

# CONSTITUTION OF THE PROGRESSIVE CONSERVATIVE ASSOCIATION OF NOVA SCOTIA

*Consolidated to November 1, 2008*

## ARTICLE 1 - NAME

- 1.1 The name of the Association is "The Progressive Conservative Association of Nova Scotia", hereinafter called "the Association".

## ARTICLE 2 - INTERPRETATION

- 2.1 Provincial Electoral District, Constituency or Riding, means an electoral district as defined in the *Elections Act*, and the boundaries of such shall conform with the electoral districts entitled to elect members to serve in the House of Assembly.
- 2.2 Member of the House of Assembly means a member of the Nova Scotia House of Assembly as defined in the *Elections Act*.
- 2.3 Constituency Association means a group of individuals within one electoral district who are members of the Association, who have joined to promote the interests of the Progressive Conservative Party and the Progressive Conservative Association of Nova Scotia, and which has been duly recognized by the Association in accordance with this Constitution.
- 2.4 Party means the Progressive Conservative Party of Nova Scotia.
- 2.5 Standing Committee means any committee designated in this Constitution as a Standing Committee, or which the Association or Executive Committee may annually designate by resolution.
- 2.6 Recognized Group means an organized group of members of the Association, other than a constituency association, which has been recognized in accordance with this Constitution.
- 2.7 In the event of an inconsistency between this Constitution and any by-law, constituency association constitution or rule, or other decision made under this Constitution, the provisions of this Constitution shall prevail.
- 2.8 Unless this Constitution otherwise provides, or if the context otherwise requires, notices required to be given in writing may be given by mail, by courier or by hand, or, if the recipient is equipped to receive messages by facsimile or e-mail, by facsimile or e-mail, except that notices of general meetings may be given by publication in a newspaper having general circulation in the area concerned.

- 2.9 Unless this Constitution otherwise provides, or if the context otherwise requires, a person's residence and residency shall be determined in the same manner as an elector's residency is established under the *Elections Act*, provided that the provisions of the *Elections Act* respecting minimum residency periods
- 2.9.1 in Nova Scotia or in a polling division shall not apply; and
  - 2.9.2 in an electoral district shall only apply to extent to which they are not inconsistent with this Constitution or any by-law made under its authority.

### **ARTICLE 3 - PURPOSE, AIMS AND PRINCIPLES**

- 3.1 The aims of the Constitution are:
- 3.1.1 to promote the interests of the Progressive Conservative Party and to provide for the effective and efficient operation of the Party in Nova Scotia;
  - 3.1.2 to cooperate with the Conservative Party of Canada in providing effective and efficient operation and promotion of its interests at the national level;
  - 3.1.3 to ensure the fullest participation in the deliberations and activities by all members and supporters of the Progressive Conservative Association; and
  - 3.1.4 to ensure the democratic and effective election of delegates to all meetings of the Association, and leadership conventions.
- 3.2 The Vision, Mission and Values of the Association are set out in Schedule A.

### **ARTICLE 4 – MEMBERSHIPS AND PROVINCIAL MEMBERSHIP REGISTRY**

- 4.01 Subject to this Constitution and the by-laws made under its authority, a constituency association shall admit to its membership any individual who seeks to become a member provided that the individual is qualified for membership, resides in the electoral district where the constituency association is located, and submits the appropriate membership application and membership fees.
- 4.02 Every member in good standing of every constituency association is a member of the Association.
- 4.03 Membership in the Association, and in every constituency association, shall be open to all individuals
- 4.03.1 who are at least fourteen years of age;
  - 4.03.2 without regard to ability, language, race, ethnicity, origin, religion, gender, marital status or sexual orientation;
  - 4.03.3 who reside in Nova Scotia;
  - 4.03.4 who support the Association and its Vision, Mission and Values;
  - 4.03.5 who are not members of, or actively support, another Nova Scotia political party; and
  - 4.03.6 who submit the appropriate membership application and membership fees.
- 4.04 The membership fee which a member pays shall

- 4.04.1 be set by the Executive Committee by by-law;
  - 4.04.2 be apportioned equally between the Association and the constituency association to which the member belongs, provided that the fee may be commonly collected; and
  - 4.04.3 not be greater than the fee set by the Executive Committee.
- 4.05 The membership of the Association exercises full authority over the activities of the Association through general meetings of the Association and the authority delegated under this Constitution.
- 4.06 Members are entitled, subject to this Constitution and any by-laws or rules, or when applicable, the constitution or rules of a constituency association,
- 4.06.1 to attend any meeting of the Association, upon satisfying the appropriate registration requirements;
  - 4.06.2 to attend any general meeting of the constituency association to which they belong;
  - 4.06.3 to vote at any meeting of the Association;
  - 4.06.4 to vote at any meeting of the constituency association to which they belong, including a candidate nomination meeting;
  - 4.06.5 to stand for election to any office in the Association, including the position of Leader;
  - 4.06.6 to stand for election to any office in a constituency association; and
  - 4.06.7 to stand for selection as a candidate for the Party for election to the House of Assembly.
- 4.07 Members are entitled to be a member of, and participate in, a recognized group provided that they meet the membership requirements for the group.
- 4.08 No individual, qualified to vote on any question or matter coming to a vote, shall be entitled to cast more than one vote on the question or matter.
- 4.09 There shall be no proxy voting in the Association, or in any constituency association or recognized group.
- 4.10 In order to hold office in the Association, a constituency association or a recognized group, a person shall be a member in good standing.
- 4.11 If a person who holds office in the Association, a constituency association or a recognized group, ceases to be a member in good standing, that person ceases to hold office.
- 4.12 There shall be a Provincial Membership Registry established and maintained by Provincial Headquarters.
- 4.13 The Provincial Membership Registry shall be the official record of members of the Association, of constituency associations and of recognized groups.
- 4.14 All memberships shall be recorded in the Provincial Membership Registry.

