

**CONSTITUTION  
OF THE  
SOUTH EAST ASIA PARLIAMENTARIANS AGAINST CORRUPTION**

**THE PREAMBLE**

WE, the members of the South East Asia Parliamentarians Against Corruption, representing our respective parliaments, assembled in Manila, Philippines on the 31<sup>st</sup> day of March, 2005 -

AFFIRMING that the commitment and capacity of parliamentarians in South East Asia to fight corruption must be strengthened.

AWARE that corruption poses a grave danger to the well-being of the peoples of South East Asia and to the development of their countries.

ALARMED that corruption diverts scarce resources from human basic needs and destroy confidence in the integrity of our institutions.

CONCERNED that it is essential that we develop healthy, balanced relations between the State, civil society and the marketplace, and that parliaments be strengthened as effective institutions of accountability in overseeing the policies and actions of governments.

ACKNOWLEDGING that corruption can best be controlled by strengthening systems of accountability, transparency and public participation in the governance processes of our countries.

REALIZING the great value of parliamentarians coming together to share information, experience and lessons in strengthening parliaments in the fight against corruption.

REITERATING our commitment to strengthen the capacity of parliamentarians to fight corruption by:

- A. Encouraging the commitment and building the capacity of parliaments to exercise accountability with particular relation to financial matters
- B. Sharing information lessons learned and best practices
- C. Undertaking projects to control corruption

D. Cooperating with organizations in civil society with shared objectives

DO HEREBY RESOLVE, AS WE HEREBY RESOLVE, to organize the South East Asia Parliamentarians Against Corruption effective as of the date of the adoption of this Constitution.

## CHAPTER ONE

Article 1: **Name of the Organization.** - The name of the network of parliamentarians under this Constitution shall be South East Asia Parliamentarians Against Corruption, or SEAPAC for short.

Article 2: **Nature of the Organization.** - SEAPAC is a non-profit international organization whose main purpose is to bring together parliamentarians, both in representation of their respective parliaments and individually, and former parliamentarians and international organizations and individuals in South East Asia for the purpose of combating corruption and promoting transparency and accountability, to ensure observance of high standards of integrity in public management and governance.

SEAPAC shall exist and operate as the regional chapter in South East Asia of the Global Organization of Parliamentarians Against Corruption (GOPAC) based in Ottawa, Canada.

Article 3: **Offices of the Organization.** - The first office of SEAPAC shall be situated in Manila, Philippines.

The location of subsequent offices shall correspond to the country of residence of the elected President of SEAPAC.

Article 4: **Objectives.** -The objectives for which SEAPAC is established are:

a. To strengthen the capacity of parliaments and parliamentarians in South East Asia to supervise the activities of their governments and other State institutions.

b. To work with the national chapters of the SEAPAC in South East Asia in the establishment of standards of conduct that will promote transparency, accountability and good governance.

c. To promote the Rule of Law and the accountability of State institutions.

d. To promote and facilitate exchange of information, knowledge and expertise among its members.

e. To undertake research and share information on lessons learned and best practices in combating corruption.

f. To encourage parliaments and parliamentarians to enact laws that promote good governance, transparency and accountability.

g. To raise general awareness about the problem of corruption in all spheres of society.

h. To support and cooperate with parliamentarians and policy makers in their efforts at devising new ways of combating corruption.

i. To advocate the inclusion of measures to combat corruption in all government programs, and work to boost the capacity of national and regional institutions to tackle corruption effectively.

j. To institute contacts and cooperative work with national, regional and international organizations, parliamentary institutions, civil society and other organizations, and individuals in all areas intended to improve governance, transparency and accountability, and mobilize resources for programs to combat corruption effectively.

k. To do all such other things as are incidental or conducive to the attainment of these objectives.

## **CHAPTER TWO**

Article 1: ***Membership.*** - The following shall comprise the membership of SEAPAC:

a. Founding members: These are parliamentarians from South East Asia in attendance at the SEAPAC Conference held in Manila, Philippines on March 31-April 1, 2005.

b. Full Members: These include all parliamentarians in South East Asia who are committed to the objectives of SEAPAC, and who shall apply for membership in the form and manner prescribed by the Executive Committee.

c. Honorary Members: These include experts in anti-corruption work, former parliamentarians, and members of legislative staffs who have a vested interest in the objectives of SEAPAC, upon invitation by the Executive Committee.

If a member of SEAPAC is not reelected to the parliament of his/her country, he/she may retain honorary membership status in SEAPAC, upon invitation by the Executive Committee.

d. Observer Status Members: These will include international organizations and individuals funding and/or supporting the operations and projects of SEAPAC, nominated by any Full Member and subject to approval by the Executive Committee.

