



CONSTITUTION

of our

Nova Scotia

New Democratic Party

Approved by Provincial Convention
Last Amended by Provincial Convention

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CONSTITUTION OF THE NOVA SCOTIA NEW DEMOCRATIC PARTY

Preamble

The New Democratic Party believes that the social, economic and political progress of Nova Scotia can be assured only by the application of social democratic and egalitarian principles to the governance and administration of public affairs.

The Principles of Social Democracy can be briefly described as:

- (1) That the production and distribution of goods and services shall be directed to meeting the social and individual needs of people within a framework that sustains the environment while maximizing the economy now and in the future;
- (2) That the dignity and freedom of the individual is a basic right that must be maintained and extended to all persons regardless of race, ethnic background, religion, gender, gender identity and expression, sexual orientation, or disability;
- (3) That the abolition of poverty and the elimination of exploitation are achievable goals and must be the priority of any thinking and compassionate government; and
- (4) That the people have a right to a meaningful voice in public policy through consultation and participation in all levels of public decision-making.

As an organization existing on the unceded and unconquered territory of the Mi'kmaq, the Nova Scotia New Democratic Party is committed to the principles of truth and reconciliation and living as treaty people in Mi'kma'ki. The Party shall take guidance from the Calls to Action in the Final Report of the Truth and Reconciliation Commission of Canada.

Article 1 Name

1.01 The name of this political party shall be the Nova Scotia New Democratic Party ("the Party").

Article 2 Representation

2.01 Representation on all bodies of the Party, including Provincial Table Officers, Provincial Executive, Provincial Council, and Committees shall reflect the diversity of the NSNDP community, as outlined in the Preamble of the Constitution.

2.02 Provincial Executive shall develop and annually review a diversity matrix that provides an overview of important identities and communities that the NSNDP pledges to include. Provincial Executive may delegate this power.

2.03 All bodies of the Party, including Provincial Table Officers, Provincial Executive, Provincial Council, and Committees shall use the diversity matrix to ensure that the distribution of leadership roles within each body reflects the diversity of the NSNDP community.

2.04 All bodies of the Party, including Provincial Table Officers, Provincial Executive, Provincial Council, and Committees shall ensure that no more than 50% of the leadership roles for each body are represented by people belonging to any one gender category.

2.05 Each body of the Party shall develop and implement policies to regularly report on its implementation of the diversity matrix, with such reports to be made no less than once per year.

Article 3 Interpretation

3.01 This Constitution shall be interpreted in accordance with the principles contained in the Preamble.

3.02 This Constitution shall be interpreted by the President, who may be overruled by a simple majority vote at any meeting of Executive or Council, or at a Convention.

3.03 This Constitution includes the Preamble and Appendices.

Article 4 Membership

4.01 An application for individual membership shall be open to every resident of Nova Scotia who is at least 14 years of age, and undertakes to accept and abide by the Constitution and principles of the Party, and who is not a member or supporter of any other political party.

4.02 Individuals shall apply for membership in writing to the Provincial Director.

4.03 Individual memberships shall become active no later than 14 days after being received by the Provincial Director, unless the membership application is referred to the next meeting of the Executive.

4.04 Annual memberships are in effect for the calendar year, unless the member applies for membership after September 30, in which case the fee paid covers the balance of that year and the following calendar year.

4.05 The Party shall award no more than five Life Memberships at a Convention of the Party.

4.06 Nominations for Life Memberships may be made as follows:

- (a) Any member of the Party may nominate an individual who has been a continuous member for 25 years or more;
- (b) An Electoral District Association Executive or the Provincial Executive may nominate an individual who has made a significant contribution to the Party through their service;
- (c) Provincial Council may determine additional criteria for the nomination process.

4.07 Life Memberships shall be conferred by a vote of the Provincial Executive.

4.08 A Life Member shall be:

- (a) An individual member of the Party without payment of fees; and
- (b) Awarded delegate status to any Convention of the Party.

4.09 Life Memberships shall be presented at a time and location convenient to the individual receiving the Life Membership.