- 4.15 Provincial Headquarters shall update constituency associations and recognized groups on the contents of the Provincial Membership Registry respecting that constituency association or recognized group upon reasonable request from the constituency association or recognized group, when required by by-law, or when otherwise considered appropriate by the Provincial Director.
- 4.16 Constituency associations and recognized groups shall update Provincial Headquarters regularly on any changes to the Provincial Membership Registry which are required.
- 4.17 Subject to this Constitution and any by-laws made under its authority, a membership takes effect when the membership application is processed through the Provincial Membership Registry.
- 4.18 The Provincial Membership Registry is a confidential asset of the Association and shall not be sold or made available to any person or organization outside of the Party, but, for greater certainty, may be used for any purposes consistent with the aims of the Constitution or for the activities regulated by this Constitution.
- 4.19 The Executive Committee may make by-laws respecting
- 4.19.01 membership fees;
  - 4.19.02 the application, recruitment, membership and Provincial Membership Registry processes, including prescribing forms or requiring the timely communication of corrections, changes or updates to Provincial Membership Registry contents or to individual membership information;
  - 4.19.03 duration of memberships;
  - 4.19.04 renewal of memberships;
  - 4.19.05 memberships in an electoral district which may not have a duly recognized constituency association;
  - 4.19.06 revocation of memberships;
  - 4.19.07 timelines or deadlines for any matter required to be done in respect of memberships;
  - 4.19.08 challenges to membership applications and the means of authenticating eligibility for membership;
  - 4.19.09 residency qualifications;
  - 4.19.10 proof of membership, including provision for standard membership cards;
  - 4.19.11 the transfer of memberships upon change of residence;
  - 4.19.12 use of the Provincial Membership Registry; and
  - 4.19.13 any other matter considered appropriate for an effective membership system.

## **ARTICLE 5 – OFFICERS**

- 5.1 The Officers of the Association are the President, the Executive Vice President, the Secretary, the Treasurer, and the Immediate Past President.
- 5.2 The President shall, effective at the 2009 annual meeting of the Association, be elected for a term which ends at the second annual meeting following the election.

- 5.3 The Executive Vice President, the Secretary and the Treasurer shall be elected at each annual meeting for a term which ends at the next following annual meeting.
- 5.4 A vacancy in the office of an Officer may, subject to Article 5.5, be filled by the Executive Committee for the remaining portion of the unexpired term of that Officer.
- 5.5 In the event of a vacancy in the office of the President, the Executive Vice President shall become the President until the immediately following annual meeting of the Association when there shall be an election for President as if an election for President would have ordinarily occurred at that annual meeting.

## **ARTICLE 6 - EXECUTIVE COMMITTEE**

- 6.1 The Executive Committee of the Association shall consist of:
- 6.1.01 the Leader;
  - 6.1.02 the Officers;
  - 6.1.03 the Vice President (Policy), who shall be elected at the annual meeting of the Association;
  - 6.1.04 the Vice President (Organization), who shall be elected at the annual meeting of the Association;
  - 6.1.05 the 12 District Vice Presidents;
  - 6.1.06 the Chair of the PC Nova Scotia Fund, who shall be appointed, after each annual meeting of the Association, by the Executive Committee on the recommendation of the Leader;
  - 6.1.07 four members of the Association who shall be appointed, after each annual meeting of the Association, by the Executive Committee on the recommendation of the Leader;
  - 6.1.08 the President of the Progressive Conservative Women's Association of Nova Scotia;
  - 6.1.09 the President of the Nova Scotia Young Progressive Conservatives;
  - 6.1.10 the National Council Member of the Conservative Party of Canada representing Nova Scotia;
  - 6.1.11 two Progressive Conservative members of the House of Assembly, to be chosen by the Progressive Conservative members of the House of Assembly;
  - 6.1.12 One Nova Scotia Conservative Member of Parliament to be chosen by the Nova Scotia Conservative Members of Parliament;
  - 6.1.13 the Chairs of the following Standing Committees, who shall be appointed, after each annual meeting of the Association, by the Executive Committee:
    - 6.1.13.1 the Communications Committee;
    - 6.1.13.2 the Membership Committee;
    - 6.1.13.3 the Constitution Committee;
    - 6.1.13.4 the Annual Meeting Committee; and
    - 6.1.13.5 the Campaign Committee, on the recommendation of the Leader;
  - 6.1.14 the Chairs of any *ad hoc* committees which may be appointed by the Executive Committee; and
  - 6.1.15 the Provincial Director.
- 6.2 All members of the Executive Committee shall be voting members, except the Provincial Director who shall be a non-voting member.

