

THE CONSTITUTION OF THE



FREE DEMOCRATIC MOVEMENT

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Preamble

The Free Democratic Movement has been formed out of the need to address the growing concern for the protection of democracy and the empowerment of Bermudian people. Our commitment is to strengthen the Islands of Bermuda socially, economically and environmentally, for the benefit of generations to come. We recognize that it is the responsibility of leaders to nurture, motivate, encourage, educate, and inspire its people to self-discover their natural and intellectual talents, to uphold the democratic rule of law, and to provide infrastructure for the growth and development of its nation. We also acknowledge that the core values of: Freedom, Unity, Self-Discipline, Industry, Loyalty, Respect, and the Rule of Law, are fundamental and relevant for all generations. Together, we can live up to these dignified ideals.

Name

1. The name of this organization shall be the “Free Democratic Movement,” hereinafter referred to as “the FDM”.

Symbol

2. The cedar tree will be the symbol for the Free Democratic Movement, which portrays and articulates its ideologies: The cedar tree is symbolic of endurance, eternal life, elevation, and immortality.



Aims and Objectives

3. The Aims and Objectives of the FDM shall be:
 - a. To practice and preserve what we consider to be the superlative of democracy, a government of the People, by the People, and for the People.
 - b. To establish and maintain in office, a government which empowers all people through social, cultural and economic development.
 - c. To establish and maintain a liberated and democratic electoral process that guarantees the right of all voters to choose their representatives without intimidation, victimization or hindrance.
 - d. To provide honest, thoughtful, capable and truthful government for all.
 - e. To afford our people opportunities to exercise self-governance and determine their own destiny.
 - f. To ensure that our laws are compatible with the present-day needs of our people.
 - g. To be impartial and just in all our dealings.
 - h. To defend human rights, safeguard our freedoms, and protect all people in Bermuda from harassment, intimidation or the invasion of their privacy.
 - i. To foster fair play and equal opportunity, strengthen education, ownership and investment in all major areas of industry, and broaden the economic base by providing creative and innovative opportunities that give employers and employees confidence of a just return on their respective contributions.
 - j. To promote the value of accountability, high ethical standards, dedication and efficient service within public life.

Foundational Core Values

4. We have accepted and endorsed the following core values

a. Freedom

As humans, we are all spiritual beings clothed in flesh, endowed with a reasoning mind and the faculty of free will, which must be cultivated for the manifestation of an open, benevolent, and free society.

b. Unity

We seek to implement policies that forge greater unity for the common good of all.

c. Self-Discipline

We encourage transparency and commitment to self-discipline in the performance of our civic duties.

d. Industry

We commit to the support and encouragement of private sector involvement in the development of our country, and pledge to provide the infrastructure required to facilitate further growth whilst reducing obstacles to progress.

e. Loyalty

We are invested in Bermudians and pledge to support our local interests for the betterment of our country.

f. Respect

We strive to become living examples of the Golden Rule by honoring and respecting others in a manner that reflects the way we would like to be honoured and respected ourselves.

g. Rule of Law

We are accountable to the laws that govern our society, committed to ensuring that they are enforced equally and impartially, and prepared to regulate, reform and amend them, when necessary, as our democracy evolves.

National Convention

5. A convention shall be held annually during the month of September or at any time duly appointed by the Central Congress. This meeting shall be called The National Convention.

The National Convention shall be constituted as follows:

- a. Financial Members of the Central Congress
 - b. All official delegates that were duly elected from the Regional Branches, that is one delegate per Branch. The Branches must be financial pursuant to Section 38 (b) of the constitution for the delegate to participate.
6. All members of the FDM are entitled to be admitted to the open sessions of the National Convention but may not take part in its closed proceedings unless they are either within category (a), or category (b) above.

The National Convention shall:

- a. Review the work of the FDM
- b. Make any amendments by resolution to the platform, bylaws and constitution.
- c. Modify and/or establish new policies, programs and standing orders
- d. Receive and adopt the reports of the Central Congress and Branches.
- e. Elect all National Officers.

The National General Convention shall be the supreme authority of the FDM.

