

PROVINCIAL MODEL CONSTITUTION

May 2013

CONSTITUTION OF THE _____ LIBERAL ASSOCIATION (insert name of Electoral District)

This constitution shall replace and supersede all previous electoral district constitutions and amendments thereto.

1. NAME

- 1.1. *The Association shall be known as the _____ Liberal Association, hereinafter referred to as the "Association."***
(insert name of Electoral District)

2. OBJECTIVES

2.1. *The objectives of the Association shall be:*

- 2.1.1. To advocate and support Liberal political principles and policies, to support the statement of values, principles, aims and objectives of the New Brunswick Liberal Party as stated in the New Brunswick Liberal Association Constitution, as amended from time to time, and to otherwise promote the interest of the Liberal Party generally throughout New Brunswick.
- 2.1.2. To provide a uniform and democratic system to attract, nominate and elect Liberal candidates.
- 2.1.3. To effect, maintain and carry on effective organization in the electoral district, and to assist the duly nominated Liberal candidate in the provincial campaigns.
- 2.1.4. To maintain a strong Liberal organization in _____ and to
(insert name of Electoral District)

encourage and support good Liberal candidates to seek election.

- 2.1.5. To provide a means of forwarding to the Leader of the Liberal Party of New Brunswick; Liberal Members of Parliament; Liberal Members of the New Brunswick Legislative Assembly; and Executive Officers and committees of the New Brunswick Liberal Association, the opinions of the members of this Association.
- 2.1.6. To arrange and conduct general meetings for the purpose of electing Officers and Directors, and forming committees and such other activities as the Association may decide from time to time.
- 2.1.7. To endeavour to assist the provincial party Board of Directors in the policies and programs developed from time to time, and administered through the President of the New Brunswick Liberal Association.

3. Membership

3.1 Status:

- 3.1.1. Membership in the Association is open to any person, at least fourteen (14) years of age, resident in the electoral district of _____ (the “Electoral District”) who supports the objectives of the Association.
(insert name of Electoral District)
- 3.1.2. Any person who is a member in any other Liberal electoral district association in New Brunswick may apply for membership in this Association. Any and all such applications shall be treated in compliance with the provisions of section 3.2.3 of the New Brunswick Liberal Association Constitution.
- 3.1.3. Where any member in this Association accepts membership in another Liberal electoral district association, he/she shall be deemed to have transferred his membership to such other association.
- 3.1.4. Every member of the Association shall be given, on request a copy of this Constitution and any by-laws by the Secretary.
- 3.1.5. “Resident” means where a person is ordinarily resident as provided for in the *New*

Brunswick Elections Act.

3.2 *Rights and obligations*

- 3.2.1 Every member has the right to participate in the activities and programs of the Association and to promote the objectives of the Liberal Party.
- 3.2.2 Only members may vote at any election conducted within the Association.
- 3.2.3 Any Officer or Director who seeks nomination as a candidate in a provincial election or by-election must inform the President of the Association as soon as possible and, on so informing the President, shall be deemed to have resigned as an Officer or Director. If the President seeks the nomination, he must advise the 1st Vice-president and the same provision for resignation applies.
- 3.2.4 Members can participate in candidate nomination conventions. The rules for said nomination conventions will be prepared by the New Brunswick Liberal Association in a separate document and will be consistent in all electoral districts across the province.

3.3 *Termination*

- 3.3.1 Once a person is on the membership list, he/she will remain on the list unless so removed pursuant to section 3.2 of the New Brunswick Liberal Association Constitution.

4. Officers

4.1 *Selection:*

- 4.1.1 The Officers of the Association shall be
 - 4.1.1.1 President
 - 4.1.1.2 First Vice-President
 - 4.1.1.3 Second Vice-President
 - 4.1.1.4 Third Vice-President
 - 4.1.1.5 Secretary
 - 4.1.1.6 Treasurer

- 4.1.2 Except as provided in section 5.2.4, the Officers shall be elected by secret ballot at each annual meeting of the Association and shall hold office until their successors are elected.
- 4.1.3 The candidates for the position of the 2nd Vice-President shall otherwise be eligible to be a member of the New Brunswick Women's Liberal Association and the candidates for the 3rd Vice-President shall otherwise be eligible to be a member of the New Brunswick Young Liberal Association.
- 4.1.4 When any office is vacant for any reason, the office shall be filled in accordance with section 5.2.4.

