

**THE
DRAFT
CONSTITUTION**

OF

THE NATIONAL YOUTH COUNCIL

OF

JAMAICA



First Printed 2009



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PREAMBLE

Whereas Jamaican youth represent a large segment of the population of our country

Whereas community based youth organizations have been a part of our social landscape for more than 80 years

Whereas youth represent the opportunity to mitigate our nation's urgent problems

Whereas through networking and advocacy our ability to achieve national objectives will be enhanced

We, the youth of Jamaica hereby resolve to unite and establish a National Youth Organization that will champion the rights of the Jamaican youth.

PART I – INTERPRETATION

1. Interpretation

In this Constitution, unless the context otherwise requires:

“**Absolute majority**” means two thirds of those present and voting.

“**By-laws**” mean the By-laws of the Nation Youth Council of Jamaica for the time being in force.

“**Executive Committee**” means the National Youth Council Executive Committee specified in section 14

“**NYCJ**” means the National Youth Council of Jamaica established under Part III

“**National Council**” means the National Council of the National Youth Council as specified in section 12

“**Parish**” means the 14 parishes of Jamaica and the municipality of Portmore

“**Parish Youth Council**” means a Parish Youth Council specified in Part VI

“**Member organization**” means a youth organization that has fulfilled the requirements for membership set out in Part III

“**Minister**” means the Minister responsible for Youth Affairs;

“**Ministry**” means the Ministry responsible for Youth Affairs

“**Youth**” means a person between the age of fifteen and twenty-nine years;

“**Youth organization**” means any organization catering for the welfare of youth which fulfils the requirements set out in section 5 (1) and includes a youth club;

“**Simple majority**” means a majority for, over votes against, abstentions notwithstanding.

2. Reference to this Constitution shall include all By-laws and rules made under powers conferred by this Constitution.

PART II – ESTABLISHMENT AND OBJECTIVES

3. Establishment

- (1) The Organization shall be known as the National Youth Council of Jamaica (hereinafter referred to as “the NYCJ”).
- (2) The registered office shall be in Jamaica at a location to be determined by the National Youth Council on the recommendation of the Executive Committee.

4. Objectives

- (1) The objectives of the NYCJ shall be, :-
 - (a) To strengthen and organize youth networks and improve the sustainability of youth organizations;
 - (b) To promote social cohesiveness, volunteerism, national consciousness and patriotism among youth;
 - (c) To foster youth leadership at the community level;
 - (d) To encourage and foster positive values among youth and youth organizations;
 - (e) To strengthen the Parish Youth Councils;
 - (f) To assist in the formulation, implementation and evaluation of government policy regarding youth, and
 - (g) To advocate for youth participation in all levels of governance
- (2) In order to attain the objectives under subsection (1), the NYCJ shall, have the following functions:-
 - (a) Facilitate the development of youth organizations where none exist;
 - (b) Disseminate information to youth organizations;

- (c) Facilitate official representation and communication between youth organizations, the Minister and government entities;
- (d) Maintain a National Register of Youth Organizations;
- (e) Coordinate a National Youth Volunteer Movement;
- (f) Organize and facilitate the organization of appropriate youth training programmes;
- (g) Identify and secure available resources to support the council and the Parish Youth Council;
- (h) Bring to the attention of Government and other interest groups the issues affecting youth and advise them of ways these can be addressed;
- (i) Promote relations between youth organizations in Jamaica and regional and international youth organizations and other bodies with similar objects or interests, and
- (j) To do all other things that are incidental or conducive to the attainment of the objects of the NYCJ under this constitution.

PART III – MEMBERSHIP

5. Membership

- (1) Membership will be open to any youth organization provided that:-
 - (a) It is non-partisan;
 - (b) It is voluntary;
 - (c) It has a minimum of fifteen members exclusive of the Executive;
 - (d) Seventy-five percent of its members are between the ages of 15 and 29
 - (e) It has an elected executive;
 - (f) It has a set of rules and regulations consistent with the Council's constitution, and
 - (g) The main focus of the organization is promotion of youth interest and development.