Article 5 Affiliated Organizations

5.01 Affiliated membership shall be available to organizations which, by official act, undertake to accept and abide by the Constitution and Principles of the Party, and are not associated or identified with any other political party.

5.02 An application for affiliated membership may be received from:

- (a) a provincial, national, regional or international organization in respect of its membership in Nova Scotia;
- (b) a provincial section of an international organization in respect of its membership in Nova Scotia;
- (c) a local, lodge or branch of any of the above-mentioned organizations in respect of the membership of that local, lodge or branch; or
- (d) a district labour council in respect of the delegates at that council.

5.03 An application for affiliation shall be made to the Provincial Council and shall include:

- (a) evidence that the applicant organization officially supports the Party, and
- (b) a list of Party members within the applicant organization.

5.04 Affiliated memberships are active for the calendar year.

Article 6 Rejection of Membership

6.01 Membership applications referred by the Provincial Director to the Executive may be accepted or rejected by the Executive.

6.02 The Executive may reject any application for membership that it deems detrimental to the interests and principles of the Party.

Article 7 Discipline of Members

7.01 In accordance with the procedure adopted by Provincial Council, the Executive may suspend, expel or otherwise discipline any individual or affiliate Party member, or body within the Party for any conduct which:

- (a) is contrary to this Constitution;
- (b) is contrary to the principles of the Party;
- (c) brings discredit to the Party; or
- (d) willfully damages the interests of the Party.

7.02 A request that disciplinary proceedings be taken against any member or group of the Party in Nova Scotia shall be:

- (a) made in writing;
- (b) outline the reason or reasons for the request; and
- (c) be sent to the Provincial Director, or, if the complaint is against the Provincial Director, to the Chairs of the Rules and Privileges Committee.

7.03 No particular form of written request (“complaint”) is required, so long as the complaint meets the requirements set out in the procedure adopted by Provincial Council.

Article 8 Fees

8.01 Categories of membership and fees shall be set by Provincial Council.

8.02 Membership fees are to be divided between the Party and the Electoral District Associations as determined by Provincial Council.

Article 9 Electoral District Associations

9.01 There shall be an Electoral District Association for each provincial electoral district.

- 9.02** The purposes of an Electoral District Association are:
- (a) to organize for electoral, political and educational purposes;
 - (b) to participate in policy development; and
 - (c) to nominate candidates for electoral office.

9.03 Membership in a particular Electoral District Association is open to any individual member who resides in that electoral district unless that member requests to be listed as a member of another Electoral District Association.

9.04 Voting rights at nomination meetings are limited to resident members of the electoral district.

9.05 All Electoral District Associations shall be deemed to have adopted and shall abide by the by-laws in **Appendix B** of this Constitution.

9.06 An Electoral District Association may amend its bylaws by a vote of members at a General Meeting. Amendments are subject to the approval of the Provincial Executive. Any amendments must be consistent with the Constitution.

Article 10 Electoral District Association General Meetings

10.01 Electoral District Association General Meetings must be held at least once per year for the purpose of electing an Electoral District Association Executive. Other meetings shall be held as prescribed by the Electoral District Association by-laws.

10.02 If an Electoral District Association has not held a general meeting within a 12-month period the Provincial Executive may call a general meeting.

Article 11 Electoral District Association Nominating Meetings

11.01 A nominating meeting shall be called by the Electoral District Executive for the purpose of choosing a candidate for elected office in accordance with rules and procedures established by the Provincial Council.

11.02 If, within five (5) days of the issuance of the election writ, the Electoral District has not called such meeting, the Table Officers may call a nominating

meeting.

11.03 To be eligible to vote in a Nominating meeting, a person must be:

- (a) a resident in the Constituency; and
- (b) a Party member in good standing, either on the date of the writ or, when the Convention is held before the writ, for fourteen (14) days before the Nomination meeting.

11.04 Notice of a Nominating meeting in a pre-writ period shall be in writing and e-mailed at least seven (7) days in advance to all eligible members. For members who do not have an e-mail address or where the email returns to the sender without delivery, the notice shall be mailed. After an election writ has been issued the Provincial Director may waive or abridge the notice period.

