



# Statutes of The Pirate Party of Venezuela

## Preamble

WE THE MEMBERS of the Pirate Party of Venezuela determined to save succeeding generations from the scourge of violence, egotism, nepotism and hunger which in our lifetime has brought untold sorrow, loss and pain to Venezuelans, and to regain faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of indigenous peoples, and to establish conditions under which honesty, justice and respect for the obligations arising from our country's constitution, treaties and other sources of international law can be maintained, and to promote social progress and better standards of life in larger freedom,

FOR THESE ENDS to practice tolerance and live together in peace with one another as good neighbours, and to unite our strength to assist in the maintenance of domestic and international peace and security, and to ensure, by the acceptance of these principles and the institution of its methods, that armed force shall not be used, save in the common interest, and to employ our political machinery for the promotion of the economic and social advancement of all Venezuelans,

WE HAVE RESOLVED to combine our efforts to accomplish these aims accordingly, through our members assembled across the globe, who have exhibited their full powers found to be in good and due form, have agreed to the present statutes of our political party and do hereby establish the political organization to be known as The Pirate Party of Venezuela.

## Basic provisions

### Art. 1 Introductory provisions

- (1) The name of the political party is Pirate Party of Venezuela.
- (2) The abbreviation is PPV.

### Art. 2 Program and program objectives

- (1) The objective of the party is the promotion of fundamental human rights to the liberal dissemination of information received and strict protection of the privacy of citizens, which reflects the changing realities of the information technology of the 21st century society. To achieve this, it is important to review the copying monopoly so that it cannot become a pretext for attacks on the freedom of the Internet.



(2) Pirate Party of Venezuela wants to promote and encourage

- (a) individuals' free access to information,
- (b) freedom of speech and of expression,
- (c) free access to works, software and standards,
- (d) independence of the courts and prosecution services from the state,
- (e) democracy and maximum public involvement in decision-making,
- (f) transparent selection procedures in the public sector,
- (g) the protection of natural and cultural wealth,
- (h) promotion of education and scientific institutions.

(3) Pirate Party of Venezuela wants to use all legal means to fight

- (a) any abuse of the law aiming at any limitation of freedoms,
- (b) censorship, violence, xenophobia and any suppression of human rights.

## **Party membership**

### **Art. 3 Membership**

(1) A member of the party may be a citizen who:

- (a) is 18 years of age,
- (b) is fully capable to carry out legal acts,
- (c) is not a member of another political party or political movement in the same country,
- (d) expresses their agreement with the basic program objectives referred to in Article 2 and with these statutes,
- (e) has not been expelled from the party in perpetuity in the past,
- (f) submits an application for membership.

(2) The applicant fills in truthfully the following information to the application:

- (a) personal data which are subject to registration,
- (b) whether in the past sought a membership in the Pirate Party of Venezuela or was its member,
- (c) whether is, or was previously, a member of another political party, or political movement (incl. foreign) and states the time range of such membership,
- (d) has been convicted for an intentional crime,
- (e) whether is currently being prosecuted.



(3) The completed and signed application shall be submitted by the applicant for membership to the regional chapter in the place of residence, exceptionally, in justified cases, to another regional chapter or to the party board. Acceptance as a member is voted on by the board of the regional chapter or, exceptionally, by the board of the party, usually in the presence of the applicant; the refusal of the application must be justified. Membership becomes valid after payment of membership fee, if such fee is set.

(4) A member of a chapter may, in justified cases, become a guest member in at most one other regional chapter that agrees to it. Where possible, the guest member shall have the same rights as the full member, except for the right to vote on staff matters.

(5) Membership expires on the date

- (a) specified in the member's notice of withdrawal from the party, but no later than the date of receipt of the notice by the chapter concerned,
- (b) the final decision of expulsion of the member in the event of serious infringement on statutes, deliberately incomplete or false filling of the member application, or causing repeated damage to the reputation of the party,
- (c) of the member's death.

