitution and by Laws. It shall also undertake such activities which will promote the development of the members. These activities shall include education and training programs for the members.

**2.2.** Finance Committee

The Finance Committee shall formulate and establish a comprehensive program to sustain the various activities and projects of the Party.

**2.2.1.** Fund raising activities may be conducted by any of the Party units but only after approval of the Finance Committee.

**2.2.2.** It shall prepare and submit regular financial reports to the Central Committee. When so required, it shall make available the financial statements of the Party.

**2.3.** Public Information Committee

The National Public Information Committee shall be the official liason of the Party with accredited members of the mass media. The Spokesman shall be designated by Central Committee who shall represent the Party in all matters which need to be disseminated to the general public. This shall include the official statements of the Party on national and/or international issues.

**2.4.** Committee on Grievance and Dispute Resolution

All disputes and conflicts among the members of the Party shall be submitted to the Committee on Grievance and Dispute Resolution. Thus, for the information and to guide all

members, the Committee on Grievance and Dispute Resolution shall immediately convene and formulate its guidelines. These guidelines shall be submitted to the Central Committee for its approval. However, the Committee on Grievance and Dispute Resolution must always promote harmony among the members of the Party.

#### **2.5. Committee on Community Development**

The Committee on Community Development shall be in charge with the harmonious existence of the different Regional, Provincial, City and Municipal Committees of the Party. It shall undertake a continuous communication with all the Party Committees to ensure that the thrust and goals of the Party are upheld and advanced.

Further, in keeping with the objectives of the Party, the Committee on Community Development shall undertake such programs to promote awareness among the members including the various constituents of its elected public officials.

#### **2.6. Electoral Affairs Committee**

The Electoral Affairs Committee shall be primarily responsible for the Party propaganda and activities during the elections. It shall be charged with the strategies during the campaign period for official national candidates. Upon request, the official local candidates may coordinate with the Electoral Affairs Committee on how to strategize and conduct the campaign in their respective territorial jurisdictions. Finally, in keeping with its mandates, the Electoral Affairs Committee may tap the local machineries of the official local candidates of the Party to aid in the campaign and election of the official national candidates of the Party.

#### **2.7. Political Affairs Committee**

The Political Affairs Committee shall be the main screening committee of the Party for its members and such other candidates who express interest in running for national positions. As provided in Section 4, Article 8 hereof, official candidates of the Party for national positions shall be nominated by the National Electoral Congress to the National Congress during the meeting called for the purpose.

As part of its mandate, the National Electoral Congress shall issue guidelines and rules of procedure for the process of nomination of the members which shall include the qualifications of the official candidates.

The Central Committee shall, at its discretion, order the National Electoral Congress to convene for the purpose of receiving nominations and applications from the members of the Party.

### ***ARTICLE 12 - The Local Party Committees***

**Section 1.** For the conduct of the day-to-day affairs of the Party, Committees lower than the Central Committee shall elect from among themselves a Chairman, a Vice-Chairman, a Secretary and a Treasurer.

**Section 2.** The officers of all local party units have the following functions:

**2.1. Chairman** – He acts as Chief Administrator of the Party unit and as such, he shall be the presiding officer during the meetings. He shall also represent the Party unit of which he heads and shall sign all official documents and communications of the Party unit.

**2.2. Vice-Chairman** – He assists the Chairman in administering the Party unit. In case of incapacity, resignation or death of the Chairman, he shall serve as Chairman for the unexpired term. He shall perform other duties assigned to him by the unit.

**2.3. Secretary** – He keeps the records of the Party unit including all minutes and a copy of the membership roster of the unit. He is also tasked with the duty to ensure that the minutes of the meetings are submitted to the Secretary General.

**2.4. Treasurer** – He is the custodian of funds and other properties of the Party. The disbursement of the Party funds shall be from his office.

**Section 3.** All Committee Chairmen and officers of Party units shall be the local Committees to administer the day-to-day affairs of the Party unit. They may designate an auditor and/or such other officer as the Chairman may deem necessary for the smooth operations of his Chapter from among the unit's membership.

**Section 4.** All officers and Committee Chairmen of the local Party units shall serve for a term of two (2) years from the date of their election and/or until their successors shall have been elected and qualified.

**Section 5.** All officers of local party units may be recalled from their posts at any time by two-thirds (2/3) vote of all members in that unit in a general assembly set for such purpose.

### ***ARTICLE 13 - Location Of The National Office***

**Section 1.** The location of the National Office of the Party is Metro Manila.

**Section 2.** Unless the National Congress provides otherwise, the national office shall be situated at the Suite 907, National Life Building, Ayala Avenue, Makati City.

### ***ARTICLE 14 - Amendments To This Constitution And By Laws***

Amendments to this Constitution and By-Laws may be proposed to the Central Committee. The Central Committee, by a simple majority vote, may adopt any proposed amendments and hold consultations with the Party chapters on the proposed amendments at least six (6) months prior to its submission to the National Congress that shall be convened for the purpose. Amendments shall be effective upon approval by the National Congress by a simple majority vote of those present.

### ***ARTICLE 15 - Transitory Provisions***

**Section 1.** After the ratification of this Constitution and By-Laws, the National Party Officers shall be elected by the members of the National Congress present and voting. They shall serve the full term of two (2) years from the date of their election and/or until their successors shall have been duly elected and qualified.

**Section 2.** The President or the Secretary General in consultation with the other National Party Officers shall issue interim appointments of Municipal, City, Provincial and Regional Committee Chairmen to speed up the process of nationwide organization of the Party. These appointments shall be effective until the organization of the regular Municipal, City, Provincial and Regional Committees or unless sooner revoked.

***ARTICLE 16 - Effectivity***

This Constitution and By-Laws takes effect immediately upon its ratification by the members of the Party in a meeting held for the purpose.

07 December 2010. Quezon City.

**ROGER G. MERCADO**

*Secretary-General*