11.05 Every nominee for candidacy shall be a Party member in good standing and may appoint a scrutineer for the purposes of the ballot count at the Nominating Meeting.

11.06 Nomination of a candidate is subject to the approval of the Leader, and if a candidate is not approved, the Electoral District Association has the right to appeal the approval to the Executive.

Article 12 Provincial Convention

12.01 The Provincial Convention ("the Convention") is the governing body of the Party and is the final authority in all matters of principle, policy, and the Constitution of the Party.

12.02 There are two types of Convention:

- (a) a Regular Convention which shall take place every two years at a time and place determined by Council; and
- (b) a Special Convention which shall only be called for a specific purpose.

12.03 The delegates for any Convention shall include:

- (a) all members of Provincial Council;

- (b) all provincial and federal elected representatives and nominated candidates;
- (c) delegates elected at a general meeting of each Electoral District Association, which shall number:
 - (i) eight (8) delegates, where the Electoral District Association membership is fifty (50) or fewer; and
 - (ii) one (1) more delegate for each additional twenty-five (25) members.
- (d) delegates elected at a general meeting of the NSYND, which shall number:
 - (i) eight (8) delegates where the NSYND membership is fifty (50) or fewer; and
 - (ii) one (1) more delegate for each additional (25) twenty-five members.
- (e) Each Affiliated Organization is entitled to representation according to the number of its members:
 - (i) Namely one delegate for the first 200 members or any portion thereof, and one additional delegate for each additional 200 members. No affiliated union (central bodies and locals combined) will be eligible for more than a maximum of 100 Convention delegates. Such delegates shall be members of the Affiliated Organizations or the parent organization to which the Affiliated Organization belongs.
 - (b) Central bodies, union councils, and the Nova Scotia Federation of Labour, which are not eligible for direct affiliation to the Party, but undertake to accept and abide by the constitution and principles of the Party and have been recognized by the Executive of the Provincial Party, shall be entitled to two delegates from each such body.

12.04 Every delegate shall be a member in good standing of the Party at the time their election or designation.

12.05 One third (1/3) of registered delegates shall constitute a quorum at any Convention.

12.06 Convention fees shall be established by Provincial Council.

12.07 Rules governing general procedure and voting procedure at any Convention are set out in **Appendix A** of this Constitution.

12.08 The unfinished business of any Convention, including resolutions, shall be referred back to Provincial Council.

12.09 If, at the second regularly scheduled meeting of Council following Regular Convention, any resolutions remain unaddressed, then said resolutions shall be the first item of business at that meeting of Council and shall be addressed before moving to any further business of Council. For the purposes of determining the second regularly scheduled meeting of Council, the meeting of Council immediately after the close of Regular Convention provided by article 17.04 shall not count.

Article 13 Regular Conventions

13.01 Notice of the date and place of a Regular Convention must be given at least 90 days in advance to each Electoral District Association, each individual and affiliated member and any other group entitled to representation at Convention.

13.02 Constitutional amendments shall be received by the Provincial Director at least 35 days before a Regular Convention.

13.03 Resolutions must be submitted to the Resolutions Committee at least 35 days before Convention and can only be presented by Electoral District Associations, Provincial Council, Provincial Executive, NSYND, Affiliated organizations and Committees of the Party.

13.04 Executive may cancel the Convention in unusual or emergency circumstances.

13.05 If Convention is cancelled, Council will set a date as soon as possible after the date that was originally set for Convention.

13.06 At every Regular Convention that is not a Leadership Convention, a

secret ballot vote will be held to determine whether or not a Leadership Election should be called. If a majority of the voting delegates support a vote of non-confidence in the Leader, a Leadership Convention will be held according to the procedure outlined in Article 15 as if the position had become vacant. A Leader who loses the confidence of the membership in this manner will immediately cease to be Leader. The Caucus will identify an interim leader, to be confirmed by the Provincial Council.

Article 14 Special Conventions

14.01 Notice of the date, place and purpose must be given in advance within an adequate time to each Electoral District Association, each individual and affiliated member, any other group entitled to representation at Convention.