4.2 Duties and Powers:

- 4.2.1 The President shall,
 - 4.2.1.1 Exercise general care and supervision over the affairs of the Association. The president can vote at meetings of the Association and the Board of Directors and in the case of a tie the question shall be decided in the negative.
 - 4.2.1.2 Preside at all meetings of the Association.
 - 4.2.1.3 Preside at all meetings of the District Association Board of Directors.
 - 4.2.1.4 Preside at all conventions of the Association.
 - 4.2.1.5 In consultation with the Association Board of Directors, appoint the District Association Standing Committees chairpersons.
 - 4.2.1.6 Be an ex-officio member of all committees without voting privileges.
 - 4.2.1.7 Through day-to-day activities, ensure that all other members of the Association Board of Directors perform their duties through supervision and guidance where needed.
- 4.2.2 The First Vice-President shall,
 - 4.2.2.1 Perform the duties of the President in his/her absence, inability or refusal to act.

4.2.3 The Secretary shall,

4.2.3.1 Give notice of all meetings as directed by the President.

4.2.3.2 Attend all meetings and record the minutes of every such meeting.

4.2.3.3 Have the custody of all records of the Association including all committee reports.

4.2.3.4 Conduct and report on all correspondence.

4.2.3.5 Provide a complete record of the annual meeting, including all Officers and Directors, to the President of the New Brunswick Liberal Association.

4.2.3.6 Be an ex-officio member of all Committees without voting privileges and, in the absence, inability or refusal to act, of the appropriate committee chairperson, call the meeting to order for the election of a temporary Chairperson.

4.2.4 The Treasurer shall,

4.2.4.1 Receive all monies belonging to the Association.

4.2.4.2 Keep a written account of all receipts and expenditures together with vouchers thereof.

4.2.4.3 Make authorized expenditures.

4.2.4.4 Report to the Board of Directors when required to do so.

4.2.4.5 In his / her capacity as Official Representative of the Association, if so appointed, do all things required under the *Political Process Financing Act, 1978*.

4.2.4.6 Send the name and number of all accounts maintained by the Association together with the list of all signing officers, to the Party Treasurer, within 7 days of any change in those accounts or officers.

4.2.5 The Officers shall have responsibility for the day to day conduct of the affairs of the Association as delegated and directed by the Board of Directors.

- 4.2.6 The New Brunswick Liberal Party's official representative appointed under the *Elections Act* will require, as a requisite to the appointment of an official representative for the electoral district association that the said New Brunswick Liberal Party's official representative be given proper signing authority on the electoral district association's banking account and the right to obtain any financial information from the financial institution where the accounts are held.
- 4.2.7 Should the electoral district association revoke the signing authority, revoke the authorization to access financial information or should the electoral district association's official representative not meet the requirements of the *Political Process Financing Act*, the New Brunswick Liberal Party's official representative can revoke the appointment of the electoral district association's official representative and appoint another person to that office, including himself/herself.
- 4.2.8 Any newly appointed official representative for the electoral district association will immediately be given signing authority and access to the banking accounts of the electoral district association, by the president of the Association, without the need of any formal resolution from the Board of Directors of the electoral district association.

5. Board of Directors

5.1. Selection:

- 5.1.1. Members of the Board of Directors shall be -
- 5.1.1.1. Immediate Past President
 - 5.1.1.2. The Officers
 - 5.1.1.3. Chairpersons of Standing Committees
 - 5.1.1.4. The Liberal candidate at the last preceding election or the newly nominated candidate for the electoral district of _____.
_____. (insert name of Electoral District)
 - 5.1.1.5. A number of directors, elected at the annual meeting, in order to give adequate representation to all parts of the Electoral District, and/or a number of directors, appointed by the Board of Directors in the

exceptional circumstance when it considers it in the best interest of the association because of the expertise of the persons in question.

- 5.1.1.6. The Registrar who shall hold office at the pleasure of the Board of Directors.

5.2. Duties and Powers:

- 5.2.1. The Board of Directors shall have the general management of the affairs of the Association, and shall appoint signing officers for the Association.
- 5.2.2. The Board of Directors shall meet at least three times annually at a time and place determined by the President.
- 5.2.3. Special meetings of the Board of Directors may be called by the President at any time and shall be called on the written request of not fewer than _____ members of the Board of Directors.
- 5.2.4. If a vacancy occurs in any office, the Board of Directors shall have the power to fill it by appointment for the unexpired term.
- 5.2.5. The Board of Directors may suspend, remove or expel members in accordance with section 3.3.
- 5.2.6. The Board of Directors shall appoint Standing Committees in accordance with section 6.
- 5.2.7. The Registrar, as a member of the Board of Directors and in consultation with the New Brunswick Liberal Association, shall:
 - 5.2.7.1. Keep an accurate record of the names and addresses of all members of the Association;
 - 5.2.7.2. Each month shall advise the President of the New Brunswick Liberal Association of any changes in addresses and deletions to the list.