The Central Congress

7. There shall be a Central Congress which shall be the principal governing body of the FDM between conventions and shall be responsible for the implementation of the plans and objectives of the FDM, and for ensuring that the FDM's Constitution is adhered to. The Central Congress shall meet at least once per month. The Chairperson of the Congress may, whenever they deem fit, convene a Central Congress meeting. Likewise, Central Congress meetings shall be convened upon a request by members consisting of not less than one quarter of the branches entitled to sit and vote at a Central Congress meeting.
8. The Central Congress shall receive from the Executive Council recommendations for the nominations of candidates in any general election or bye-election for the House of Assembly and shall make the final determination as to the nomination of every candidate. The Central Congress shall carry out the directives issued by the National Convention. Prior to the first National Convention following the creation of the FDM, the Executive Council shall determine all policies, voting process of the National Officers, procedures of the FDM, and all candidates for the said general elections.
9. **The Central Congress shall consist of:**
 - a. The National Officers of the FDM
 - b. The Parliamentary Members of the FDM
 - c. A representative from each constituency who shall be elected by the Regional Branch.
 - d. Any Candidate for election to the House of Assembly, duly approved by the Central Congress who is not otherwise a Congress member shall be accorded membership for one (1) calendar year after a general election or until a new Candidate is selected.
 - e. Two representatives each elected from any associated groups of the FDM respectively.

Executive Council

10. There shall be an Executive Council comprised of the Leader of the FDM (who shall be the Chairperson of the Committee), the Deputy Leader, the Chairperson, the Deputy Chairperson, the Secretary General, the Deputy Secretary General, the Treasurer, the Deputy Treasurer, the Sage, the Sergeant at Arms, and the Chairperson, or a designated representative, of each Associated Group.
11. **The Executive Council of the FDM shall be responsible for:**
- The general administration of the FDM; inclusive of implementation of policy, rules and procedures prior to the first National Convention.
 - Establishing and keeping active Branches in each Constituency in Bermuda.
 - Considering and approving applications for membership in the FDM in accordance with the procedure for admission.
12. The Executive Council shall sit as and perform all the functions of a Candidate's Committee and shall recommend for the approval and nomination of the Central Congress a candidate or slate of candidates for election to the House of Assembly. The Executive Council shall not recommend any candidate for approval of the Central Congress before informing the relevant Regional Branch. All recommendations submitted for the approval of the Central Congress shall be accompanied by a written report of the views of the respective Regional Branches over the signatures of not less than two of their duly authorized officers, none of whom shall be the recommended candidate.
13. **The Executive Council shall:**
- Meet once a month for business
 - Make quarterly written reports of its activities to the FDM's Central Congress.
 - Investigate all matters of discipline and make recommendations to the Central Congress.
 - Present to the FDM's Convention a report covering its work and the progress of the FDM.
 - Appoint a Public Relations Officer who shall be responsible to the Leader and the Executive Council for all literature, press releases and other publicity material.
 - Employ, dismiss, and fix remuneration for persons deemed necessary for the proper function of the FDM Central Office.

Quorum

14. A quorum of the National Convention, the Central Congress and the Executive Council shall consist of one-fourth of their number. Amendments to the FDM's constitution require a quorum of the National Convention, which shall consist of one-third of delegates present and eligible to vote at such convention.

National Officers

15. The National Officers of the FDM shall comprise:

- a. The Leader
- b. The Deputy Leader
- c. The Chairperson
- d. The Deputy Chairperson
- e. The Secretary General
- f. The Deputy Secretary General
- g. The Treasurer
- h. The Deputy Treasurer
- i. The Spiritual Advisor
- j. The Sergeant-at-Arms

16. **All National Officers** of the FDM shall be elected by the National Convention or a Special meeting called for that purpose. The Central Congress may also elect National Officers to fill any vacancies arising between Conventions. Prior to the first National Convention the Executive Council shall have the authority to elect officers to fill all vacancies.

17. **The Leader** shall be the Head of the FDM. They shall be responsible for implementing and coordinating the FDM's policies and political activities after consultation with the Executive Council, the Parliamentary Members, and other members of the FDM at their discretion, as may be consistent with the FDM's Platform and the Constitution. The Leader may require anyone, at any time, to report to them or the Executive Council on the progress of their work.