14.02 The Executive shall call a Special Convention if requested to do so by:

- (a) half of all the Electoral District Associations in the Province, which have passed a resolution at a properly held General meeting, and sent the results in writing to the Provincial Director;
- (b) a 2/3 majority vote of Provincial Council; or
- (c) a petition signed by over 50 per cent of the membership in good standing of the Party.

Article 15 Leadership Convention

15.01 When the position of Leader becomes vacant, Provincial Council shall select a date for a Leadership Convention and such date shall not be more than 12 months following the vacancy, unless approved by a two-thirds (2/3) majority vote of provincial council.

15.02 A Leadership election and Convention can be triggered at any time through the method described in Article 14 for a Special Convention and such election and Convention shall take place not more than 12 months following the triggering, unless approved by a two-thirds (2/3) majority vote of Provincial Council.

15.03 The new leader shall be elected by a vote of all members as defined in Article 4, in accordance with the rules and procedures adopted by Provincial

Council for the vote.

15.04 A voting member must have obtained membership at least 21 days prior to the vote, including the day of the vote.

Article 16 Resolutions Committee

16.01 The Resolutions Committee shall be appointed at least 90 days before a Regular Convention by Provincial Council.

16.02 The Committee shall be comprised of at least five members, two of whom will be the Co-Chairs.

16.03 The responsibilities of the Resolutions Committee and its procedures shall be established by Provincial Council.

16.04 Any decision of the Resolutions Committee may be appealed to the Resolutions Appeals Committee and is ultimately subject to the ruling of the Convention.

Article 17 Provincial Council

17.01 The Provincial Council shall consist of:

- (a) the Executive;
- (b) up to five (5) members of Provincial Caucus elected by Caucus;
- (c) up to two (2) Nova Scotia members of the federal Caucus elected by the Nova Scotia members of that Caucus;
- (d) two (2) representatives selected from each Electoral District Association;
- (e) ten (10) Members at Large elected at Convention or AGM;
- (f) the Chairs of all Advocacy Committees of the Council;
- (g) one (1) representative from the Nova Scotia Federation of Labour;

- (h) one (1) representative from each affiliate member; and
- (i) three (3) representatives chosen by the NSYND.

17.02 Quorum for the Council is one-third (1/3) of its members.

17.03 The duties of Provincial Council are:

- (a) to serve as the governing body of the Party between Conventions, and to issue policy and election-related statements when necessary for the Party; and
- (b) to appoint the Co-Chairs of a Nominating Committee, at least 4 months prior to Convention.

17.04 A meeting of Council must take place immediately after the close of a Regular Convention, and there must be at least three (3) meetings during the calendar year at the call of the Executive.

17.05 A position on the Council may be declared vacant by Council if a Council member is absent without a satisfactory excuse for two (2) meetings in a row between Conventions, and such vacancies:

- (a) involving Members-at-Large between Conventions, can be filled by Provincial Council; and
- (b) involving Electoral District Association representatives to Council, can be filled at a meeting of that Electoral District Association.

17.06 The Nominating Committee shall:

- (a) be composed of at least five (5) members, together with the Co-chairs, whose membership is to be approved by Council;
- (b) start its duties at least 90 days before Convention;
- (c) conduct a candidate search, including the current Executive, Council-at-large, and Committee Co-Chairs; and
- (d) bring forward at least one (1) name for each position on the Executive, Council-at-large, and Committee Co-Chairs.

17.07 Nominations for Executive:

(a) A candidate for each Executive position referred to in Article 17.01 may be nominated by submitting to the Co-chairs of the Nominating Committee before the thirtieth (30th) day prior to Convention:

(i) a nomination form signed by two members of the Party;
and

(ii) a consent form signed by the candidate.

(b) No nomination shall be accepted for any Executive position that would result in a contravention of Article 19.01 of the Constitution or that will provide regional imbalance to the Executive.

(c) If no nomination is received, those candidates identified by the Nominating Committee shall be declared elected.

(d) In keeping with the above, nominations may also be made at Convention.