(6) Membership is suspended, with temporary loss of membership rights,

- (a) upon the expiry of the time limit set for the payment of the membership fee and after the notice has been issued, in which a member is informed their membership may be subject to suspension of membership or expulsion from the party, depending on the payment of the membership fee,
- (b) the date of validity of the decision on the limitation on legal capacity, for a period of such limitation,
- (c) on the date specified in the interim measure or the arbitration commission's finding for the period specified therein,
- (d) the date specified in the member's request for suspension of membership, but not earlier than the date of receipt of such request by the board of the relevant chapter.

(7) A member of the party has the right to

- (a) be informed of the activities of the party, in particular of any substantive resolutions of the authorities directly concerning it and of the occupation of the party's bodies,
- (b) freely express and defend their views, participate in the hearing of the party's internal affairs,
- (c) participate in the shaping of the party's policy,
- (d) address other members and authorities of the party with their suggestions, initiatives, questions and comments,
- (e) participate, with the right to vote, in the decisions on the bodies of which they are a member,
- (f) be elected and, where applicable, be delegated, to party bodies and functions,



(g) be designed as a candidate for public functions; the candidacy may be required to meet additional criteria, e.g. gaining support of a specified number of party members.

(8) The member is obligated to

- (a) promote the political objectives of the Party, in particular the basic program objectives referred to in Article 2,
- (b) comply with the provisions of the rules of procedure or other codes of conduct, in particular endure restrictions of their rights, issued by the arbitration commission for breach of member's duties.

(9) There is no legal entitlement to party membership.

## **Party Organizational Units and Bodies**

### **Art. 5 Authorities and Organizational Units**

(1) The authorities of the party are:

- (a) party forum (i.e. all party members),
- (b) party board,
- (c) commissions and departments.

(2) The organizational units are chapters formed on a territorial principle: chapters include regional and local chapters. The local chapter operates within the relevant regional chapter and is subordinate to it. A member of the local chapter is also a member of the superior regional chapter.

(3) There are following bodies in the chapters

- (a) regional (or local) forum (full membership base of a chapter),
- (b) regional (or local) board,
- (c) Regional (or local) commissions and departments.

### **Art. 6 General principles**

(1) The organs of the Party shall approve the rules of procedure and, as the case may be, the electoral rules which they issue in accordance with the usual democratic principles, in particular with regard to equal value of votes. The presumption of correctness shall be applied in the proceedings of the bodies of the Party.



(2) The principle of hierarchy shall be applied when assessing the validity of regulations issued by different competent authorities. The organizational units of the party shall manage themselves within the limits of the internal regulations; they may issue regulations under which they exercise their powers.

(3) The notification is considered to be proper once delivered to all member by a system agreed upon (e.g. e-mail) and does not raise doubts about its credibility. Information on actions ordered by law should also be properly announced.

(4) In a properly announced vote and at properly announced meetings a simple majority of those present is required, otherwise the majority of all members. A removable wrongness of a legal act causes its invalidity only when it is predictable that the removal of the mistake might lead to a different result.

(5) Proposals marked as critical require approval by more than 3/5 majority. The critical proposals adopted may only be amended by another critical proposal. Statutes can be changed solely on the basis of critical proposal.

(6) Voting shall take place (if possible) remotely and with an extended voting period. The party forum and regional and local forums shall vote secretly in personality votes and primary elections and whenever a member so requests. Elected bodies shall vote by secret ballot only if naming names could expose the party members to persecution for enforcing the party's policy and the body shall make a resolution on such vote before the vote taking place.

(7) The term of all elected functions is of two years, unless stated otherwise elsewhere in these statutes.

(8) The term of office begins with the end of the election meeting or with the announcement of the results of the election.

(9) Each party member may hold at most one of the functions of the head of department, a member of the party board or member of the arbitration commission.

(10) A person may resign from a function, in accordance with these statutes, by a duly notice delivered to the board of the given body, in justified cases board of the superior body. They shall take note of the resignation and inform the authority entitled to elect an alternate. Similarly, any body may decide on a collective resignation.

