

**Social
Democrats**

Constitution

Updated: 4th April 2024

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.

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 reimagines 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 socioeconomic 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, collectively organised in Party branches, 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 apply to become, and may remain, a member of the Party provided they:

- a) Espouse the principles, purpose and values of the Social Democrats;
- b) Comply with the minimum age for membership set by the National Executive. The National Executive, considering both Party objectives and child protection requirements and best practice, may establish a minimum age for membership;
- c) Are a resident of the Republic of Ireland or an Irish citizen living outside of the Republic of Ireland;
- d) Are not a member of any other political party in the Republic of Ireland;
- e) Have not previously been expelled from the Party, or have their membership currently suspended;
- f) Accept and agree to abide by the Party's Constitution, the Members' Code of Conduct, and other rules and requirements as determined by the National Executive; and
- g) 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.

4.2 Every member shall have the opportunity to join a branch. If there is not an active branch in the constituency they reside in, or with which they have been found to have a bona fide connection, they will be allocated to a special 'non-constituency' branch, as deemed appropriate by the General Secretary based on criteria determined by the National Executive. The National Executive may create more than one such branch. Such branches shall have all the same rights as regular branches for the purposes of the Party's internal democracy, but they shall not nominate or select candidates for state elections.

4.3 All applications for membership shall be forwarded to the relevant branch for approval by the required branch officers. If approved by the required branch officers, the applicant will become a Provisional Member for a period of six months, at which time the branch secretary shall submit the decision of the required branch officers to the assigned Party employee on whether the Provisional Member should become a Full Member. The decision of the required branch officers may be overruled by the National Executive at its discretion.

- 4.4** The National Executive is empowered in exceptional circumstances to suspend or rescind the provisional or full membership of any individual at its discretion. Such a decision would require a two-thirds majority of a quorate National Executive.
- 4.5** All members are expected to conduct themselves in a collegiate manner at all times, to treat other members of the Party with dignity and respect, based upon our shared principles and objectives, and are expected to abide by the Party's Constitution, the Members' Code of Conduct, and other rules and requirements as determined by the National Executive;
- 4.6** Full Members have the right to vote on all matters for which a vote is called pursuant to this Constitution and rules made thereunder.
- 4.7** The Social Democrats is a campaigning party that prioritises evidence-based policy proposals and endeavours 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.
- 5.2** The National Conference shall be held at least every 24 months.
- 5.3** The General Secretary, or other assigned Party employee, shall consult with the leader(s) on the drawing up of the National Conference Preparation Plan, which Plan must be approved by the National Executive.
- 5.4** A Special Conference for a particular specified purpose may be called by a majority decision of a quorate National Executive.
- 5.5** All Full Members of the Party shall be entitled to vote at National Conference, subject to the payment of a delegate fee as fixed by the National Executive and notified to members. The decision to charge delegate fees shall be at the sole discretion of the National Executive. The National Executive shall make provision for a waiver scheme.
- 5.6** **The duties and powers of the National Conference are as follows:**
- a)** To deliberate and decide upon proposals to amend the Party's Constitution;
 - b)** To deliberate and decide upon on the direction of Party policies;
 - c)** To receive and discuss annual reports from the National Executive, the Parliamentary Party, the National Council, the General Secretary and the Party Treasurer;
 - d)** To receive and discuss motions submitted by branches and the National Executive, in accordance with the Standing Orders of the Party;
 - e)** To elect the Chairperson, Vice-Chairperson, and ordinary members of the National Executive, in accordance with the Standing Orders of the Party;
 - f)** To elect five of the ordinary members of the Standing Orders Committee, no more than three of whom shall identify as any one gender, in accordance with the Standing Orders of the Party.
- 5.7** The National Executive is empowered to submit motions and amendments to motions of its own volition in accordance with its own Standing Orders.

- 5.8 All branches are permitted to submit motions to National Conference in accordance with the rules adopted by the National Executive, which rules must provide for the following:**
- a)** Notice seeking proposals for motions must be given to all branch members;
 - b)** Only Full Members can vote on proposals for branch motions;
 - c)** A member can submit only one proposal to their branch for consideration as a motion at Conference;
 - d)** Branch motions to be put to Conference must specify the exact wording of any proposed amendment to the Party Constitution, but shall not specify the exact wording of any proposed policy. Policy motions must be phrased as a proposal only so that branches do not override the processes applicable to the determination of Party policies and the duty of the National Executive to ensure the good governance of the Party;
 - e)** The branch shall ensure that all Full Members have the opportunity to partake in the process and do so in accordance with the rules outlined in the Branch Manual or as adopted by the National Executive.
- 5.9** Decisions of the National Conference and any Special Conference shall, unless otherwise agreed, become operable as soon as they are passed by Conference.