- 6.3 Eleven members of the Executive Committee shall be a quorum for the conduct of business at meetings thereof.
- 6.4 The Executive Committee may fill any vacancy which arises in the offices of Vice President (Policy) and Vice President (Organization) for the remaining portion of the unexpired term.
- 6.5 The Executive Committee may fill any vacancy which arises in an office on the Executive Committee which is appointed by the Executive Committee, provided that it shall be done on the Leader's recommendation where the original appointment is made on the Leader's recommendation.
- 6.6 When more individuals are nominated for any office on the Executive Committee or Management Committee than there are positions to be filled, an election shall be conducted by secret ballot.
- 6.7 The Executive Committee shall meet at the call of the President or the Leader.
- 6.8 Upon the written request of five or more members of the Executive Committee, a meeting shall be convened within 20 days.
- 6.9 Notice of all meetings of the Executive Committee shall be given in writing at least two days before the date fixed for such meeting.

## **ARTICLE 7 - DUTIES OF OFFICERS AND EXECUTIVE COMMITTEE**

- 7.01 The President shall preside over all meetings of the Association.
- 7.02 The President shall
  - 7.02.1 enforce the due observance of the Constitution;
  - 7.02.2 decide all questions of order;
  - 7.02.3 announce the results of all voting at meetings of the Association;
  - 7.02.4 give the casting vote in case of a tie; and
  - 7.02.5 be a member of all committees.
- 7.03 The President may call meetings of the Association, the Presidents' Council, the Executive Committee, and the Management Committee.
- 7.04 At any meeting where the President is unable to act as chair, the Executive Vice President shall preside; but, if, for any reason the Executive Vice President is unable to act, the meeting shall elect a chair to preside.
- 7.05 The Executive Vice President shall act instead of and in the place of the President whenever the President is absent, unable or incapable of carrying out the duties of office.
- 7.06 The Secretary shall

- 7.06.1 keep full and correct records of the meetings of the Association, the Presidents' Council, the Executive Committee, and the Management Committee on file at Provincial Headquarters;
  - 7.06.2 forthwith circulate copies of all minutes to the Executive Committee;
  - 7.06.3 communicate as may be necessary with the officers of a constituency association or other group; and
  - 7.06.4 perform such other duties as the Association, the voting delegates and the Presidents' Council or the Executive Committee may require from time to time.
- 7.07 The Treasurer shall receive all monies belonging to the Association, keep a record of the same and, at the direction of the Executive Committee, shall pay all debts incurred.
- 7.08 All cheques paying out monies of the Association must be signed by the Treasurer or a person designated by the Treasurer and approved by the Executive Committee plus:
- 7.08.1 any other one of the Officers except the Treasurer; or
  - 7.08.2 any one other member of the Executive Committee who is designated by the Executive Committee.
- 7.09 The Treasurer shall prepare a budget for each fiscal year, which shall be presented to, and approved by, the Executive Committee.
- 7.10 Any person committing the Association to an unauthorized or unbudgeted expenditure or indebtedness shall save harmless and indemnify the Association against any claim, demand, action, debt or cause of action which may arise as a result of such an unauthorized or unbudgeted commitment.
- 7.11 The Executive Committee
- 7.11.1 shall have full authority to act for and on behalf of the Association between annual meetings;
  - 7.11.2 may appoint or dissolve *ad hoc* committees as it sees fit;
  - 7.11.3 shall have the authority to make by-laws respecting the candidate selection process;
  - 7.11.4 shall have the authority to make any by-laws permitted by this Constitution;
  - 7.11.5 may make by-laws respecting the conduct of its meetings;
  - 7.11.6 may make by-laws respecting matters arising as a consequence of an electoral redistribution; and
  - 7.11.7 shall carry out such duties and tasks as are entrusted to it from time to time.
- 7.12 The Executive Committee may not delegate its authority to make by-laws, to approve the Association's budget, or in respect of protests and appeals brought under this Constitution, or the decisions required of it in respect of a leadership convention.
- 7.13 The Executive Committee shall name a Nominating Committee of not less than two persons at least two months prior to the annual meeting.
- 7.14 The Vice President (Organization) shall be responsible:
- 7.14.1 to coordinate the activities of the District Vice Presidents, including regular assessments of the constituencies' organizational needs and responding as required to constituency needs in consultation with the District Vice President;

- 7.14.2 for establishing an organizational action plan each year which would highlight the organizational priorities of the Association;
  - 7.14.3 to assist District Vice Presidents with the facilitation of district forums, meetings, events and poll by poll training;
  - 7.14.4 to ensure that an effective organization exists in each constituency association;
  - 7.14.5 to report regularly to the Executive Committee and in writing at each provincial annual meeting; and
  - 7.14.6 to perform such other duties as directed by the Executive Committee.
- 7.15 The Vice President (Policy) shall:
- 7.15.1 be responsible for the discussion and consideration of policy issues for the Association, and to assist in this role the Vice President (Policy) shall appoint a Policy Committee, which shall be a standing committee of the Association;
  - 7.15.2 liaise with the constituency associations' policy contacts;
  - 7.15.3 liaise at least once quarterly with the Caucus of the Party;
  - 7.15.4 be responsible for reviewing the progress of the Party, on an annual basis, relative to its Vision, Mission and Values;
  - 7.15.5 be responsible for the initiation and development of detailed policy initiatives and discussion papers;
  - 7.15.6 ensure that the policy resolutions and issues, adopted by the Party, conform with the Vision, Mission and Values of the Party;
  - 7.15.7 be responsible for organizing, at the direction of the Executive Committee, policy conventions at the appropriate time and location;
  - 7.15.8 report regularly to the Executive Committee and in writing at each provincial annual meeting; and
  - 7.15.9 perform such other duties as directed by the Executive Committee.

