**To all delegates to the virtual General Assembly of the Commonwealth Disabled Peoples Forum February 2025**

**The Executive are asking you to vote to adopt the New Constitution of CDPF.**

**We do not have the capacity or time or space to amend the constitution document.**

**So we are calling on all delegates to vote for the constitution in its entirety.**

**If you do not vote, abstain or vote against it will count against the two thirds of all member organisations we need to carry this.**

**The Board and Executive will produce a clearer exposition of rules and procedures in the near future once this constitution is adopted. This constitution is to enable us to become a Charitable Incorporated Organisation in the UK.**

**Because it has taken longer than anticipated the deadline for return f your ballot paper is midnight GMT on Wednesday 12th February. The result will be announced at the virtual General assembly meeting on Friday 14th February 11 am to 3 pm GMT**

**Zoom** [**https://us02web.zoom.us/j/82789136487**](https://us02web.zoom.us/j/82789136487)

**Commentary on New Constitution**

To be adopted our current constitution requires a two-thirds vote of all eligible member organisations to vote **for**. This means as of January 2025, on current voting 49 Full Associations x 2 votes plus the Commonwealth Disabled Youth Forum =100 votes and 51 Associates

 This gives a total of 151 possible votes of which we need 103 votes in favour for the New Constitution to be received and voted by e mail **for it to be to be adopted.**

**The main reasons we are now wanting you to adopt a New Constitution**

The Executive in July 2024 decided to become a Charitable Incorporated Organisation (CIO) registered with the English Charity Commission. Working with Third Sector Law, our solicitors, we have checked that our Preamble and objects will be accepted as charitable which they think is the case. [Clause 3,4 and 5). We have added 5i to promote sustainable empowerment programmes for disabled women, youth, LGBTQA+ and disabled indigenous people.

The main reasons for becoming a CIO are because we have now decided to become organisationally separate ourselves as an organisation from ADD International Ltd who since 2019 have been our fiduciary partner, providing administration, accounting and managing our income and expenditure. This was because when we re-established CDPF in New York in June 2019 we had no track record of doing these things and so our funder the Disability Rights Fund required CDPF to do this.

Now CDPF has a track record of innovative, effective work, has grown in influence and organisation and profile and we now have a prospect of direct funding of our core activities and work on an ongoing basis from UK FCDO. Our funder and the Executive want now to be able to establish our own bank account, accounts and audit; to attract more funding for more projects. Our relationship with ADD will change to them being a service provider for CDPF

Registering as a CIO [Charitable Incorporated Organisation] CDPF will gain the following advantages:

1. Greater credence with and confidence from potential funders.

 ii) Tax relief on donation from the UK

 iii) Security in that our governance, accounts and funding and operations will be scrutinised by the Charity Commission.

The Officers group (comprising all elected officers) has been meeting in between our Executive meeting and has proved a more efficient way of governing CDPF operations.

In order to become a registered CIO there are the big changes that will be found in the new draft constitution.

**I .CDPF must have Annual General Assembly of members which can be electronic/virtual or face to face.**

**II. CDPF need a Board of Trustees who are responsible for oversight of the operations of CDPF. (**These will be Officers elected by General Assembly, ensure at least 1 rep of each of 5 regions amongst them with up to three disabled people from UK)

**III CIOs must have a lot more regulations in their constitutions, than CDPF currently have in the CDPF constitutions developed and adopted in 2008, 2019 and 2022.**

**[** These are required by Charity Law :

5. Further Powers of CIO;

 6. Application of income and property;

7. Benefits and payments to Executive and connected persons i.e Trustees

8.Payment for supply of goods and services;

9.Conflicts of Interests and loyalty;

10. Liability of members (no liability if wound up);

11. Membership of CIO(CDPF) [ This has incorporated Focal points for countries which we to now have not formally operated and then the same categories of membership we have currently with their rights]

12 Admission New Members

13 Admission Procedures

14 Membership Fees [Not coming into force until GA 2026 propose sliding scale. And Associate pay 5 years in one go to save bank charges].