Article 18 Committees

18.01 The Advocacy Committees of Council are:

- (a) Education Policy;
- (b) Environment;
- (c) Equity and Diversity;
- (d) Labour Liaison;
- (e) Rural Issues; and
- (f) Women's Action.

18.02 The Administrative Committees of Council are:

- (a) Election Planning;

- (b) Finance and Fundraising;
- (c) Membership Development;
- (d) Policy Review;
- (e) Resolutions (as set out in Article 16);
- (f) Resolutions Appeal; and
- (g) Rules and Privileges.

18.03 The Administrative Committees of Council shall be composed of five members elected by Provincial Council who individually and collectively possess the skills necessary for the Committee to conduct their responsibilities.

18.04 The Provincial Executive may establish additional ad hoc administrative committees as it sees fit to carry out its duties.

18.05 The Women's Action Committee shall be co-chaired by two women.

18.06 Committee co-chairs shall be elected to a term of two (2) years by Council at or immediately following a Regular Convention.

18.07 Membership and responsibilities for Committees shall be set by Council within the terms of reference for Committees.

18.08 The terms of reference for Committees shall be reviewed by Council every four (4) years at a minimum.

18.09 The Committees shall carry out and report upon such tasks and activities as are delegated to them by the Convention, the Council or the Executive, at each of those bodies' ordinary meetings.

Article 19 Provincial Executive

19.01 The Provincial Executive shall consist of:

- (a) the Table Officers;
- (b) eight (8) Executive-at-Large;

- (c) the immediate Past President;
- (d) a Federal Council Representative, elected by the delegates at Federal Convention;
- (e) a member of the Federal Party Executive if ordinarily resident in Nova Scotia;
- (f) one (1) representative chosen by the NSYND;
- (g) two (2) members of Provincial Caucus; and
- (h) one provincial Electoral District Association representative from each geographic federal electoral district in Nova Scotia.

19.02 Meetings shall take place at least six times per calendar year and quorum is one-third (1/3) of the members of the Executive.

19.03 The Executive has the full authority to administer the affairs of the Party between meetings of Council.

19.04 The Executive shall appoint an auditor annually.

19.05 Executive Members-at-Large shall be elected to a term of two (2) years at Regular Convention.

19.06 Vacancies of Executive-at-Large positions arising between Conventions shall be filled through appointment from the members of Council by the Executive, with this appointment subject to ratification or change by Council at its subsequent meeting.

19.07 A position on the Executive may be declared vacant by the Provincial Council if an Executive member is absent without a satisfactory excuse for two (2) meetings in a row.

Article 20 Provincial Table Officers

20.01 The Provincial Table Officers of the Party shall be:

- (a) Leader;
- (b) President;

- (c) First Vice-president;
- (d) Second Vice-president;
- (e) Vice-president Labour;
- (f) Treasurer; and
- (g) Secretary (this role is assigned to the Provincial Director).

20.02 Regular Convention shall elect the President, First Vice-president, Second Vice-president and Treasurer, for two-year terms.

20.03 The Party shall receive, prior to regular Convention, a recommendation from the NS Federation of Labour, of a party member in good standing, to serve as Vice-president Labour, subject to ratification by regular convention.

20.04 The Table Officers have the full authority to administer the affairs of the Party between meetings of Provincial Executive.

20.05 The Provincial Director shall be appointed by Provincial Council, following an approved process.

20.06 Except for the Leader, a Member of Parliament or a Member of the Legislative Assembly shall not be a Provincial Table Officer unless that person was first elected as an Officer in which case they can continue until the next Convention.

20.07 Officers, of whom at least two are women, shall meet if there is business that arises between Executive meetings and a quorum is a simple majority of officers.

20.08 Where a vacancy occurs, between Conventions, in the position of:

- (a) Leader: the Council may, after consultation with the Caucus, appoint an Acting Leader to serve until such time as a Leadership Convention may be held;
- (b) Vice-president Labour: the vacancy may be filled by Executive on the recommendation of the Nova Scotia Federation of Labour, subject to ratification by Council;

(c) Any of the other elected Officers: the vacancy can be filled through appointment from the members of Council by the Executive but such appointment is subject to ratification or change by Council at its subsequent meeting.