18. **The Deputy Leader** shall be the deputy head of the FDM and shall, in the absence of the Leader, perform the functions of Leader. They shall assist the Leader in implementing and coordinating the FDM's policies and political activities.

19. **The Chairperson** shall be the Chief Executive Officer of the FDM and, subject to general directives from the Executive Council, shall supervise the general administration of the FDM. They shall preside over all meetings of the Central Congress and shall have overall responsibility for all FDM elections, including the Central Congress, Regional Branches, Associated Groups of the FDM, and shall designate a National Officer to oversee the said elections.

20. **The Deputy Chairperson** shall assist the Chairperson in carrying out of their duties. In the absence of the Chairperson, the Deputy Chairperson shall carry out the duties of the Chairperson and shall carry all powers of the Chairperson. Together with the Secretary General, the Deputy Chairperson shall oversee the administration of the Regional Branches.

21. **The Secretary General** shall be the Chief Administrative Officer of the FDM and, subject to the general instruction of the Chairperson, shall be responsible for the day-to-day operations of the FDM and for the supervision of headquarters staff. The Secretary General shall attend meetings of the Central Congress and of the Executive Council and may attend other meetings of the FDM. Specifically, they shall:
- a. Carry out the instruction and directives of the Executive Council
 - b. Keep a roll of all members of the FDM and such other records as the Executive Council may direct
 - c. Conduct the correspondence of the FDM
 - d. After consultation with the Leader and the Chairperson, prepare the agendas for all meetings of the Central Congress and Executive Council, preserve minutes of the proceedings and keep a record of attendance of all members of the Central Congress and Executive Council
 - e. Send a copy of the agenda of the FDM Convention to all Regional Branch secretaries and to all delegates at least seven (7) days before the beginning of the Convention
 - f. Receive any matter which the FDM's Regional Branches may wish to place before the Executive Council and include such matter on the agenda of the meeting of the Executive Council at the earliest opportunity
22. **The Deputy Secretary General** shall assist the Secretary General in the performance of their duties and in the absence of the Secretary General, the Deputy Secretary General shall carry out the duties of the Secretary General and shall have and exercise all powers of the Secretary General.
23. **The Treasurer** shall function as the financial controller of the FDM and shall:
- a. Collect and maintain in the FDM's name funds to run the FDM to carry out programmes, including a fund to finance the FDM's election expenses. All such funds shall be kept in licensed financial institutions approved by the Executive Council. Withdrawals shall require two (2) signatures, the signature of the Treasurer, or such other person who acts as Treasurer, and a countersignature by the Chairperson or the Leader.
 - b. Keep the accounts of the FDM and present a financial statement of the receipts and expenditures for the preceding month at the next meeting of the Executive Council and the Central Congress. Such financial statements shall include:
 - i. The financial commitments of the FDM
 - ii. The amount of money due and owing to the FDM
 - iii. The amount of money paid toward those commitments in the preceding month
 - iv. The amount of cash on hand
 - v. A balance sheet and income statement

- c. Within six weeks after the end of every calendar year, present to the Executive Council a report for the preceding financial year, including an Income and Expenditure account and a balance sheet duly audited by approved auditors. This document shall be published and made available on the FDM website.
 - d. Submit for internal audit, when requested by the Executive Council, the account books and vouchers of the FDM, and present to the National Convention of the FDM a summary of the accounts, as may be determined by the Executive Council.
 - e. Audit the accounts of any Regional Branch or affiliated organization when so directed by the Executive Council.
 - f. Make all disbursements on behalf of the FDM, including withdrawals from the FDM's bank accounts. All disbursements shall be supported by a voucher/requisition signed by the Secretary General.
 - g. Present to the National Convention a summarized Financial Report.
24. **The Deputy Treasurer** shall assist the Treasurer in the performance of their duties and in the absence of the Treasurer, the Deputy Treasurer shall carry out the duties of the Treasurer and for that purpose shall have and exercise all powers of the Treasurer. The Deputy Treasurer shall preside at meetings of the Fundraising Committee.
25. **The Spiritual Advisor** shall leverage the wisdom they have attained through experience to provide guidance to members and maintain the moral tone of the organization.
26. **The Sergeant-at-Arms** shall protect members by preserving order and maintaining security