5.3. Notice of meetings:

5.3.1. The Secretary shall give at least forty-eight (48) hours' notice of meetings to all members by mail , telephone or electronic mail.

5.4. Quorum:

5.4.1. At all meetings of the Board of Directors, _____members shall constitute a quorum.

6. Committees.**6.1. Appointments:**

6.1.1. The Board of Directors shall appoint Standing Committees as follows -

- 6.1.1.1. Finance / Fundraising Committee.
- 6.1.1.2. Policy Committee.
- 6.1.1.3. Membership and Credentials Committee.
- 6.1.1.4. Communication Committee.
- 6.1.1.5. Nominating Committee.
- 6.1.1.6. Organization Committee.

6.1.2. The Board of Directors shall appoint members to all Committees who shall hold office at the pleasure of the Board.

6.1.3. The Board of Directors may appoint other committees as required.

6.2. Quorum:

6.2.1. The Board of Directors may determine the quorum for any committee at the time of its appointment and unless so determined a quorum will be not less than fifty (50) per cent of the members of the committee.

6.3. Duties and Powers:

6.3.1. The Finance / Fundraising Committee shall

- 6.3.1.1. Devise and implement ways and means of raising funds for carrying out the objects of the Association;

- 6.3.1.2. Serve in an advisory capacity on all financial matters;
 - 6.3.1.3. Act in a liaison capacity with the President of the New Brunswick Liberal Association;
 - 6.3.1.4. Act in conformity with the *Political Process Financing Act*.
- 6.3.2. The Policy Committee shall
- 6.3.2.1. Prepare policy resolutions for presentation to the biennial meeting of the Association;
 - 6.3.2.2. Forward such resolutions as are ratified to the Vice President (Policy) of the New Brunswick Liberal Association;
 - 6.3.2.3. Act in an advisory capacity on matters of policy;
 - 6.3.2.4. Organize a minimum of one public policy meeting on matters determined by the Association.
 - 6.3.2.5. Ensure members receive a timely response to policy questions;
 - 6.3.2.6. Identify and develop relationships with key stakeholders within the Electoral District;
 - 6.3.2.7. Act in a liaison capacity with the provincial Policy Committee.
- 6.3.3. The Membership and Credentials Committee shall
- 6.3.3.1. Promote membership in the Association;
 - 6.3.3.2. Assist the Registrar in the performance of his/her duties including maintaining an up to date membership list;
 - 6.3.3.3. Assist the Officers in the organization and conduct of annual meetings and nominating conventions.
- 6.3.4. The Communication Committee shall
- 6.3.4.1. Identify and implement the best ways to reach out to the Association membership through various means of communication;

6.3.4.2. In cooperation with the Board of Directors and other Committees, identify and implement ways to reach out to the entire Electoral District.

6.3.5. The Nominating Committee shall

6.3.5.1. Prepare and present a slate of Officers and Directors to the annual meeting of the Association.

6.3.5.2. Nominate at least one person, and may nominate more than one person, for each elective office and position on the Board of Directors.

6.3.5.3. Identify potential candidates for election and serve in an advisory capacity to the Board of Directors on all matters relating to candidates.

6.3.6. The Organization Committee shall -

6.3.6.1. Co-ordinate the organization and training of workers at the poll level.

6.3.6.2. Act in an advisory capacity on matters of organization.

6.3.6.3. Act in a liaison capacity with the provincial organization committee and its regional co-ordinators.

7. *Meetings of the Association and biennial conventions*

7.1. *Annual meetings:*

7.1.1. Time and Place - An annual meeting of the Association shall be held in each year at a time and place to be fixed by the Board of Directors, after consultation with the President of the New Brunswick Liberal Association.