- (2) Once a youth organization fulfils the requirements in subsection (1) they can apply to be registered as a member organization by completing and

submitting the relevant registration form to the Secretary of the Parish Youth Council Executive along with a list of its executive officers; a list of its members and their age; and the rules and regulations of the organization.

- (3) Upon the submission of the documents outlined in subsection (2) representatives of the Parish Youth Council Executive and a Youth Empowerment Officer should at the earliest time, such time not exceeding three months, attend a meeting of the youth organization and thereafter prepare a report to verify its existence and functionality.
- (4) Once the requirements in subsection (2) and (3) have been met and the criteria for membership in subsection (1) fulfilled, the Parish Youth Council can formally enter the youth organization in its register and forward copies of all the aforementioned documents under this section to the National Council so that the youth organization can be formally entered in the National Register of Youth Organizations.

6. Rights and Duties of Member Organizations

- (1) All members will have the right:
 - (a) To one (1) vote for each elected post in all Parish Youth Council Elections and NYCJ elections;
 - (b) To one (1) vote in any matter which requires member organizations to cast a vote;
 - (c) To contribute to the policies of the council through submissions wither written or in a forum created by the council;
 - (d) To have its members to be nominated and contest election for any position of the council or parish youth council, and
 - (e) For its members to be part of committees or delegates of the council
- (2) All member organizations have a duty:
 - (a) To participate and contribute to the activities of the NYCJ;

- (b) To submit information as per request from the General Secretary of the National Council or the Secretary of the Parish Youth Council;
- (c) To implement the decisions of the National Council, and
- (d) To conduct their affairs in a manner that does not bring the NYCJ into disrepute.

PART IV – ORGANIZATIONAL STRUCTURE

7. National Assembly

- (1) All member organizations shall constitute the National Assembly.
- (2) The National Assembly shall be the supreme authority of the NYCJ.
- (3) The National Assembly shall have the authority to take action that in its opinion will further the objectives of the NYCJ provided that such action does not represent a contravention of the constitution of the NYCJ.
- (4) The powers of the National Assembly include to:
 - (a) Make changes or amendments to the constitution;
 - (b) Ratify the appointment of Auditor and Assistant Treasurer;
 - (c) Receive all reports of the Executive Committee and the committees of the National Council;
 - (d) Review the audited Financial reports of the NYCJ;
 - (e) Ratify new membership;
 - (f) Consider any resolutions duly submitted;
 - (g) Review the work of the National Council, and
 - (h) The National Assembly shall have the authority to elect, recall, suspend or otherwise discipline members of the executive, members of the national council or member organizations.

8. Meetings of the National Assembly

- (1) The National Assembly shall have a general meeting once every two years

- (2) The meeting shall be held in November of the year in which the meeting is due;
- (3) The National Council shall set the date of the meeting within the parameters outlined in section 8 (2);
- (4) Two–Thirds of the member organizations shall constitute a quorum;
- (5) Meetings shall be chaired by the Chairman of the National Council and in the absence of the chairman by the 1st Deputy Chairman;
- (6) At least twenty eight (28) days written notice including date, venue, time and agenda of the meeting shall be given to every member organization.
- (7) The meeting of the National Assembly shall be held separately from the National Elections.

9. Special General Meetings of the National Assembly

- (1) A special general meeting may be called by the chairman:
 - (a) On a request by written petition of 75% of the members of the National Council;
 - (b) On the request by written petition of a 50% of the member organizations, and/or
 - (c) To consider a motion or petition for recall in accordance with Part XII.
- (2) All such petitions as referred to in 9 (1) shall specify the purpose and objectives of the meeting and shall be signed by those making the petition.
- (3) The meeting shall be convened in the shortest possible time after receiving the petition such time not being greater than forty–two days after the receipt by the chairman of the petition requesting such a meeting
- (4) At least fourteen days notice of the meeting including date, venue and agenda shall be circulated by the secretariat to all registered member organizations.
- (5) Two–thirds of the member organizations shall constitute a quorum

10. Resolutions

- (1) Resolutions for consideration by the National Assembly shall be submitted in writing to the General Secretary not less than twenty–one (21) days prior to the holding of the Assembly.