## **Organizational units**

### **Art. 7 Regional and Local Chapters**

(1) The smallest number of members of any chapter is three.

(2) A member of a party belongs to a chapter which has accepted them as a member or to which he has transferred. The transfer shall be carried out in accordance with the provisions on filing the application and shall not affect the party's membership.

(3) Each member of the chapter has the right to participate in the chapter's forum.



(4) Chapter's Forum

- (a) elects from among its members (as well as dismisses) the chapter's board,
- (b) exercises the party's policies on a regional or local level,
- (c) may establish and dismiss its commissions and departments,
- (d) assigns tasks to its board.

(5) Regional (or local) board

- (a) shall consist of a chair and two to four vice-chairs,
- (b) is accountable to its forum and fulfils the resolutions of its forum,
- (c) is recruiting new members,
- (d) collects any candidate proposals for the elections and ensures their technical and political preparedness,
- (e) organizes primary elections in its area; to this end, it may establish a regional (or local) election commission.

(6) Chair of the chapter's board,

- (a) convenes the chapter's forum at least once a year,
- (b) represents the chapter in the public and in contact with other party bodies, according to law.

## **Party Bodies**

### **Art. 8 Party Forum**

- (1) The party forum is the supreme body of the party.
- (2) Each member of the party shall, as much as possible, participate in the party forum.
- (3) The meeting of the party forum shall be convened by the chair of the party at least once a year.
- (4) The chair of the party shall convene a meeting of the party forum if requested by the party board.
- (5) Party forum, within its exclusive competence,
  - (a) elects and dismisses members of the party board,
  - (b) establishes and abolishes commissions and departments,
  - (c) elects and dismisses members of the commissions and the heads of departments,
  - (d) approves amendments to these Statutes,
  - (e) considers and approves the annual report of the party chair,
  - (f) discusses and approves the annual financial report,



- (g) extraordinarily reviews decisions of a party's authority if the group of members proposes to the chair within two weeks of that decision becoming final. From that point on, the enforcement of the decision is suspended. The National Forum may revoke the decision within two weeks of the suspension. Otherwise the decision will be implemented. For the purposes of this provision, "a group" shall mean at least one fifth unless the party forum agrees on less in its rules of procedure,
- (h) has the right to introduce a waiting period for entering the party if it deems it useful.

(6) Party forum also

- (a) approves other regulations for the conducting of internal relations,
- (b) assigns tasks to the party board,
- (c) discusses and approves basic program and ideological documents,
- (d) sets the amount of member fees and the fees of registered supporters and the deadline for their payment, if such fees are collected,
- (e) approves budget rules, management rules, party budget and economic results.

### **Art. 9 Party Board**

(1) The party board shall consist of at least five members, one of whom shall be the chair of the party. If the law sets a higher minimum number of members of the board, then it shall consist of the minimal number of members the law requires instead.

(2) Party board

- (a) is a statutory and executive body of the party,
- (b) has a general responsibility for the party and for political affairs between meetings of the party forum,
- (c) implements the resolutions of the party forum,
- (d) meets as necessary; shall meet always when requested by any member of the board,
- (e) can duly announce new elections of the chair of the regional (or local) chapter,
- (f) discusses and prepares reports and proposals for the party forum,
- (g) may approve standard rules of procedure and election rules,
- (h) is responsible for the lists of candidates for public office elections; in exceptional cases, the candidate list may be changed,
- (i) decides on other national issues where assembling of the party forum would not be expedient or possible for time constraints.

(3) The members of the party board have the right to participate in the meetings of all organizational units and bodies with an advisory voice.

(4) The meetings of the party board can be declared secret.

(5) The chair

- (a) convenes a meeting of the party forum and the party board and chairs them,
- (b) acts on behalf of the party in the public.



(6) The vice-chairs shall represent the chair in the specified order (as set by their election). They shall perform such function upon authorization by the party chair or the party board.