14 Members decisions

15 Decisions taken in a particular way

16 General Assemblies Types [some may be AGM other may be called by Members, Exec or Board]

17 Quorum Gen Assemblies [10% or 25 members ]

19 Voting at General Assemblies

20 Defines Board ,Executive and Officers

Board will be i/c legally [Max 17 members All Officers and possible ensure at least 1 rep from each region and coopt up to 3 additional members disabled residents UK wilth public profile.]

Executive Committee [ Explains composition This includes 3 new Officer posts and Gen Sec now non-voting]

Officers and Secretariat Lists Officers [Three new Ass Gen Sec positions are new as is the possibility of Job sharing positions subject to agreement of the Board]

Functions and Duties

21 Eligibiility for trustees and Executive

22 Number of Board Members [Max 17 min 3 elected for 5 years and re-election 1year thereafter]

23 First Executive Committee [ applies if starting from scratch. Listed as Appendix 1]

24 Appointment of Officers and Executive [Chair and Vice Chairs 5 year them followed by cycle reelected Exec 2 year dfollowed by another term

25 Elected Executive [ One third retire at each annual Gen Assembly based on how long in office by rotation. Others may stand . If contested then an election]

26 Info for New Board/Executive

27 Retirement and removal from the Board

28 Reappointment of Board

29 Taking decision by the Board

30 Delegation by Board to Executive sub-committees

31 Meetings and proceedings of the Executive [quorum of 10, Chairing, calling meetings, electronic meetings]

32 Execution of documents [signature , 2 Exc members]

33. Use of Electronic communications

34 Keeping Records

35 Minutes

36. Accounting records, accounts, annual report and returns , register maintenance

37 Rules

38 Disputes

39 Amendments of constitution

40 Voluntary winding up

41 Interpretation

Appendix1 use electronic communication

Appendix 2 List of First Trustees.

**In the new constitution** are a series of changes initiated by the CDPF Executive when they met face to face in Kenya from 8th to 12th July 2024. 19 members were present and unanimously agreed to make these changes and will be open to change and fine tuning once we are a CIO.

**1.Voting at General Assemblies.** In order to give more equal weight to **Full member** organisations whether they represent a small or large population, they should have equal weight. So currently each full member organisation being a cross impairment national umbrella group, comprising a majority of disabled people and run and controlled by a majority of disabled people. Has **2** votes. The new constitution increases that to **3** votes/delegates.

**DPO Associates** that are single impairment national, or of disabled women or youth or cross impairment but less than 50% of their country are DPO Associates and they continue to have 1 vote and delegate to general assemblies.

The Executive in putting this forward hope to get a wider representation amongst Officers elected by the whole general assembly. The representation of areas of more population is contained in the varying numbers of regional representative i.e. South Asia and Malaysia (4), Africa including Nigeria (4), Pacific 1, Caribbean 1 and Australia, Canada Malta, New Zealand and UK (1).

**Cooptions** The newly elected General Assembly can then **coopted** up to 7 extra members to cover underrepresented geographic, impairment or social group areas. The Executive can also coopt a further 4 people with expertise to help sub committees knowledge.

The **Board** will comprise the 14 elected Officers, the General Secretary as non-voting member and up to 3 disabled people resident in the UK. With a public profile. This will be the legally registered board with the Charity Commission and have overall responsibility for CDPD COI. It can delegate most of its work at its discretion to the Executive.

The **Annual General Assembly** will have to meet each year required by Charity Commission

Rotation of terms of office and eligibility for re-election by General Assembly

Formalise that regional members of Executive are chosen at the General Assembly by regional caucuses of all organisation General Assembly delegates in the region.

Three new Officers Assistant Sec Membership, Administration and London Liaison. A Job currently filled by Gen Sec.

Officer positions can be job shared with consent of the Board, but only have 1 vote.

Richard Rieser

General Secretary CDPF

 Monday 3rd February 2025