- (2) The secretariat shall circulate details of the proposals to member organizations not less than Fourteen (14) days before the meeting.
- (3) Amendments and additions to the Constitution, rules of procedure, and policies made at the meeting of the National Assembly will come into effect immediately.
- (4) Unless where otherwise stipulated resolutions will require a simple majority to be passed.
- (5) An Emergency resolution, which in the discretion of the National Council is deemed to be of urgent importance, may be tabled by a member organization at an Assembly meeting, and will require a two-thirds (2/3) majority of the member organizations present for acceptance.

11. Voting at the National Assembly

- (1) Voting shall be done by way of secret ballot.
- (2) Each member organization shall have one vote in any matter which requires the member organization to cast a vote.
- (3) The President or in his/her absence a designated delegate shall vote on behalf of the member organization.

12. National Council

- (1) The National Council shall consist of:
 - (a) a Chairperson; a 1st Vice Chairperson; a 2nd Vice Chairperson; a General Secretary; a Financial Controller; an Assistant Financial Controller and a Public Relations officer who together constitute the Executive Committee.
 - (b) All President of the Parish Youth Councils' Executive Committees
 - (c) The Heads of all designated affiliated bodies of the NYCJ
 - (d) The Youth Empowerment Officer – Youth Leadership who is an *ex officio* member and has no voting powers
- (2) The National Council shall be the highest decision making body outside of the National Assembly and is charged with the overall government, control and administration of the NYCJ.

- (3) the National Council shall have power to, *inter alia*:
- (a) Approve the two year plan of action;
 - (b) Approve the proposed two year and annual budgets;
 - (c) Approve all reports and financial statements before they are published or presented in any forum or to any member or body;
 - (d) Set up Standing, Special or Advisory Committees that shall be under their control and make reports to the National Council on the suggestion of the Executive Committee;
 - (e) Make, vary and terminate contracts for and on behalf of the NYCJ;
 - (f) Have the authority to fill all the vacancies in the Executive Committee in accordance with Part IV;
 - (g) Review plans and policies that affect youth;
 - (h) Establish the date for elections within the parameters outlined in Part VIII;
 - (i) Make by-laws as necessary, and
- Utilize such other powers not herein specifically conferred, and as are necessary for the good performance of the objectives of the council.

13. Meetings of the National Council

- (1) The National Council shall meet once every two months.
- (2) One half of the members shall constitute a quorum.
- (3) Meetings of the National Council shall be chaired by the Chairman and in the absence of the Chairman, by the 1st Deputy Chairman, and in the absence of them both by the 2nd Deputy Chairman. Where all three are absent the General Secretary shall appoint a chairperson.
- (4) Ordinary meetings may be called by the authority of a Chairman. At least seven (7) days notice should be given to every member of the meeting of the National Council which should be written and circulated with a copy of the minutes of the last meeting and the agenda for the upcoming meeting.
- (5) Emergency meetings may be called by the Chairman or the 1st Vice Chairman in the absence of the Chairman. At least three days notice should

- (6) Decisions of the National Council should be made by consensus. Where consensus cannot be reached then decisions should be made by simple majority.
- (7) The Chairman shall have a vote only in the case of a tie in votes for and against.