## **ARTICLE 8 - DISTRICT VICE PRESIDENTS**

- 8.1 There shall be 12 District Vice Presidents, each representing one of the districts set out in Schedule B to this Constitution.
- 8.2 Each District Vice President shall be elected by secret ballot at the annual meeting of the Association by a plurality of the delegates from the constituencies within the district for which the District Vice President is being elected.
- 8.3 Where an election does not occur at the annual meeting, the Executive Committee will appoint the District Vice President.
- 8.4 When an office of District Vice President becomes vacant, a replacement District Vice President shall be appointed by the Executive Committee with input from the District.
- 8.5 Each District Vice President shall
  - 8.5.1 be responsible for assisting the constituency associations within their respective District regarding matters of organization and communication;
  - 8.5.2 act as a support and liaison to the constituency associations;

- 8.5.3 with each constituency president, identify, after appropriate consultations, the organizational objectives that should be carried out in each constituency;
- 8.5.4 maintain a frequent (at least monthly) contact with the president of each constituency associations within their respective District;
- 8.5.5 facilitate within their respective areas, forums, meetings and events as initiated by the Executive Committee;
- 8.5.6 report at each meeting of the Executive Committee the business and status of each constituency association within their respective district; and
- 8.5.7 report to each constituency association president within their respective district, a report on key matters of the Association.

## **ARTICLE 9 - MANAGEMENT COMMITTEE**

- 9.1 The Management Committee of the Association shall consist of:
  - 9.1.1 the Officers;
  - 9.1.2 the Leader or the Leader's representative;
  - 9.1.3 the Vice President (Policy);
  - 9.1.4 the Vice President (Organization);
  - 9.1.5 the Chair of the PC Nova Scotia Fund;
  - 9.1.6 two District Vice Presidents, who shall be elected, after each annual meeting of the Association, by the Executive Committee.
  
- 9.2 The Management Committee may discuss matters which may be considered at meetings of the Executive Committee and may make any recommendations it deems appropriate, and it shall have such other powers given to it by this Constitution or by-law, or as may be determined by the Executive Committee.
  
- 9.3 The Executive Committee may make by-laws respecting meetings of the Management Committee.

## **ARTICLE 10 – PRESIDENTS’ COUNCIL**

- 10.1 The Presidents’ Council shall consist of the Presidents of each constituency association, the Leader, the President of the Association, the President of the Progressive Conservative Women’s Association of Nova Scotia, and the President of the Nova Scotia Young Progressive Conservatives.
  
- 10.2 The Presidents’ Council shall meet at least twice each year and shall discuss the aims and objectives of the Progressive Conservative Party of Nova Scotia and such other matters as may be referred to the Presidents’ Council.
  
- 10.3 In the event that a member of the Presidents’ Council is unable to attend a meeting of the Presidents’ Council, the executive of the body which that member would represent may appoint a designate to attend on behalf of their President.

- 10.4 Any by-law adopted by the Executive Committee respecting memberships, candidate selection and constituency association operations, shall be deemed referred to the Presidents' Council.
- 10.5 The Presidents' Council may, by a vote of two-thirds of those present and voting, veto a by-law or a portion of a by-law, which has been referred to the Presidents' Council under this Constitution, within twelve months of the Executive Committee making the by-law.
- 10.6 The Presidents' Council may, at any time, recommend to the Executive Committee amendments to a by-law which has been referred to the Presidents' Council under this Constitution.
- 10.7 For the purposes of Article 10, a reference to a by-law includes a reference to a by-law which amends a by-law.

## **ARTICLE 11 – THE LEADER**

- 11.1 The Leader is the Leader of the Party and shall be chosen by the members of the Association in accordance with this Constitution.
- 11.2 The Leader is the chief public official of the Party, whose authority includes that prescribed by law for the leader of a political party.
- 11.3 The Leader shall, subject to this Constitution, be responsible for the overall direction of the Party.
- 11.4 For greater certainty, nothing in this Constitution purports to bind the Leader in the capacity of leader of the Progressive Conservative Caucus or, when applicable, as head of government.

## **ARTICLE 12 - LEADERSHIP CONVENTION AND REVIEW**

- 12.1 In the case of a vacancy in the position of Leader as a result of the death, incapacity or resignation of the Leader, the Executive Committee shall call a convention at the earliest date.
- 12.2 The Executive Committee shall, subject to the provisions of this Constitution, formulate the rules and procedures governing the appointment of delegates and the conduct of such convention and shall appoint a convention chair.
- 12.3 The Executive Committee shall call a leadership convention within eighteen months of the position of Leader becoming vacant.
- 12.4 Voting at a leadership convention shall be scheduled to conclude within eighteen months of the leadership convention being called.
- 12.5 To be eligible to vote at a leadership convention, a person must have been a member for a minimum of 45 days immediately preceding the commencement of the vote.