### **Art. 10 Commissions**

- (1) The commissions are the collegiate bodies of a party composed of at least three party members. The maximum number of members of a commission is seven.
- (2) The role of the commissions is to fulfil a specific role on the basis of a party forum resolution.
- (3) The members of each commission shall elect a chair and a vice-chair of the commission from among themselves.
- (4) Each commission shall adopt its rules of procedure.
- (5) A commission is governed by these statutes approved by the party forum.
- (6) At least one commissions is automatically established, namely the arbitration commission.
- (7) If the law requires more commissions to be set-up, they shall be set-up.

### **Art. 11 Departments**

- (1) Departments are monocratic authorities of the party composed of a head and, as needed, several members of the party.
- (2) The point of a department is to fulfil a specific task on the basis of a party forum resolution.
- (3) The department shall be governed by a statute approved by the party forum.
- (4) The head of a department shall decide on all matters of the department.
- (5) Head of a department can appoint other department members and to entrust them with any function within the department.

### **Art. 12 Review body**

- (1) Unless otherwise stated, the arbitration commission (or any other commission required by the law) shall operate in accordance with Article 10. Review bodies are operating according to legal principles common in the democratic judiciary, in particular ensuring their own neutrality. The other party authorities are obliged to cooperate during a review.
- (2) The arbitration commission shall be the control body of the party, supervising the management and observance of generally binding laws and regulations of the party. It decides in disputes between individual members as well as between persons and organizational bodies of the party and between bodies.

#### Arbitration Commission

- (a) investigates complaints of violations concerning party's activity,
- (b) investigates and resolves conflicts of jurisdiction within the party, unless such resolution is reserved to another authority by the law,
- (c) hears all the parties out when dealing with investigated complaints,
- (d) issues provisional measures in matters, which can bear postponement, and decides on the limitation of member's rights for violation of the law and on their expulsion,
- (e) decides on the validity of a legal act of the organizational body or authority of the party, e.g. rejection of an application or transfer request,
- (f) answers preliminary questions from the party's authorities and individuals if the interpretation of these statutes is unclear





- (g) continuously checks the party rules and checks whether they are in accordance with the general binding legislation and other party regulations,
- (h) continuously checks that the activities of the party are carried out in accordance with the generally binding laws, these statutes and other party regulations,
- (i) checks that the accounting books are kept in accordance with reality.

## **Acting on behalf of the party**

### **Art. 13 Acting on behalf of the Party and representation in legal matters**

- (1) Legal acts on behalf of the party shall be carried out by the party board. Written acts on behalf of the party board shall be signed by the chair of the party or another authorized member of the party board.
- (2) When signing on behalf of the party to the printed or prescribed name of the party and the signatory's name, the signatory shall attach a handwritten signature while also stating their position within the party next to it.
- (3) Other members of the party or its employees may act on behalf of the party only based on a written authorization of the party chair.

## **Economy and liquidation**

### **Art. 14 Principles of funds management**

- (1) The party shall be liable for its obligations with all its assets.
- (2) The party keeps its accounting and handles its assets in accordance with the relevant binding legal regulations. The assets of the party shall be managed by the party board on the basis of the approved budget and the approved budgetary rules of the party. Internal regulations may regulate the management of the party's organizational units and bodies.
- (3) Party's budget as well as its changes during the year and the economic results shall be approve the party forum.

### **Art. 15 Termination of activities**

- (1) In the event of dissolution of the party, the party board shall decide on the method of disposing of the assets balance arising from the liquidation of assets and liabilities, except in cases prescribed by these statutes.
- (2) If no decision is made on the method of disposal of the assets balance, it shall become property of the state.



## **Art. 16 Final provisions**

(1) The party board or the board of a superior chapter

- (a) convenes the constituent forum of chapters that have not been established or have ceased to exist,
- (b) decides on membership and performs other tasks of the chapter boards in places where no regional chapters operate.

(2) These statutes of the party shall enter into force on the day of their approval by the party forum.

(3) These statutes in the current wording were adopted by the party forum on Wednesday, October 21, 2020.