14. Executive Committee

- (1) The Executive Committee shall consist of a:
 - Chairman
 - 1st Deputy Chairman
 - 2nd Deputy Chairman
 - Financial Controller
 - General Secretary
 - Public Relations Officer
- (2) All members of the Executive Committee except the Assistant Financial Controller shall be elected by secret ballot. The Assistant Financial Controller shall be appointed by the National Council in accordance with the provisions under section 26.
- (3) The Executive Committee is responsible for the day to day management of the NYCJ.
- (4) The Executive Committee shall have power to, *inter alia* :
 - (a) Craft a two year plan of action for the council and submit the plan to the national council for approval;
 - (b) Ensure that the plan of action approved by the council is implemented;
 - (c) Supervise the operation of the Secretariat;
 - (d) Report to the NYCJ at their meetings on the day to day operations of the NYCJ;
 - (e) Monitor and evaluate all the programmes and projects of the NYCJ, and

- (f) Ensure that all members are involved in the implementation of the NYCJ's projects.

15. Meetings of the Executive Committee

- (1) The Executive Committee shall meet at least once every month
- (2) One half of the members shall constitute a quorum
- (3) Meetings of the executive committee shall be chaired by the Chairman and in the absence of the Chairman by the 1st Deputy Chairman and in the absence of them both the 2nd Deputy Chairman
- (4) Ordinary meetings may be called by the authority of a chairman. At least seven (7) days notice should be given to every member of the executive committee which should be written and circulated with a copy of the minutes of the last meeting and the agenda for the upcoming meeting
- (5) Emergency meetings may be called by the Chairman or the 1st Vice Chairman in the absence of the Chairman. At least three days notice should be given to every member of the executive committee which should be circulated with the agenda of the meeting.
- (6) Decisions of the executive committee should be made by consensus. Where consensus cannot be reached then decisions should be made by simple majority
- (7) The Chairman shall have a vote only in the case of a tie in votes for and against.

PART V – THE PARISH YOUTH COUNCIL

16. Parish Youth Council

- (1) All the member organizations in a parish shall constitute that Parish's Youth Council

17. Parish Youth Council Meetings

- (1) The parish youth council shall meet at least once per month
 - (a) One half of the members shall constitute a quorum

- (b) Meetings shall be chaired by the Parish Youth Council Executive President and in his absence the Vice President. In the absence of both any member of the Parish Youth Council Executive chosen by simple majority
- (c) At least seven days notice should be given to members of the Parish Youth Council
- (d) Minutes of the last meeting should be read at start of the Parish Youth Council Meetings and members given a chance to comment on matters arising from the minutes

(2) There shall be a Parish Youth Council Annual General Meeting

- (a) The Parish Council Executive shall set the date for the Parish Youth Council Annual General meeting
- (b) Two – Thirds of the members shall constitute a quorum
- (c) Twenty One days written notice along with the agenda for the AGM shall be circulated
- (d) The agenda must include reports from:
 - (i) the executive committee of the National Council, including but not limited to the Chairman’s report on the progress of the National Council and the Financial Controller’s up to date report of the NYCJ’s finances
 - (ii) The agenda must also include reports from officers of the Parish Youth council executive focusing on the progress made over the year and financial management.

18. Parish Youth Council Executive Committee

- (1) The Parish Council Executive Committee shall consist of:
 - a President
 - a Vice President a Secretary
 - a Treasurer
 - a Public Relations Officer

Developmental Area/Cluster Coordinators

The Youth Empowerment Officer – Youth Leadership who is an *ex officio* member and has no voting powers

- (2) All members shall be chosen by the members of the Parish Youth Council by secret ballot except in the case of the Developmental Area Coordinators which shall be appointed by the Parish Youth Council Executive Committee in accordance with section 26
- (3) The Parish Youth Council Executive is charged with the overall management of the Parish Youth Council.
- (4) The powers of the Parish Youth Council executive committee include to :
 - (a) Craft a two year plan of action for the Parish Youth Council to be presented at the National Council Planning Retreat and to the first monthly Parish Youth Council meeting after said retreat.
 - (b) Ensure that the plan of action is implemented.
 - (c) Ensure that all members are involved in the implementation of the Parish Youth council and NYCJ projects
 - (d) Organize activities that facilitate and strengthen inter member exchange
 - (e) Appoint additional officers, in accordance with section 26, that may be deemed appropriate for the proper functioning of the Parish Youth council