20.09 Notwithstanding Article 2, if an imbalance with regard to diversity occurs due to a change in the Provincial Director or Leader, a temporary imbalance may be permitted to remain in place until the next election or appointment of Provincial Table Officers. No officer needs to resign in these circumstances.

Article 21 Powers and Responsibilities of Officers

21.01 The Leader is the chief political spokesperson of the Party and shall:

- (a) make statements on behalf of the Party;
- (b) enunciate the Party policy as set by Conventions;
- (c) if a Member of the Legislative Assembly, lead the Caucus; and
- (d) actively encourage the development and building of the Party in every way possible.

21.02 The President is the chief executive officer of the Party and shall:

- (a) chair meetings of the Officers, Executive and the Council;
- (b) be a member of all Committees of the Party;
- (c) supervise the internal activities of the Party in general; and
- (d) upon consultation with the Officers, call the meetings of the Executive.

21.03 The Vice-Presidents are assistants to the President and shall:

- (a) assist the President in all of their duties; and
- (b) chair meetings of the Officers, Executive or the Council in the President's absence.

21.04 The Treasurer is the chief financial officer and shall:

- (a) be accountable for the money and assets of the Party;
- (b) prepare the budget in consultation with the Finance and Audit Committee; and
- (c) present an audited annual financial statement, which accurately discloses the current financial affairs of the Party based upon its fiscal year of January 1 to December 31, to:
 - (i) each Convention; or
 - (ii) if the Convention is cancelled, the Council within three (3) months of the audit's completion date.

21.05 The Provincial Director is the chief administrative officer of the Party and shall:

- (a) maintain active supervision over the day-to-day operations and administration of the Party; and
- (b) perform such functions as are determined by the Executive and the Council.

21.06 The Officers shall constitute the Personnel Committee with the responsibility of dealing with all employment issues in relation to hired Party personnel.

Article 22 Provincial Caucus

22.01 Members in good standing in the Party who are Members of the Legislative Assembly shall constitute the Caucus.

22.02 The Caucus shall have discretion to prioritize which policies of the Party they will pursue more vigorously both within the Legislative Assembly and the public in general.

Article 23 Nova Scotia Young New Democrats

23.01 The youth wing of the Party shall be called the Nova Scotia Young

New Democrats (the "NSYND").

- (a) The NSYND's role is to facilitate the entry of young people into the Party, to recruit young people into the Party and to represent the concerns and interests of young people within the NSNDP.
- (b) NSYND membership is open to all members in good standing of the Party between the ages of 14 and 29.
- (c) The NSYND must comply with the Party Constitution.
- (d) The NSYND is responsible solely to the Party, and to its Executive, Council, and Convention.
- (e) The NSYND shall have by-laws and such by-laws shall be subject to the limitations of these clauses.

23.02 The NSYND consists of:

- (a) the NSYND Executive; and
- (b) affiliated clubs and organizations.

23.03 The NSYND Executive shall consist of two Co-chairs and other members as established in the NSYND by-laws.

23.04 Affiliated clubs are groups of four or more NSYND members. Upon approval of the NSYND Executive, clubs shall be considered to be officially chartered for a period of one (1) year.

23.05 Affiliated clubs are those groups that find common cause with the goals of the NSYND which, by official act, undertake to accept and abide by the Constitution and Principles of the Party, and are not associated or identified with any other political party. Groups interested in affiliation with the NSYND must indicate their interest to the NSYND Executive. Upon approval of the NSYND Executive, clubs shall be considered to be officially chartered for a period of one (1) year.

Article 24 Publication and Amendments of Constitution

24.01 This Constitution shall be readily available to all members on request.

24.02 This Constitution can only be amended by a two-thirds (2/3) majority of all the delegates present and voting at the Convention.

24.03 The following bodies have the power to present amendments to Convention: the Provincial Council, the Electoral District Associations, the Executive, the NSYND, the Rules and Privileges Committee and affiliated organizations.