7.1.2. Agenda

7.1.2.1. Call to order

7.1.2.2. Reading of the minutes and business arising therefrom

7.1.2.3. Communications

7.1.2.4. Reports of Officers and Committees

7.1.2.5. General Business and Resolutions

7.1.2.6. Nomination and election of Officers and Directors

- 7.1.2.7. Addresses and speeches
- 7.1.2.8. New Business
- 7.1.2.9. Closing remarks
- 7.1.2.10. Adjournment

7.2. *Special meetings:*

- 7.2.1. Special meetings of the Association may be called by the Board of Directors at any time and shall be called on the written request of not fewer than _____ members of the Board of Directors or on the written request of not fewer than ten (10) members of the Association.
- 7.2.2. The agenda for special meetings of the Association shall be included in the notice of meeting and no other business shall be conducted at a special meeting unless with the consent of two-thirds of the members present.

7.3. *Biennial delegate selection meetings*

- 7.3.1. The Association shall elect its eligible number of delegates to a biennial of the New Brunswick Liberal Association in an open and democratic manner and ensure that the delegates chosen are truly representative of the membership of this Association.

7.4. *Notice of meetings:*

- 7.4.1. Notice of all meetings of the Association shall be given by mail, telephone, electronic mail or by publication in the press or by other media not less than one week in advance of the meeting.

7.5. *Quorum:*

- 7.5.1. At all meetings of the Association, _____ members shall constitute a quorum.

7.6. *Procedures:*

- 7.6.1. The order of the agenda shall be adhered to unless changed by a majority vote of the members present.
- 7.6.2. Following the report of any nominating committee, nominations from the floor shall be received.

- 7.6.3. Voting at a meeting where any person is to be elected to any office or position on the Board of Directors shall be by ballot.
- 7.6.4. Ballots shall be counted by a Returning Officer appointed by the President. Any person nominated may appoint a scrutineer to assist the Returning Officer.
- 7.6.5. Except for nominating conventions, which are regulated by special rules as per section 3.2.4, to be eligible to vote at a meeting of the Association, a person must have been a member of the Association for at least _____ days (not less than 3, not more than 30). At any meeting, including conventions, he/she must present identification at the credentials' desk and his /her name must be on the official list maintained by the Secretary showing his / her membership for such period.
- 7.6.6. A member who does not have identification, but whose name appears on the official list, can participate in the same manner if he/she can be identified to the satisfaction of the Registrar. In the Registrar's absence, the Credentials' Committee Chairperson shall decide. Such decision shall be final.
- 7.6.7. No motion shall be open for consideration until moved, seconded, committed to writing if requested by the Chairperson, and stated from the Chairperson. When a motion is before the Association, no further motion shall be received except to adjourn, to table, to put the question, or to amend.
- 7.6.8. While an amendment to an amendment is under consideration, no further motion to amend shall be in order
- 7.6.9. All questions shall be decided by the majority vote of the members present and where there is a tie vote the question shall be decided in the negative.
- 7.6.10. When a member rises to speak, he / she shall respectfully address his / her remarks to the Chairperson. Should more than one member rise to speak at the same time, the Chairperson shall determine who is entitled to the floor and his decision is not subject to appeal.
- 7.6.11. When a member is called to order, he / she shall at once take his seat and the point shall be decided by the Chairperson without discussion.
- 7.6.12. With the exception of sections 7.6.9 and 7.6.10 above, decisions from the Chairperson may be appealed by a member. If so, the Chairperson states his/her decision and the point of appeal, then puts the question which is not debatable: "shall the decision of the Chairperson stand as the judgement of this meeting?" A simple majority vote of the members present determines the issue.

7.6.13. Upon the request of any five members, the Chairperson shall order the yeas and nays to be taken and recorded in the minutes.

8. *By-Laws*

8.1. The Association, at an annual or special meeting, or the Board of Directors may make by-laws not inconsistent with this Constitution. Any by-law enacted by the Board of Directors shall be subject to ratification at the next Annual Meeting of the Association but prior to ratification shall be in full force and effect as if enacted at a Annual Meeting.

9. *Interpretation*

9.1. Unless there is something in the subject matter or context inconsistent therewith, words importing the singular number only shall include the plural and vice versa, and words importing the masculine gender shall include the feminine gender and vice versa.

9.2. In case of conflict between the provisions of this Constitution and the provisions of the New Brunswick Liberal Association Constitution, the provisions of the New Brunswick Liberal Association Constitution shall prevail.

10. *Amendments*

10.1. This Constitution shall be altered or amended only after notice delivered to the Secretary of this Association and the President of the New Brunswick Liberal Association one month prior to a regular annual meeting or a special meeting called for that purpose and a copy of the proposed alteration or amendment shall be incorporated in the notice of such meeting.

10.2. Any such alteration or amendment must be adopted by a two-thirds majority vote of the members present.