19. Meetings of the Parish Youth Council Executive Committee

- (1) The executive committee shall meet at least once every month
- (2) One half of the members shall constitute a quorum
- (3) Meetings shall be chaired by the President and in his absence the Vice President or in their absence any such person appointed by the Secretary.
- (4) Ordinary meetings may be called by the authority of the President. At least seven (7) days notice should be given to every member of the executive

- committee which should be written and circulated with a copy of the minutes of the last meeting and the agenda for the upcoming meeting
- (5) Emergency meetings may be called by the President or the Vice President in the absence of the President. At least three (3) days notice should be given to every member of the Parish Youth Council Executive which should be circulated with the agenda of the meeting.
 - (6) Decisions of the executive committee should be made by consensus. Where consensus cannot be reached then decisions should be made by simple majority
 - (7) The President shall have a vote only in the case of a tie in votes for and against
 - (8) Any member who misses three consecutive meetings without a written apology which has been submitted and accepted by a simple majority of the Parish Youth Council Executive shall have disciplinary proceedings instituted against them.

PART VI – ELECTIONS, APPOINTMENTS AND TENURE

20. Coordination of elections

- (1) The YEO – Youth Leadership shall act as Returning Officer and along with the Electoral Office of Jamaica shall be charged with the responsibility of coordinating the parish and national elections of officers
- (2) If for whatever reason the YEO – Youth Leadership is unable to coordinate the parish or national elections of officers then the National Council on the recommendation of the national executive shall appoint a Returning Officer to work with the Electoral Office of Jamaica and coordinate the parish and national elections of officers
- (3) Other guidelines concerning elections are outlined in the bye laws under Nominations and election procedure

21. Officers of the National Executive

- (1) The Chairman, the 1st Deputy Chairman, the 2nd Deputy Chairman, the General Secretary, the Financial Controller, the Public Relations Officer shall be elected by secret ballot.
- (2) Only member organizations as defined in Part III will be eligible to vote.
- (3) A member organization would have had to be registered for a period no less than six months to be eligible to vote
- (4) The candidate receiving a simple majority of those present and voting shall be declared the winner.
- (5) In the case of a tie in the voting for a particular position then the newly elected National Council shall deliberate and vote by secret ballot until one candidate successfully gains a simple majority of the votes

22. Officers of the Parish Youth Council Executive

- (1) The President, the Vice President, the Treasurer, the Secretary, the Public Relations Officer shall be elected by secret ballot
- (2) Only member organizations that are registered in the parish in which the vote is being held shall be eligible to vote
- (3) The candidate receiving a simple majority of those present and voting shall be declared the winner.
- (4) In the case of a tie in the voting for a particular position then the newly elected Parish Youth Council Executive shall deliberate and vote by secret ballot until one candidate successfully gains a simple majority of the votes

23. Qualifications for Nomination as an Officer of the National Executive or the Parish Youth Council Executive

- (1) Except where otherwise stated, in order to be nominated as an officer of the national executive or the Parish Youth Council executive the nominee must:
 - (a) Be a member in good standing with a member organization that is in good standing with the council
 - (b) Be a member of the member organization for at least 12 months
 - (c) Be no younger than 18 years old and no older than 27 years.
 - (d) Be a National of Jamaica

- (e) Reside in Jamaica
- (2) Notwithstanding subsection (1) all officers being nominated for the positions on the Parish Youth Council executive, except the president, shall be between the ages of 15 and 27.