24.04 Amendments shall take effect immediately upon their adoption by the Convention, unless otherwise directed by the Convention.

Appendix A: Rules of Procedure for Convention

Article 1 Chairing of Meetings

1.01 The President or a Vice-President shall take the Chair at the time specified. Any of those Officers, any Officer designated by them, or a Convention Chair or a Chair approved by Convention, shall occupy the Chair and preside over the sessions of Convention.

Article 2 Rules for Speakers

2.01 When delegates wish to speak, they shall proceed to one of the microphones provided and when recognized by the Chair, give their name and the Electoral District or affiliate organization they represent and shall confine their remarks to the question or issue.

2.02 Speakers on motions and resolutions shall be limited to three (3) minutes, unless introducing a report on behalf of a Committee.

2.03 A delegate shall not speak more than once upon a motion, except the person introducing a committee report, who may close debate on it.

Article 3 Point of Order

3.01 A delegate shall not interrupt another except to call a point of order.

3.02 If a delegate is called to order, the floor shall be yielded until the point of order is decided by the Chair.

Article 4 Appealing the Decision of the Chair

4.01 The decision of the Chair on any motion or resolution can be appealed by two delegates, one of whom may state the reason for the appeal.

4.02 When challenged, the Chair must vacate until the appeal is resolved and an Acting Chair will take over the proceedings.

4.03 The question shall not be debatable except that the Chair may give reasons for the decision(s).

4.04 The Acting Chair shall put the question: "Shall the decision of the Chair be sustained?"

Article 5 Voting on Motions

5.01 Questions shall be decided by a show of hands or a standing vote.

5.02 A standing vote shall be counted upon request from the floor where the vote is unclear from a show of hands.

5.03 A Chair shall not vote on any question except where there is a tie, in which case, the Chair shall cast the deciding vote.

Article 6 Calling the Question

6.01 When the question is called, there is no further discussion or amendments.

6.02 If, in the view of the Chair, sufficient debate has taken place, the Chair may exercise the discretion to call the question.

6.03 If the majority vote in favour of calling the question, the question shall be called without debate. If that motion is defeated, discussion will continue.

Article 7 Resolutions Appeals

7.01 The Council shall appoint a Resolutions Appeals Committee whose purpose is to hear appeals regarding resolutions.

Article 8 Committee Reports

8.01 Committee reports shall not be amended directly from the floor, but it shall be in order to refer such report, or any section thereof, back to the Committee for reconsideration in light of the discussion on the floor, or the particular point raised in the Motion to Refer.

Article 9 Motion to Refer

9.01 A Motion to Refer is not debatable unless it raises a particular point, in which case debate shall be confined to that point.

9.02 A delegate cannot move a Motion to Refer after having spoken on the question in issue.

Article 10 Motion to Reconsider

10.01 A Motion may be reconsidered provided that the mover of the Motion to Reconsider voted with the majority.

10.02 Notice of the Motion to Reconsider must be given at the next session. It must be supported by two-thirds (2/3) of the delegates present and voting.

Article 11 Agenda

11.01 The agenda of the Convention shall be established at the first session of the Convention.

11.02 The agenda may be changed during Convention by a two-thirds (2/3) majority of the delegates present and voting.

Article 12 Speeches by Candidates for Table Officers

12.01 Candidates for the office of President shall be allowed five (5) minutes each to address Convention.

12.02 Leadership candidates shall be allowed time as scheduled on the agenda.

12.03 Candidates for Table Officer positions other than President shall be allowed three (3) minutes to address Convention.

Article 13 Rules

13.01 In regards to any matter not provided for in these Rules, Bourinot's Rules of Order shall apply.

13.02 Any of these Rules may be suspended by a two-thirds (2/3) majority of the delegates present and voting.

Article 14 Voting for Table Officers

14.01 Officers will be elected in this order:

- (a) President;
- (b) Treasurer;
- (c) First Vice-president; and
- (d) Second Vice-president.