5.10 Standing Orders Committee

Objectives

- 5.10.1 The Standing Orders Committee shall consist of eight ordinary members, no more than five of whom shall identify as any one gender. Five of the ordinary members shall be elected at National Conference, and three shall be appointed by the National Executive.
- 5.10.2 No member shall serve more than three consecutive terms as a member of the Committee. The term shall commence at the close of the National Conference and shall terminate upon the election of ordinary members of the Standing Orders Committee at the next following Conference. Any member who is absent for three or more consecutive meetings, without explanation, shall be deemed to have vacated their office.
- 5.10.3 The National Executive shall, at its discretion, fill any vacancies that arise on the Standing Orders Committee.
- 5.10.4 No person who is a member of the National Executive shall serve as a member of the Standing Orders Committee.

Meetings

- 5.11.1 The Committee shall first meet as soon as is practicable after the National Executive has made its nominations to the Committee.
- 5.11.2 The Standing Orders Committee shall elect a Chairperson and Vice-Chairperson from among its members at its first meeting.
- 5.11.3 The Committee shall meet as often as is required prior to National Conference, and shall consult with the General Secretary or other assigned Party employee, in order to support the successful delivery of National Conference.
- 5.11.4 The National Executive shall adopt standing orders for the operation of the Standing Orders Committee.

Roles and Responsibilities

5.12.1 The Committee is responsible for the following:

- a) Managing and verifying nominations submitted for posts created by the Constitution;
- b) Checking the validity of all proposed motions and amendments submitted;
- c) Drafting composite motions, if appropriate;
- d) Compiling the valid motions and amendments for National Conference;
- e) Preparing a preliminary agenda and final agenda for Conference, in conjunction with the National Executive;
- f) Managing elections and voting on motions at National Conference.

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

- a) The appointment of a Chief Teller and Assistant Tellers to count votes on the floor of conference, none of whom need be members of the Committee;
- b) The conduct of elections, and the appointment of a Returning Officer and scrutineers, none of whom need be members of the Committee, and none of whom are contesting an election in which they are involved;
- c) The consolidation or composition of motions on related topics;
- d) The Order of Business for Conference, including the times allocated to each session;
- e) Time limits to be imposed on speakers;
- f) In the case of Special Conference, proposals for any variation to Standing Orders considered necessary to ensure Special Conference can conduct its business.

5.12.3 The Committee is required to forward the report to the National Executive for its prior consideration and approval.

5.12.4 The approved report shall be sent to all 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.

5.12.5 The Committee may 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.

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:

- a) Facilitate the development of policies within the Party;
- b) Support the effective implementation of Party campaigns; and
- c) Facilitate communications between branches and the wider Party.

6.1.2

Composition

The National Council is comprised of:

- a) Two representatives from each branch. Each branch shall nominate two representatives (Who shall, as far as is practicable, be of different gender identities).
- b) They shall both serve a full term from one National Conference to the following National Conference;
- c) All members of the Policy Committee;
- d) All public representatives of the Party;
- e) All members of the National Executive;
- f) Senior Party employees shall have attendance and participation rights at National Council meetings but shall not have any voting rights;
- g) The General Secretary or other assigned Party employee will act as the Secretary to the National Council.

6.1.3 Meetings

- 6.1.3.1** The National Council will meet three times in every calendar year, except in a quarter when a Party Conference or national election has been called. A meeting may be called by the Party Chairperson, and shall be called by the General Secretary or other assigned Party employee upon receiving a petition signed by at least 50% of Branch Chairpersons, having first consulted with their respective branches.
- 6.1.3.2** **Members will be given at least ten working days' notice of the meeting.**
- 6.1.3.3** **The quorum will be reached when at least 40% of all branches are represented.**

6.1.4 Accountability

- 6.1.4.1** The National Council will receive reports on an alternating basis from various Party Officers, Staff, and bodies in line with the procedures set out in the standing orders of the National Council and as determined by the Party Chair in consultation with the Party Leader/Deputy Leader and Policy Committee Chair in advance of each meeting.
- 6.1.4.2** **Members of the National Council will be given an opportunity to ask questions on any of the reports submitted.**
- 6.1.4.3** The Party Chairperson will present a report of each National Council meeting to the National Executive.
- 6.1.4.4** Branch representatives may provide a report setting out branch activities, campaigns, and engagements in their local community.