24. Appointments

- (1) The National Council and the Parish Youth Council Executive shall at their first meeting appoint the relevant positions as outlined by the constitution
- (2) The National Council shall follow the following procedure:
 - (a) Send a notice to all member organizations advertising the post that is to be appointed. The notice must include: the job description, the date and time when all applications should be submitted by, such date not being less than 14 days and the method of acceptable method of submission of applications.
 - (b) Form a committee consisting of the chairman, two members of the executive, two parish council presidents, and the YEO – Leadership
 - (c) Send notice to all applicants informing them of the date of their interview
 - (d) The committee shall interview the applicants and decide upon the person to be appointed by consensus. If such consensus cannot be reached then a vote shall be taken with the applicant who wins a simple majority appointed. The chairman shall only vote if there is a tie
- (3) The Parish Youth Council Executive shall follow the same procedure outlined in section 26(2) save and except the notice shall be sent to all member organizations in the parish and the committee to interview the applicants shall consist of the president, two executive members, two member organizations presidents and a YEO
- (4) The Parish Youth Council Executive with the YEO of the parish has to decide on the number of Development Area/Cluster Coordinators that will be appointed.

- (5) All applicants must be a registered member of a member organization that meets the requirements set out in Part III and must have been such a member for no less than six months
- (6) Any applicant for the position of Development Area/Cluster Coordinator must be a registered member of a member organization in the Development area/Cluster in which the position is being sought.

25. Tenure

- (1) All elected and appointed officers are so elected and appointed for a period of two years

PART VII – VACANCIES

26. Creation of Vacancy

- (1) The seat of a member of the National Council shall become vacant if:
 - (a) A member resigns by providing the National Council with one month's written notice
 - (b) A member of the National Council has been absent from three consecutive meetings of the Council unless reasons for such absence has been provided by way of written apology and considered appropriate by a simple majority of the Council.
 - (c) A member has been recalled in accordance with Part XII
 - (d) A member has been convicted of an criminal offence
 - (e) The member is a member of the Executive Committee and has been absent from three consecutive meetings of the Executive Committee unless reasons for such absence has been provided by way of written apology and considered appropriate by a simple majority of the National Council.
 - (f) Such sanction is prescribed by the disciplinary committee

27. Filing Vacant Seats

- (1) If a seat shall become vacant, the National Council after taking all factors into consideration, including the cost of having a new election and the amount of time let in its tenure shall decide by absolute majority whether
 - (a) It shall hold a new election for the vacant seat
 - (b) Applications shall be invited from members of member organizations and someone appointed to the position in accordance with the appointment procedure under Part VII
 - (c) A member of the National Council shall be appointed to act in the vacant seat

PART VIII – SECRETARIAT AND STAFF OF THE NYCJ

28. Secretariat.

- (1) The National Council shall have a secretariat to assist it in carrying out its objects and functions under this Act.
- (2) The secretariat shall be housed at the office of the NYCJ
- (3) The secretariat shall be comprised of an Office Manager and other such staff that may be deemed appropriate by the National Council.

29. Appointment and tenure of Office Manager.

- (1) The Office Manager shall be appointed by the National Council on the advice of the Executive Committee.
- (2) The Office Manger shall be appointed from among persons who are qualified or experienced in management or administrative matters.
- (3) The Office Manager shall hold office on a full-time basis for as such time and on such terms and conditions as are specified in the instrument of appointment.

30. Functions of the Office Manager.

- (1) Subject to the general control of the National Council and the General Secretary, the Office Manager shall:

- (a) Ensure that all minutes, resolutions, decisions and notices are distributed to all relevant persons and organizations
- (b) Aid the National Council in effective communication and management of its records
- (c) See to the day to day affairs of the office of the NYCJ
- (d) Coordinate the National Planning Retreat
- (e) Supervise other staff of the council
- (f) Perform such other functions as outlined in the instrument of employment and as may be assigned to him or her by the council

31. Other staff of the council.

- (1) The council shall employ such other staff as may be necessary for the proper and efficient discharge of the functions of the secretariat and its office.
- (2) The council shall regulate the manner of appointment, terms and conditions of service and the discipline of its staff appointed under this section.