Article 2: ***Code of Conduct of Members***. - Each member shall strive to behave in a manner which upholds the integrity of SEAPAC, thus:

a. Each member shall strive to strengthen the commitment and capacity of parliamentarians in South East Asia in their fight against corruption.

b. Members shall actively recruit new membership so as to create and strengthen SEAPAC national chapters in their countries.

c. Members are required to avoid real, potential or perceived conflicts of interest.

d. Members shall inform the organization of any real, potential or perceived conflict of interest as soon as they become aware of any circumstance that could lead to such conflict.

The Executive Committee will be responsible for examining violations of the values of the organization, and has full authority to decide on the appropriate penalty in any given case.

Article 3: **Cessation of Membership.** - A member shall cease to be as such upon any of the following grounds:

a. On account of death, removal or voluntary withdrawal from the organization.

b. If he/she fails to fulfill his/her obligations to SEAPAC, or commits any act which amounts to a breach of the objectives of SEAPAC, upon a determination by the Executive Committee.

c. If he/she is convicted of a criminal offense by a competent court.

### **CHAPTER THREE**

Article 1: **Organs and Offices.** - The administrative organs of the organization are the General Assembly and the Executive Committee, and such other sub-committees as the Executive Committee may create.

Article 2: **General Assembly.** - The General Assembly shall be composed of up to three representatives of every national parliament represented, who shall serve for a term of two years, and may be re-elected. The President shall preside at the conference of the General Assembly.

The General Assembly shall decide on any matter of importance for the organization, and guide the implementation of its decisions, on the basis of the goals and objectives of the organization.

The quorum for conferences of the General Assembly will be half of its all its members.

Article 3: **Bi-Annual Conference.** - The General Assembly will convene in a conference once every two years. It shall coordinate with the GOPAC and its other regional chapters in organizing the conference to which all the members will be invited.

The General Assembly will debate any topic that falls within the objectives of the organization or any other related business matter, and shall decide at its bi-annual conference the following:

a. Consider the reports of the Executive Committee, and decide whether to confer formal approval on its actions;

b. Establish rules for contributions, donations and gifts to the organization;

c. Approve the accounts for the previous year, the annual budget and any complementary items;

d. Consider proposals to amend the Constitution.

Decisions will be taken by a majority of votes. Each member of the General Assembly will have one vote, and the President will cast the deciding vote in case of a tie.

Article 4: **Executive Committee.** - The members of the General Assembly shall elect an Executive Committee composed of a president, vice-president, a secretary, a treasurer and one member each from the countries represented in the SEAPAC.

The first election will take place on the occasion of the first conference of the General Assembly in Manila, Philippines, and every two years thereafter during the bi-annual conference of the General Assembly.

Article 5: **Functions.** - The Executive Committee shall have the following functions:

a. Attend to all matters related to the organization, in between the conferences of the General Assembly, except in cases where a responsibility or task has been expressly assigned to another body by the General Assembly.

b. Approve applications for membership and take decisions regarding the suspension and removal of members.

c. Adopt the organization's annual program of work and budget.

d. Organize a schedule of activities in conjunction with the Global Organization of Parliaments Against Corruption (GOPAC) and its regional chapters.

e. Report to the General Assembly about the activities of SEAPAC, through a report prepared by the President.

f. Facilitate and promote communications among the members.

g. Apply for loans, collect, receive and spend funds in pursuit of the objectives of the organization; provided, that the Executive Committee's authority to apply for loans may not be exercised unless the loan is guaranteed with funds or assets belonging to the organization.

h. To expand the funds of SEAPAC in such a manner as they shall consider most beneficial for the purposes of SEAPAC.

i. To make, and from time to time review, revise or repeal regulations as to the management of SEAPAC and the affairs thereof; as to the duties of any officer or employee of SEAPAC; as to the conduct of business by the Executive Committee or any of its sub-committees; and, as to any matter or business within the powers or under the control of the Executive Committee; provided, that the same shall not be inconsistent with this Constitution.

n. To delegate any of their powers to any sub-committee or national chapter.

o. To discipline all officers and employees of SEAPAC.

p. Generally to do all things necessary or expedient for the due conduct of the affairs of SEAPAC not herein otherwise provided for.

The quorum of the Executive Committee will be seven of its members.

Meetings of the Executive Committee may be held through video-conferencing or some other suitable mode. The modes and dates of meetings will be decided by the President.