- 12.6 The Provincial Membership Registry shall be used to determine lists of eligible voters for all purposes related to the leadership convention.
- 12.7 No less than 75 days prior to the commencement of the leadership vote, the Executive Committee shall cause to be published, in a newspaper of province-wide circulation, a notice outlining particulars of the leadership vote, including notice of the final date upon which new memberships may be obtained in order to be eligible to vote pursuant to Article 12.5.
- 12.8 At the first annual or general meeting of the Association that is held in accordance with Article 14, not less than six months after any provincial election in which the Party does not form the Government, the voting delegates shall be asked by secret ballot "Do you wish to have a leadership convention?", unless the position of Leader of the Party is vacant or the Leader has given an irrevocable resignation; and if more than fifty percent of the votes cast indicate the desire for a leadership convention, the Executive Committee shall call a leadership convention at the earliest date.
- 12.9 If there is no Leader of the Party, the Progressive Conservative Members of the House of Assembly shall choose, subject to a contrary vote by the Executive Committee, an interim leader who shall act as the Leader of the Party until one has been chosen in accordance with this Constitution and who shall remain neutral during the pending leadership contest.

### **ARTICLE 13 – PC NOVA SCOTIA FUND**

- 13.1 The PC Nova Scotia Fund shall be a standing committee of the Association.
- 13.2 The objectives of the PC Nova Scotia Fund include the raising of revenue, during and between elections, for the Association, for its operations and for electoral purposes, and building and maintaining the Party's financial supporters.
- 13.3 The voting members of the PC Nova Scotia Fund are
- 13.3.1 the Chair of the PC Nova Scotia Fund;
  - 13.3.2 the President of the Association;
  - 13.3.3 the Treasurer of the Association; and
  - 13.3.4 such other members of the Association appointed by the Chair of the PC Nova Scotia Fund or the Leader.
- 13.4 The Provincial Director and any employees of the Association whose primary duties or responsibilities include fundraising shall be non-voting members of the PC Nova Scotia Fund.
- 13.5 The PC Nova Scotia Fund shall report to every annual meeting of the Association and shall report regularly to the Executive Committee.

## ARTICLE 14 - ASSOCIATION MEETINGS

- 14.1 The Executive Committee by resolution shall fix the date and place of the annual meeting of members, at least 60 days prior to the annual meeting.
- 14.2 An annual meeting shall be held every year, except that the Presidents' Council has the authority to postpone for up to one year the annual meeting in any year in which there may be a provincial election or leadership convention of the Party, or other extraordinary reason which justifies such postponement.
- 14.3 The nature of business at an Annual Meeting shall include the following:
- 14.3.1 the President's address;
  - 14.3.2 the reading and approval of the minutes of the previous annual meeting and any subsequent special meetings;
  - 14.3.3 receipt of communications;
  - 14.3.4 presentation of reports;
  - 14.3.5 leadership review (when held pursuant to Article 12.8);
  - 14.3.6 presentation of resolutions;
  - 14.3.7 report of Nominating Committee and, subject to Article 5, the election of Officers and Executive;
  - 14.3.8 speeches; and
  - 14.3.9 general business.
- 14.4 The report of the Nominating Committee shall be circulated to the Executive Committee at least one month prior to the annual meeting and shall be presented at the annual meeting.
- 14.5 The Executive Committee shall by resolution, formulate all rules, regulations and procedures to be followed at all meetings.
- 14.6 Every member of the Association shall be entitled to attend the annual meeting or any special meeting.
- 14.7 Every person who is a member for a minimum of 72 hours immediately prior to the commencement of voting shall be entitled to vote at any annual meeting or, subject to this Constitution, special meeting of the Association upon the payment of any registration fee that may be set by the Executive Committee from time to time.
- 14.8 If a person, who was not a member for at least 72 hours prior to the commencement of voting at any annual meeting or special meeting, can establish that he or she held a valid membership in the previous year may vote at any annual meeting or, subject to this Constitution, special meeting of the Association if the person renews his or her membership prior to voting and pays the registration fee, subject to any reasonable rules governing the conduct of the annual meeting or special meeting.
- 14.9 The Provincial Membership Registry shall be used to determine eligibility to attend and vote at any annual meeting or special meeting of the Association.

## **ARTICLE 15 - PRINCIPAL OFFICE AND HEADQUARTERS STAFF**

- 15.1 The principal office of the Association shall be located at a location determined by the Executive Committee at Halifax.
- 15.2 The Executive Committee shall establish the location of the principal office, which will serve as the Provincial Headquarters and the organizational, administrative and coordinating centre for all branches of the Party.
- 15.3 Provincial Headquarters shall only be used for neutral purposes with respect to any contested matter within the Association or a constituency association.
- 15.4 The Provincial Director shall be appointed by the Executive Committee on the recommendation of the Leader.
- 15.5 The Provincial Director's responsibilities shall be determined by the Executive Committee, and shall include general supervision of Provincial Headquarters.
- 15.6 The Executive Committee shall have general supervision of the Provincial Director and all other persons in the employ of the Association, and may make arrangements to address this responsibility, including the appointment of a committee to exercise the Executive Committee's supervision of the operations of Provincial Headquarters and employees.
- 15.7 The employees of the Association shall remain neutral in all leadership selections, leadership reviews, nomination meetings, and elections of officers of the Association.

## **ARTICLE 16 – FINANCIAL AND ADMINISTRATIVE**

- 16.01 The fiscal year of the Association shall be the calendar year.
- 16.02 The Treasurer, or a person designated by the Treasurer, shall report at each annual meeting on the financial position of the Association and the report shall contain a balance sheet and operating account.
- 16.03 The Executive Committee shall appoint the Association's auditor.
- 16.04 The Association's auditor shall report upon the balance sheet and operating account and, in every such report, the auditor shall state whether, in the auditor's opinion, the balance sheet is a full and fair balance sheet containing the particulars required by the Association and properly drawn up so as to exhibit a true and correct view of the Association's affairs.
- 16.05 The Association's auditor shall also make such reports as may be required by law in relation to a political party.
- 16.06 The borrowing powers of the Association may be exercised by a resolution of the Executive Committee.