32. Remuneration of the Office Manager and other staff.

- (1) The council may pay to the Office Manager and other staff such remuneration and allowances as it deems fit and may grant pension or retirement benefits or gratuity to them at such rates as they think fit, with such rate not exceeding a civil servant's rate for the same or comparative position.

PART IX – FINANCE

33. Financial Year

- (1) The Financial Year of the council shall run from the 1st day of April to the 31st day of March of each year
- (2) A financial statement shall be presented to the General Meeting of the National Assembly
- (3) All Parish Youth Councils shall submit to the NYCJ estimates and accounts of their income and expenditure
- (4) All income and monies of the NYCJ shall be deposited to the credit of the NYCJ in the bank approved by the National Council for that purpose.

- (5) The funds and resources of the NYCJ shall consist of –
 - (a) Such sums as may from time to time be appropriated by Parliament, the Ministry and the Minister for the purposes of the council
 - (b) Any monies accruing to the NYCJ in the discharge of its functions
 - (c) Grants, gifts or donations to the NYCJ
- (6) The National Council shall, within in three months before the end of each financial year, cause to be prepared and submitted to the Minister for his/her approval and submission to the Minister responsible for finance the estimates of the income and expenditure for the NYCJ for the next ensuing year and the amount of subvention being requested.
- (7) The NYCJ shall keep proper books of account of all its income and expenditure and proper records in relation to them
- (8) The Finances of the NYCJ shall be governed by the NYCJ Financial Code and Procedures.

34. Audit

- (1) The National Council on the advice of the executive shall appoint an auditor for the tenure of the council.
- (2) The auditor shall perform an annual audit of al the NYCJ books, accounts, holdings and other supporting documents.
- (3) All members of the NYCJ shall give the auditor the necessary assistance in performing his or her duty The auditor shall receive such remuneration as may be determined by the National Council
- (4) A copy of the audited report shall be provided by the NYCJ to the Minister
- (5) The audited reports shall form part of the presentation of the financial statements to the National Assembly

35. Investment of surplus funds of the council.

- (1) Any funds of the NYCJ not immediately required for any purpose under this Act shall be invested in such manner as the council may, with the approval of the Minister after consultation with the Minister responsible for finance, determine.



PART X – CODE OF CONDUCT

36. General Conduct

- (1) Officers shall observe the rules of this code; display professionalism, integrity and honesty and maintain the dignity and honour of their posts.
- (2) Officers shall refrain from behavior which may discredit or tend to discredit the NYCJ.
- (3) No officer shall misappropriate any property or funds of the NYCJ
- (4) No officer may at any time use the resources of the NYCJ for personal gains/gratification;
- (5) No officer may disseminate confidential information on matters discussed at a meeting to any outside person or organization unless so mandated by the National Council officers at the said National Council meeting.
- (6) No officer should disregard or act in breach of a directive from the National Council
- (7) No officer may vote on an issue in which he/she has a personal, property or financial interest.
- (8) Any officer who has such an interest as outline in subsection (7) must openly declare this interest before any vote is taken.

37. Political Conduct

- (1) All officers are free to his/her private, independent, political and other affiliations. However, no officer shall use the platform of the NYCJ to advocate his partisan or other political affiliation.

38. Compliance

- (1) Failure to comply with the code of conduct shall make such officer liable for disciplinary action or recall

PART XI – RECALL

39. Officers subject to recall

- (1) All elected officers of the Executive Committee and the Parish Youth Council Executive shall be subject to recall.