6.1.5 Policy Committee

6.1.5.1 The Policy Committee will oversee the research and development of policy proposals. The Committee will supervise a limited number of strategic policy groups which will develop policy papers and advise the Parliamentary Party on current issues as required. The Committee will review all work and report with completed drafts to the National Council.

6.1.5.2 The Policy Committee shall consist of:

- a)** Four members elected by National Council;
- b)** One member appointed by the Party leader(s);
- c)** One member appointed by the Chairperson of the Parliamentary Party;
- d)** One member appointed by the Chairperson of the Councillors' Forum;
- e)** One member appointed by the Party Chairperson;
- f)** The Policy Director, or other assigned Party employee, is ex officio a member of the Committee but shall not be empowered to vote on any matter.

6.1.5.3 The term for elected members of the Policy Committee will commence at the first National Council meeting after the National Conference and end at the National Council meeting after the following National Conference.

6.1.5.4 No member of the Policy Committee shall serve more than three consecutive terms.

6.1.5.5 Any member who is absent from three or more consecutive meetings, without explanation, shall be deemed to have vacated their office. Any vacancy shall be filled in the following manner:

- a)** Elected members shall be replaced by the National Executive on the joint recommendation of the Chairperson of the Policy Committee and the Policy Director or other assigned Party employee.
- b)** Nominated members shall be replaced by another nominee of the leader or officer who nominated that member.

6.1.5.6 The Committee shall first meet as soon as is practicable after the required appointments have been made. The National Executive shall instruct the Standing Orders Committee to hold an election for the four elected members of the Policy committee so as to ensure the Policy Committee can meet well in advance of the first National Council.

6.1.5.7 The Policy Committee will elect its own Chairperson from among its members to chair meetings and oversee the efficient running of the Committee.

- 6.1.5.8** The Policy Director, or other assigned Party employee, will act as secretary to the Committee and shall be the rapporteur between the Policy Committee and the Parliamentary Party, and liaise with each unit as and when appropriate.
- 6.1.5.9** The Policy Committee will consult with the Policy Director, or other assigned Party employee, before determining the areas of policy to be advanced or updated, and appoint the member of the Committee with the greatest expertise to lead each strategic policy group assigned to developing each particular area of policy within an allotted timeframe.
- 6.1.5.10** The Policy Committee will meet to monitor the progress of each strategic policy group, and to discuss and adopt specific policy proposals.
- 6.1.5.11** The Policy Committee will provide a written report to the National Council on the progress of each strategic policy group, and submit proposals to each National Council meeting for discussion and consultation.

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.
- The appointment of the Party Trustees

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 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 Councillors selected by the local councillors at their sole discretion;
- 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 TDs, Senators and MEPs. 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

The Parliamentary Party has a leading role in the determinations of Party policies and, in the absence of an agreed policy position on a specific matter, may determine such policy positions on a day-to-day basis in line with Social Democratic values as set out in Section 1, 1.2, 1.3 and 1.4 of this Constitution.

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.

6.5 Councillors' Forum

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.

6.5.1 Membership

- a) The Councillors Forum shall comprise of all Local Authority Councillors who are members of the Social Democrats and who currently hold the Party whip.
- b) The Councillors Forum shall elect a Chairperson and a Vice-Chairperson (preferably of a different gender) from among its members. The Chairperson of the Councillors Forum shall organise the business of the Councillors Forum.

6.5.2 Role

- a) It is the role of the Councillors Forum to discuss and collaborate on local authority affairs, share expertise and advise around frequently recurring council issues, committee appointments, and pacts.
- b) The members of the Councillors Forum elected to the National Executive shall report on the decisions and work of the National Executive to the Councillors Forum and shall communicate the views of the Councillors Forum to the National Executive.
- c) The Councillors Forum shall strive to coordinate policy proposals and SPC/council motions or responses by its members across the country so there is clear, consistent social democratic identity and vision for local authorities nationwide. In the absence of an agreed policy position on specific local authority matters, councillors on that specific local authority may determine such policy positions on a day-to-day basis in line with Social Democratic principles and Party policy.
- d) The Councillors Forum may propose a motion and amendments to the National Conference, on the same basis as branches. However, it may not nominate people for elections at the National Conference.