- 16.07 Contracts, deeds, bills of exchange and other instruments and documents may be executed on behalf of the Association by an officer of the Association or by the Provincial Director, or otherwise as prescribed by a resolution of the Executive Committee.
- 16.08 The seal of the Association shall be in the custody of the Secretary and may be affixed to any document upon the resolution of the Executive Committee.
- 16.09 The books and records of the Association may be inspected by any member of the Association, by a prior appointment made with the Provincial Director, during the normal operating hours of Provincial Headquarters during the five business days prior to the annual meeting of the Association, at a location determined by the Provincial Director.
- 16.10 The Association shall cause the filing of such documents required by law to be filed with the Chief Electoral Officer, the Registrar of Joint Stock Companies, either of their offices, or such other individuals or offices as may be required.
- 16.11 The Executive Committee shall designate a member of the Association to be its registered agent for the purposes of the *Societies Act*.
- 16.12 The Executive Committee may recommend to the Leader the official agents of the Party to be appointed by the Leader for the purposes of the *Elections Act* and the *Members and Public Employees Disclosure Act*.

## **ARTICLE 17 - RECOGNITION OF ELECTORAL DISTRICT ASSOCIATIONS AND OTHER GROUPS**

- 17.1 There shall be maintained, at Provincial Headquarters, a permanent list containing the names and addresses of the elected officers of each constituency association and other groups recognized by the Association, which shall be maintained on the basis of information submitted by such constituency association and other groups as soon as practical following any changes to the association or group's elected officers.
- 17.2 Each constituency association or other recognized group recognized by the Association shall:
- 17.2.01 uphold the aims of the Association and the Party;
  - 17.2.02 admit all *bona fide* Progressive Conservative supporters to their membership who qualify to be members, without discrimination;
  - 17.2.03 require at least two meetings of its executive in each calendar year;
  - 17.2.04 require at least one meeting in each year, after giving adequate public notice, which shall be open to all members in good standing, and supporters in the constituency, for the election of officers, including an official agent, and the conduct of other business;
  - 17.2.05 provide for the availability of its constitution to members on request;
  - 17.2.06 promote democratic and effective conduct of its annual meetings, general meetings and nomination meetings;
  - 17.2.07 participate in the Provincial Membership Registry;

- 17.2.08 use the Provincial Membership Registry to determine voting eligibility at any of its meetings;
  - 17.2.09 cause a copy of its constitution, and any amendments to it, be filed with the Secretary of the Association immediately after adoption;
  - 17.2.10 conform with this Constitution;
  - 17.2.11 conform with any by-laws made by the Executive Committee.
  - 17.2.12 file forthwith, following their election, an updated list of officers with Provincial Headquarters;
  - 17.2.13 comply with the laws of Nova Scotia, including, but not limited to, the laws governing the conduct of political activities and political financing; and
  - 17.2.14 file with Provincial Headquarters copies of any reports, returns, correspondence or other documents sent to the Chief Electoral Officer, the Registrar of Joint Stock Companies, or either of their offices, on behalf of the association or group.
- 17.3 Any association or other group not currently recognized, and wishing to be recognized, shall apply in writing to the President of the Association for recognition by the Executive Committee.
- 17.4 The Executive Committee may make by-laws on matters respecting constituency associations and recognized groups, including
- 17.4.1 establishing an association or group's constitution in whole or in part;
  - 17.4.2 providing for a mechanism where an association or group may make amendments to its constitution, including designated provisions otherwise prescribed by by-law;
  - 17.4.3 financial activities of associations or groups;
  - 17.4.4 the conduct of meetings of associations or groups;
  - 17.4.5 the operations of associations or groups not otherwise provided for in this article;
  - 17.4.6 the establishment and recognition of constituency associations and recognized groups;
  - 17.4.7 the holding of founding meetings for associations and groups; and
  - 17.4.8 the disposition or transfer of assets in the event of a winding-up, withdrawal of recognition, or redistribution.
- 17.5 In the event of an inconsistency between this Constitution and any by-law adopted under its authority and the constitution or other rule of a constituency association or recognized group, this Constitution or the by-law shall prevail.
- 17.6 The constitution or other rules of a constituency association or recognized group shall remain in effect unless and until by-laws replacing or superseding those documents, or portions of them, are made.
- 17.7 Any group not currently recognized by the Association and wishing to be recognized, shall apply in writing to the President of the Association for recognition by the Executive Committee.
- 17.8 Each constituency association shall provide organizational and financial support to the Party's candidate in the electoral district.
- 17.9 The Executive Committee may suspend or revoke its recognition of any constituency association or other group which fails to comply with the requirements imposed under this Constitution.