Article 6: **President.** - The President will be the legal representative and chief executive officer of the SEAPAC, and shall hold that position for not than more than one term of two years. At the end of his mandate, the President will be succeeded by a person from a different country.

The President shall supervise and administer the Secretariat. In particular, he shall ensure that the decisions adopted by the Executive Committee or the General Assembly are executed, and enter into contracts on behalf of the organization;

Article 7: **Vice-President.** – The Vice-President shall perform the duties of the President during the absence or inability of the latter to act, and such other duties as may be assigned to him by the President and the Executive Committee.

Article 8: **The Secretariat.** - There shall be a Secretariat headed by a Secretary elected by the General Assembly upon nomination by the President. The Secretariat shall assist the President in the day-to-day running of the organization.

The Secretary or, in his absence, a person designated by the President, will keep the minutes of the meetings and sign the minutes and any decisions of the General Assembly, the Executive Committee or by any of its sub-committees.

The Secretariat will be located at the organization's headquarters in the country where the President resides.

The Secretariat will have the following functions:

- a. To man the headquarters of the organization, and act as the organization's official channel of communication;
- b. To keep the list of members, including the national chapters, and encourage new members and affiliates to join;
- c. To coordinate and facilitate the activities of the organization's different bodies and, in particular, to provide support for the Executive Committee and the General Assembly;
- d. To compile and disseminate information on the organization and its members and on any of the national chapters through the website of SEAPAC;
- e. To assist in establishing national chapters;
- f. To ensure that the members of the organization are well informed about its programs and activities;
- g. To maintain contact and coordinate activities between the organization and other groups or institutions; and
- h. To coordinate the representation of the organization at international conferences.



Article 9: **Treasurer.** - The Treasurer shall receive, collect and safely keep, under the direction of the President and the Executive Committee, all funds of the organization; keep proper books of accounts and render reports of receipts and disbursements as may be required; and perform such other duties as may be assigned to him/her by the President.

Article 10: **National Chapters.** - National chapters may be established in the countries in the South East Asian region by one or more parliamentarians holding membership in SEAPAC. The following shall govern the establishment and operation of national chapters:

a. Each national chapter shall have a constitution that shall not depart from the aims and objectives of, or be inconsistent with, the provisions of this Constitution.

b. National chapters shall seek funding support and undertake activities which uphold the objectives of SEAPAC in their country.

c. National chapters shall be accountable to the General Assembly and the Executive Committee.

d. Each national chapter shall identify a Chapter Head and a corresponding contact office to facilitate communication.

e. The Chapter Head shall be responsible for all communications with the General Assembly and the Executive Committee, and will be responsible for disseminating information to the members of the national chapter.

f. Where necessary, the Chapter Head shall organize and develop a support structure including a secretariat and an executive committee at the national chapter.

## **CHAPTER FOUR**

Article 1: **Financial Provisions.** - All monies are to be used for fulfillment of the objectives of SEAPAC. Sources of finance for SEAPAC shall include the following: (a) fund raising from internal and external sources; (b) Donations and grants; (c) Partnerships and agreements with funding organizations; (d) Contributions, including those from governments, corporations and other businesses, international organizations, and individuals; and (e) Self-generation through

membership fees to be determined by members and annual subscription by national chapters.

Article 2: **Bank Account.** -The Executive Committee shall by general resolution keep a bank account in a financial institution of its own choice and all financial transactions shall appear in the name of SEAPAC.

All cheques of the SEAPAC shall be signed by the President and the Treasurer.

Article 3: **Accounts and Audit.** - (a) The financial year of SEAPAC shall commence from January 1 to December 31; (b) The Executive Committee shall keep proper books of accounts to be audited; (c) Income and expenditure statements shall always be available for inspection and the discussion; and (d) The Secretariat shall produce an Annual Report showing amount and sources of funding received as well as monies spent in the financial year.

## CHAPTER FIVE

Article 1: **Amendments and Revisions.** - This Constitution may be amended or revised from time to time by special resolution passed by two-thirds majority votes of members present at the bi-annual conference of the General Assembly.

Any member proposing changes in the Constitution shall reduce the same into writing notifying the Secretary not less than twenty-one(21) days before the date of the conference at which it is to be considered.

The approved changes shall be embodied in the amended constitution.

Article 2: **Seal.** - The Secretariat shall provide for the safe custody of the seal of SEAPAC. The seal shall only be used by authority of the President. The seal shall be affixed by the Secretary on every document signed by the President and countersigned by the Secretary.

Adopted in Manila, Philippines on March 31, 2005.