Parliamentary Group

27. The Parliamentary Group shall comprise all FDM members in the House of Assembly and the Senate.
28. There shall be regular meetings of the Parliamentary Group at which the FDM's legislative agenda, strategy, economic, social and political issues shall be discussed. Specific duties may be assigned to individual members.
29. In Government, Members of Cabinet shall maintain close and frequent contact with other Parliamentary Members by means of these meetings, with a view to maintaining political harmony and Parliamentary solidarity.
30. The Chairperson and Secretary General of the FDM shall receive notices of and be entitled to attend and participate in all meetings of the Parliamentary Group.
31. The Leader, and in their absence the Deputy Leader, shall preside at all meetings of the Parliamentary Group.
32. The Parliamentary Group shall make regular and prompt reports of its activities to the Central Congress.

Committees

33. The Chairperson shall, after consultation with the Leader, appoint the following committees and shall set timetables for their work and reports.
- a. Finance Committee
 - b. Fund-raising Committee
 - c. Public Relations Committee
 - d. Platform Committee
 - e. Convention Committee
 - f. Membership Committee
 - g. Candidates Committee
 - h. Campaign Committee
34. The Leader shall, after consultation with the Executive Council, appoint the Campaign Committee.
35. The duties and responsibilities of the committees shall be as follows:
- a. The Finance Committee shall be responsible for raising money for an Election Fund for the purpose of financing election campaigns, and for managing the collection of funds from the FDM's regular contributors.
 - b. The Fund-raising Committee shall be responsible for raising money through public events.
 - c. The Public Relations Committee shall make recommendations to the Executive Council for special public relations events and shall assist the Public Relations Officer with research and the production of written material such as press releases, articles and speeches. The Public Relations Officer shall be the Chairperson of the committee, and the official spokesperson for the FDM.
 - d. The Platform Committee shall be responsible for determining issues and solutions to be put to the electorate.
 - e. The Convention Committee shall be responsible for the organization of conventions and special meetings.
 - f. The Membership Committee shall be responsible for the recruitment and approval of members to the FDM.
 - g. The Candidates Committee shall be responsible for the review and recommendation of candidates for the FDM.
 - h. The Campaign Committee shall be responsible for the logistics, manpower, supply planning, and execution of every election campaign undertaken by the FDM, including the preparation of a campaign budget.

Regional Branches

36. There shall be a Regional Branch for every two (2) to four (4) Parliamentary Constituencies in Bermuda, and each Branch shall be governed by the constitution of the FDM.
37. Every Regional Branch shall form part of the FDM and as such shall be subject to the general directives of the Executive Council, the Central Congress and the National Convention. Any decision of a Branch shall be subject to review by the Executive Council.
38. A Regional Branch shall consist of the Members of Parliament (if any) for the constituencies in that region, the candidates duly nominated by the FDM, and such other persons being members of the FDM who are ordinarily resident in those constituencies.
 - a. Each Regional Branch shall be entitled to engage in fund-raising activities and may solicit and accept donations from various sources, the receipt and disbursement of which shall be subject to review by the Executive Council.
 - b. Only members of a Regional Branch in good standing shall be eligible to vote at annual and general, monthly or special meetings of the Regional Branches, and at Conventions. For the purpose of this paragraph, a member shall not be in good standing unless that member is paid up in full for that financial year and has attended at least a quarter of the meetings in the previous twelve (12) months. New members will have voting rights after attending three (3) monthly branch meetings.

Membership

39. Anyone willing to commit themselves to these principles and objectives may pledge support to the FDM and become eligible for individual membership upon approval of their application.
40. Every member of the FDM shall be and remain a financial member by paying into the FDM, through a Constituency or the FDM's Central office, an amount to be determined by the Executive Council. In certain circumstances, a member may be admitted and remain in good standing without paying the said dues or any part thereof with the consent of the Executive Council.

Group Association

41. Group Associations shall include:

- a. Groups, organized for social, educational, business and professional purposes, whose plans and objectives are consistent with those of the FDM, may become associate members upon approval by the Central Congress on recommendation from the Executive Council

Group Association Guidelines

42. Guidelines for the structure of Group Association are as follows:

- a. All groups shall be governed in accordance with the rules which are set forth in the FDM Constitution.