## ARTICLE 18 – CANDIDATE SELECTION

- 18.1 Each candidate of the Party for election to the House of Assembly, for a particular electoral district, shall, subject to this Constitution or any by-laws made under its authority, be chosen by a majority of the votes cast at a nomination meeting of the constituency association.
- 18.2 Voting at a nomination meeting shall be limited to those individuals who
- 18.2.1 are members of the constituency association;
  - 18.2.2 subject to the exceptions in this article, are resident within the electoral district;
  - 18.2.3 are members of another constituency association and, subject to any by-laws, are members of the executive of the constituency association holding the nomination meeting;
  - 18.2.4 are members of another constituency association but would be permitted under the *Elections Act* to vote at an election or by-election in the electoral district where the candidate is being chosen; and
  - 18.2.5 meet the minimum period for membership established by by-law, provided that any individual who can establish that he or she held a membership during the previous year is not subject to this minimum period if the individual renews his or her membership prior to the nomination meeting.
- 18.3 The Provincial Membership Registry shall be used to determine lists of eligible voters for all purposes related to nomination meetings.
- 18.4 Notice of a nomination meeting shall be given to
- 18.4.1 all members of the constituency association by a means prescribed by by-law, and
  - 18.4.2 Provincial Headquarters in writing,
- during the time established by by-law.
- 18.5 Every candidate of the Party, and any nomination contestant at a nomination meeting, shall be a member of the Association, shall be eligible for election to the House of Assembly, and shall meet any other qualifications or requirements prescribed by by-law.
- 18.6 Any member of the House of Assembly who was elected as a Progressive Conservative candidate who quits the Caucus of the Party to sit as a member of another political party's caucus shall reimburse the Association the net funds expended by the Association or a constituency association in support of that individual's election within 90 days of joining the other caucus; and the Association is directed to pursue any legal recourse available to it to effect recovery of the funds.
- 18.7 The Executive Committee may make by-laws respecting
- 18.7.1 qualifications to vote at a nomination meeting, including the minimum period of membership required;
  - 18.7.2 notice of a nomination meeting;
  - 18.7.3 qualifications and nomination of nomination contestants;
  - 18.7.4 disclosure to be made by nomination contestants and candidates;
  - 18.7.5 obligations of nomination contestants and candidates;
  - 18.7.6 conduct of a nomination meeting;

- 18.8 By-laws made by the Executive Committee may apply to all constituency associations, a class of constituency associations, or a specific constituency association.

## **ARTICLE 19 - DELEGATE SELECTION PROCESS**

- 19.1 For the purpose of selecting delegates to any meeting other than a leadership convention or annual meeting, all recognized constituency associations and recognized groups shall:
- 19.1.1 observe any membership recruitment period, including any opening and closing dates for the period, prescribed by the Executive Committee;
  - 19.1.2 hold a delegate selection meeting during the period prescribed by the Executive Committee, provided that the period shall be at least 14 days long and ends not less than 21 days prior to the meeting for which the delegates have been selected; and
  - 19.1.3 follow the rules and procedures for delegate selection which have been prescribed by the Executive Committee.
- 19.2 In the event of circumstances deemed by the Executive Committee to be unusual, it has the power to alter, abridge or suspend the minimum and maximum time periods prescribed in Article 19.1.
- 19.3 The Provincial Membership Registry shall be used to determine lists of eligible voters for all purposes associated with the delegate selection process.
- 19.4 Every delegate and, where applicable, alternate delegate chosen shall be a member of the Association and shall be chosen by members of the Association.

## **ARTICLE 20 - HONOURARY OFFICES**

- 20.1 Anyone elected an Honorary Member at any meeting of the Association shall be entitled to attend and vote at any annual, general or special meetings of the Association.
- 20.2 The Association may appoint members of the Association to be an Honorary President, provided that there shall not be more than four Honorary Presidents at any one time.

## **ARTICLE 21 - RIGHT TO APPEAL**

- 21.01 Any ten Party supporters resident in an electoral district may assert in writing to the President that the requirements of this Constitution are not being met by the executive of their constituency association.
- 21.02 When such a protest is received, the President shall immediately
- 21.02.1 notify the president and secretary of the constituency association in writing, enclosing:
    - 21.02.1.1 a copy of the protest; and
    - 21.02.1.2 a list of the protesters and their addresses;

- 21.02.2 consult
  - 21.02.2.1 one representative of the protesters;
  - 21.02.2.2 the constituency's Progressive Conservative member of the House of Assembly;
  - 21.02.2.3 the official Progressive Conservative candidate in the last provincial election, unless a new candidate has been validly nominated, in which case that new candidate, provided that the candidate's nomination is not the subject-matter of the protest;
  - 21.02.2.4 the president of the constituency association; and
  - 21.02.2.5 the District Vice President representing that constituency,
- 21.02.3 conclude, after the required notification and consultation, whether or not there is *prima facie* substance to the protest and immediately notify the parties previously notified or consulted.
- 21.03 If the President concludes there is no *prima facie* substance to the protest, the protest shall for the purpose of this Constitution be determined unless reversed on appeal.
- 21.04 If the President concludes there is *prima facie* substance to the protest, the President shall immediately attempt to persuade the constituency association executive to comply with this Constitution.
- 21.05 The President's conclusion may be appealed by the protestors or the executive of the constituency association, as the case may be, in writing to the Management Committee within 14 days of the appellant's receipt of the conclusion; provided that an appeal made during an election with respect to a matter associated with that election shall be made within 48 hours.
- 21.06 If compliance sought under Article 21.04 is not made within 14 days of the President's conclusion, the President shall immediately report the matter to the Management Committee which, upon receipt of the report, may confirm the President's conclusion or determine whether there is substance to the original protest.
- 21.07 If the Management Committee is satisfied, upon an appeal under Article 21.05 or the President's report under Article 21.06, that there is substance to the original protest and that all reasonable attempts to obtain compliance have been taken, the Management Committee may
  - 21.07.1 report to the Executive Committee its recommendation to withdraw recognition from the constituency association;
  - 21.07.2 suspend recognition temporarily from the constitution association pending the Executive Committee's consideration of a report made under Article 21.07.1; or
  - 21.07.3 take such other actions or steps, not inconsistent with this Constitution, as the Management Committee may deem appropriate.
- 21.08 The Management Committee shall immediately notify the parties originally notified or consulted by the President of any decision it makes with respect to an appeal or a protest under this Article.
- 21.09 The Management Committee's decision shall, for the purposes of this Constitution, be finally determined if the decision is made during an election if the appeal or protest concerns a matter associated with that election, and shall be final and binding and not be subject to any review or appeal whatsoever.