Leadership

7.1

The Party Leader(s) 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:

- a)** Leading and inspiring the Party membership and representatives by good example, maintaining professional standards, and exercising accountability;
- b)** Being the principal representative(s) and spokesperson(s) of the Social Democrats;
- c)** The appointment of parliamentary spokespersons and other parliamentary-related positions;
- d)** Having a key role, 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;
- e)** 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;
- f)** 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;
- g)** Directing the recruitment, management and the political functions, of those Party employees and agents who are working or retained primarily with the Parliamentary Party and the Party Leader(s), in consultation with the National Executive, and the General Secretary or other assigned Party employee, as and when appropriate;
- h)** 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 Chairperson, 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 where an investigation is reasonably possible to conduct, or for a specified period of time or until a specified event has occurred or a specified action has been taken;
- i)** Ensuring that when more than one leader is appointed, that each Leader supports the other, that their respective strengths are utilised to maximum effect, and that they present as united representatives of the Party and its principles at all material times;
- j)** 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 term 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 this Constitution and any procedures validly adopted by the National Executive.
- 7.3** The National Executive shall also have the power to call a leadership election. Such a motion will 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.
- 7.5** All candidates for leader must be members of Dáil Éireann. Should circumstances arise whereby the Party does not have an elected member of Dáil Éireann in its ranks, then members of Seanad Éireann may seek election to the position of leader. In the event that the Party does not have a TD or a senator in its ranks, but does have a Member of the European Parliament, then a member of the European Parliament may seek election. Should the Party have no eligible members other than sitting councillors, any councillor or ordinary member may contest a leadership election if this proposal is approved by two-thirds of the National Executive.
- 7.6** For the avoidance of doubt, reference to the leadership of the Party in this Constitution includes 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.
- 7.7** The election will be by secret ballot and apply a single transferable voting system. The National Executive will decide whether the election takes place by postal ballot and/or digital ballot.
- 7.8** Any Full Member of the Party upon the calling of the election shall be eligible to vote in the election of the Party Leader(s).
- 7.9** 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.
- 7.10** In the event that one person holds the position of Party Leader, the National Executive shall open nominations for the position of a sole Deputy Leader.

7.10.1 In such circumstances, the same eligibility and nomination criteria applicable to the position of leader will apply to the position of deputy leader, and in the event of an election taking place, it will be by secret ballot and apply a single transferable voting system. The National Executive will decide whether the election takes place by postal ballot and/or digital ballot.

7.10.2 The Deputy Leader shall:

- a)** Fulfil the duties of the Leader at the request of the Leader or in their absence;
and
- b)** Assist the Leader in their duties as outlined in this Constitution.

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.
- The National Executive is required to assess the performance of the Party Treasurer on an annual basis
- The National Executive is empowered to rescind the appointment of the Party Treasurer at its discretion by a vote of at least a two-thirds majority

- 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 Executive
- 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 underrepresented 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 Executive. 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, 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, a Party public representative has the right to form their own views and to take decisions within areas mandated by the post to which they have been elected or coopted, subject to the Party's principles, policies and political programme.

10. Entry into Government

- 10.1** In circumstances where the majority of TDs 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 two thirds 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 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)** A Members' Code of Conduct reflecting Party values and principles;
- b)** Procedures by which branches shall resolve internal issues;
- c)** Procedures for the investigation of legitimate complaints and the imposition of appropriate disciplinary measures.

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.
- 12.1.2** Where practical, the Party shall engage with the relevant 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.
- 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 Executive 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, invalid or unlawful, the National Executive may, for purpose solely of rectifying the said inoperability, invalidity or unlawfulness, adopt an amendment of this Constitution. Such an amendment shall only be adopted if two-thirds of a quorate National Executive agree on the need to change. The National Executive shall then write to the Parliamentary Party outlining the proposal. The amendment shall be adopted and enacted if, by way of letter, the Chairperson of the Parliamentary Party confirms that at least two-thirds of its members approve of the change. 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.



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