43. Every member of the FDM shall be eligible for membership in groups associated with the FDM in accordance with the procedures for admission of members laid down in the Constitution.

44. Groups associated with the FDM shall have representation on the Central Congress and the Executive Council and shall have the discretion to appoint persons to represent them at the National Convention as provided for in this Constitution.

45. The Executive Council shall have general supervisory responsibility for all groups, including authority

- a. To review any decision likely to affect the fairness of the FDM
- b. To monitor expenditures and
- c. To exercise oversight and disciplinary function over each group's officers and members

Discipline

46. Any member of the FDM who shall independently nominate to contest a Parliamentary election or by-election against a candidate duly nominated by the FDM shall be conclusively deemed to have, thereby, resigned from membership in the FDM and from any office, rank of honour, or affiliation of any kind with the FDM and any of its subordinate associations.
47. Wherever it shall come to the notice of the Executive Council that a member of the FDM may have acted contrary to the interests of the FDM, its Platform, Programs, Policies, or Principles, the Executive Council may, at its discretion, cause an investigation to be made. If, after such investigation, it considers that a charge should be made against the member, the committee shall forward to the member a statement of the charge together with particulars of the allegation upon which the charge is based. Insofar as the charge and particulars of the allegation are still unclear, the Executive Council may call upon the accused member to state in writing, within a reasonable time as shall be specified, but not less than seven days, any grounds on which they rely to defend themselves.
48. If the member does not furnish a reply to any charge forwarded under Section 47 within the period specified, or if they fail to defend themselves, the Executive Council shall cause a Tribunal consisting of three members of the Central Congress to be appointed to inquire into the matter.
49. The Tribunal shall inform the accused member that on a specified day, of which not less than seven days written notice shall be given, the charge made against them will be investigated and that they will be allowed to appear before the Tribunal and be heard.
50. The procedure of such investigations shall be determined by the Tribunal. If witnesses are examined by the Tribunal at the hearing, the accused member shall be given an opportunity of being present and of putting questions on their behalf to the witnesses, and no documentary evidence shall be used against them unless they have been previously supplied with a copy thereof or given access thereto.
51. The Tribunal may permit the accused member to be represented by a member of the FDM in good standing provided that the accused shall permit the Executive Council to be so represented in the same manner.

52. The Tribunal, having inquired into such matter, shall arrive at a decision as to whether the charge has been proven. If in their opinion the charge has been proven, they shall impose upon the member any one of the following punishments.
 - a. A reprimand,
 - b. A fine not exceeding five hundred dollars (\$500.00)
 - c. Suspension for a period not exceeding one (1) year
 - d. Suspension whether for a fixed or indefinite period
 - e. Expulsion from the FDM
53. A member disciplined under these proceedings may, within thirty (30) days after the decision of the Tribunal has been communicated to them, appeal in writing against such decision to the Central Congress.
54. All appeals to the Central Congress under Section 53 shall be heard as soon as is practicable and the Central Congress shall prescribe its own procedure for the hearing of such appeals, provided always that the disciplined member shall have an opportunity of being heard, should they so desire.
55. The Central Congress on any such appeal shall have power to do any of the following:
 - a. Accept the appeal if they think that the decision of the Tribunal should be set aside for any reasons, or
 - b. Dismiss the appeal, or
 - c. Confirm the decision of the Tribunal except in regard to the punishment and substitute such other punishment warranted under Section 52 as the Central Congress shall deem fit, and
 - d. The Central Congress may at any time review any punishment imposed under these proceedings.

Interpretation and Amendments

56. In this Constitution where the context is so required, words importing the masculine gender shall include the feminine or neutral gender, and the singular shall include the plural.
57. The Executive Council shall be the final authority on matters of interpretation of this Constitution and shall resolve by majority vote any conflicts or anomalies arising therefrom.
58. Any proposed alterations or amendments to the Constitution must be submitted to the Secretary General not less than sixty (60) days prior to the date set for the convening of a National Convention. A list of all proposed amendments must be submitted to each Regional Branch not less than thirty (30) days prior to the date set for the convening of the said convention.