- 21.10 The Management Committee's decision may be appealed to the Executive Committee in writing received no later than 14 days after receipt of the decision of the Management Committee.
- 21.11 A decision of the Executive Committee made with respect to a report made under Article 21.07.1 or an appeal made under Article 21.10 shall be final and binding and not be subject to any review or appeal whatsoever
- 21.12 The Executive Committee may make by-laws respecting the consideration of any protest or appeal.
- 21.13 The provisions of Articles 21.01 to 21.12 shall apply, with any revisions required by the context, to any other group or organization recognized by the Association.

## **ARTICLE 22 - RULES OF ORDER**

- 22.1 Unless otherwise provided in this Constitution, the conduct of meetings of the Association shall be governed by *Robert's Rules of Order*.
- 22.2 At any annual meeting or special meeting of the Association, the rules and procedures prescribed by the Executive Committee to govern the meeting may be suspended by a vote of two-thirds of the delegates present and voting.

## **ARTICLE 23 - AMENDMENTS**

- 23.1 Amendments to this Constitution may be made by Special Resolution at any annual or special meeting of the Association.
- 23.2 Notice of such a special meeting shall state that it is for the purpose of considering amendments to the Constitution, and shall be provided 90 days prior to the special meeting.
- 23.3 Notice of any amendment must be received by the Secretary at least 45 days before the date of any such meeting.
- 23.4 The Secretary shall either publish copies of proposed amendments on the Association's website or send copies of proposed amendments so received to all voting delegates of record 28 days prior to the date of the meeting.
- 23.5 In lieu of notice provided under Article 23.3, an amendment will be considered and voted on only if it has supporting signatures from one or more delegates from at least 30 recognized constituency associations.
- 23.6 Despite Article 23.1, an amendment to Schedule A may be made by a majority of delegates present and voting at an annual meeting or special meeting of the Association, provided that notice of the proposed amendment was given in accordance with this Constitution.

23.7 Despite Articles 23.1 to 23.5, an amendment to Schedule B may be made by a two-thirds majority of the Presidents' Council, within one year of the House of Assembly's passage of a bill giving effect to a redistribution of seats in the House of Assembly, if the amendment is to give effect to the changes effected by that redistribution.

***PUBLISHED BY AUTHORITY***

***Adam Church***  
***Secretary***  
***January 26, 2009***

## SCHEDULE A

### VISION

Progressive Conservatives see a Nova Scotia that is an economic, social and environmental leader for others in the world to follow.

### MISSION

Our mission as Progressive Conservatives is to form a fiscally responsible, socially progressive government that promotes individual achievement and personal responsibility, is accountable to its citizens, listens to its people, embraces innovation, preserves the best of our unique heritage and diverse cultures and learns from the past.

### VALUES

*Responsibility*—defining good government as one that lives within its means and whose leaders spend a tax dollar as if it were their own

*Accountability*—expecting government at all levels to answer to the people for the decisions they have made

*Entrepreneurship*—providing a climate where our best and brightest can succeed through hard work and initiative

*Self-Reliance*—supporting people who are able to help themselves become independent

*Compassion*—caring for those in society who, through no fault of their own, need support

*Stewardship*—passing on a natural environment to future generations that is the same or better than the one we inherited

*Patriotism*—taking pride in our cultures, our communities and our province as part of a strong, united Canada

*Respect*—treating all citizens equally, regardless of ability, race, gender, religion, language, First Nations status, marital status and/or sexual orientation

## **SCHEDULE B**

- District 1** Glace Bay, Cape Breton Centre, Cape Breton Nova, and Cape Breton South
- District 2** Cape Breton West, Cape Breton North, and Victoria-The Lakes
- District 3** Richmond, Inverness, and Antigonish
- District 4** Pictou Centre, Pictou East, Pictou West, and Guysborough-Sheet Harbour
- District 5** Cumberland North, Cumberland South, Colchester North, Colchester-Musquodoboit Valley, and Truro-Bible Hill
- District 6** Bedford, Waverley-Fall River-Beaver Bank, Timberlea-Prospect, Hants East, Sackville-Cobequid, and Hammonds Plains-Upper Sackville
- District 7** Halifax Chebucto, Halifax Citadel, Halifax Needham, Halifax Atlantic, Halifax Clayton Park, and Halifax Fairview
- District 8** Dartmouth South-Portland Valley, Dartmouth North, and Dartmouth East
- District 9** Cole Harbour-Eastern Passage, Preston, Cole Harbour, and Eastern Shore
- District 10** Chester-St. Margaret's, Lunenburg, Lunenburg West, Queens, and Shelburne
- District 11** Annapolis, Digby-Annapolis, Clare, Yarmouth, and Argyle
- District 12** Kings North, Kings South, Kings West, and Hants West