40. Commencement of Recall for the Members of the Executive Committee

- (1) Recall proceedings for members of the Executive Committee can be commenced:
 - (a) On the instructions of the disciplinary committee
 - (b) By a petition signed by 1/2 of the member organizations

41. Disciplinary Committee Recall

- (1) Where the disciplinary committee rules that an officer of the Executive Committee should be recalled, the chairman of the National Council shall convene a special meeting of the National Council to vote on whether the ruling should be adopted.
- (2) If a simple majority of the National Council votes in favour of adopting the ruling of the disciplinary committee then the chairman of the National Council shall in the shortest possible time convene a special general meeting of the National Assembly in accordance with the requirements of section 9
- (3) At the special general meeting the chairman shall have the chair of the disciplinary committee or a member of the disciplinary committee so selected present a report and the member in question shall have the opportunity to respond to the allegations
- (4) A vote shall then be held by secret ballot
- (5) If a simple majority of the member organizations present and voting vote in favour of recalling the member in question then the motioned is carried
- (6) Once the motion is carried the member is immediately no longer an officer of the NYCJ

42. Petition from member organizations

- (1) Any petition for the recall of a member of the Executive Committee must clearly state the breach of the code of conduct or the reason/s upon which the member is being recalled
- (2) It must be signed by a half of the member organizations
- (3) The petition must be submitted to the secretariat of the NYCJ and copied to the Chairman
- (4) Once submitted the Chairman of the National Council must convene a special general meeting in accordance with the requirements of section 9

- (5) At the special general meeting the chairman shall invite a representative to present the petition and move the motion for recall outlining the reasons. The member shall then be given an opportunity to respond to the allegations
- (6) The procedure shall then follow that outlined in section 43(4), (5) and (6)

PART XII – VOTES OF CENSURE AND NO CONFIDENCE

43. Vote of Censure and No Confidence

- (1) A motion of censure and/ a motion of no confidence can be moved by any member of the National Council at any meeting of the National Council.
- (2) Any such motion of censure and no confidence must clearly outline the reasons why the motion is being moved
- (3) For the motion to be debated it must be seconded by at least 3 other members of the national council
- (4) The motion has to be debated by the National Council either in that sitting or it can be set for the next sitting of the National Council to be debated based on a simple majority decision of the National Council
- (5) All members can participate in the debate
- (6) A specific time should be allotted for the debating of the motion giving members no less than 5 minutes to make their submissions on the motion
- (7) At the end of the debate a vote by way of secret ballot should be held with the YEO for Youth leadership acting collecting and calculating the votes
- (8) Motions of censure and no confidence can only be carried if they receive an absolute majority of those present and voting
- (9) Where a motion of no confidence is carried then a letter must be sent to the party by the secretariat calling upon that person to submit their letter of resignation within a week of the motion being carried.

PART XII – AMENDMENTS AND DISSOLUTION

44. Amendment

- (1) This Constitution may at any time be altered, amended or added to by a resolution passed and approved at a General or Special General Meeting of the National Assembly by an absolute majority.

- (2) Any resolution for the alteration or amendment to the Constitution shall be submitted to the General Secretary of the National Council and must be signed by:
 - (a) One third (1/3) of the members of the NYCJ in good standing
or
 - (b) Two third (2/3) of the members of the National Council
- (3) The Executive Secretary shall then forward the resolution to the Chairman of the Constitution Committee.
- (4) The Resolution(s) to be debated and voted on shall be circulated among member organizations at least four (4) weeks before the meeting.

45. Dissolution

- (1) The NYCJ shall be dissolved by a resolution of a Special National Assembly convened for that purpose.
- (2) The reasons for dissolution shall be clearly outlined in this resolution.
- (3) An absolute majority shall be required to carry this Resolution.
- (4) The Executive Committee shall retain office until all the legal proceedings have been completed for the dissolution of the NYCJ

PART XIV – INTERPRETATION

46. Interpretation

- (1) In any instance where the meaning of any clause in this constitution is unclear, or on any issue where ambiguity in the constitution exists, the Constitution Committee shall be the authority.

**READ, DEBATED AND ADOPTED BY THE SPECIAL GENERAL CONGRESS
AND SIGNED AT**

THIS DAY OF 2009.