Article 15 Voting for Executive

15.01 Executive Members-at-Large shall be elected in a single ballot. The candidate receiving the highest number of votes shall be declared elected to the first available position, the candidate receiving the second-highest number of votes shall be declared elected to the second available position, and so on. If, at any point in this process, the election of a candidate would result in a violation of Article 2 – Representation, that candidate’s candidacy will be declared void, and that available position shall be filled by the candidate who received the highest number of votes among the remaining candidates whose election would not result in a violation of Article 2 – Representation.

15.02 Regional Electoral District Association (EDA) representatives on Executive. Regional representatives shall be elected by a vote of delegates from the EDAs comprising the Federal Electoral District that makes up the group. Such an election will take place at a short meeting at Convention.

Article 16 Voting for Council-at-Large

16.01 Council Members-at-Large shall be elected in a single ballot. The candidate receiving the highest number of votes shall be declared elected to the first available position, the candidate receiving the second-highest number of votes shall be declared elected to the second available position, and so on. If, at any point in this process, the election of a candidate would result in a violation of Article 2 – Representation, that candidate’s candidacy will be declared void, and that available position shall be filled by the candidate who received the highest number of votes among the remaining candidates whose election would not result in a violation of Article 2 – Representation.

Article 17 Balloting Procedure

17.01

- (a) All elections shall be conducted by secret ballot.
- (b) Clearly distinguishable ballots shall be used for each vote.

17.02 At the Regular Convention, where elections are required, a balloting Committee shall be appointed by the Provincial Director to distribute, collect, count ballots, and report the count.

Appendix B: Model Bylaws – Provincial Electoral District Association

Article 1 NAME

1.01 The name of the Association shall be the New Democratic Party Provincial Electoral District Association (the "EDA").

Article 2 PURPOSE

2.01 The purposes of the Electoral District Association are:

- (a) to organize for electoral, political and educational purposes;
- (b) to participate in policy development; and
- (c) to nominate candidates for electoral office.

Article 3 INTERPRETATION

3.01 This By-Law shall be interpreted by the President. On formal motion any such interpretation may be over-ruled by a simple majority vote of all members present and voting at any meeting of the Executive or membership.

Article 4 MEMBERSHIP

4.01 Electoral District Association membership may consist of Resident and Non-Resident members.

- (a) Resident Members: All current individual members of the Party who live within the boundaries of the Electoral District, and who have not elected to become members of any other Electoral District Association of the Party shall be members of the Association.
- (b) Non-Resident Members: All current individual members of the Party who have applied in writing to the Provincial Director of the Party to become members of this Association, rather than of the Association of the Electoral District in which they live, shall be members of this Association. Non-Resident members shall not have the right to vote at Nomination Meetings.

Article 5 EXECUTIVE

5.01 The Executive shall be the governing body of the Electoral District Association between general meetings, subject to this By-Law, and the Constitution of the Party. All business of the Executive shall be transacted only at Executive meetings.

5.02 The Executive of the Electoral District Association shall be:

- (a) President;
- (b) Vice-President;
- (c) Secretary;
- (d) Official Agent;
- (e) two (2) Provincial Council Representatives;
- (f) Women's Action Representative;
- (g) NSYND Representative; and
- (h) any other members elected at large at a General Meeting.

5.03 The President shall chair general and executive meetings, shall maintain general supervision of all affairs of the Electoral District Association, and shall carry out other duties, as decided by the Executive. The President shall be an ex-officio member of all committees.

5.04 The Vice-President shall perform the duties of the President in the absence of the latter. If the office of the President becomes vacant, the Vice President shall become acting President until the next Annual General Meeting.

5.05 The Secretary shall keep a brief and accurate form of minutes of all meetings of the Association and of the executive. The Secretary shall also keep on file reports of committee chairpersons, Official Agent, etc., and shall have all of the Electoral District Association's filed correspondence and any other records of material belonging to the Association, and be responsible for the Electoral District Association's correspondence, when directed by the Executive.

5.06 The Official Agent shall handle the financial affairs of the Electoral District Association; have custody of the funds of the Association received by any member or committee; deposit same in bank or credit union agreed to by the Executive (keeping in mind the convenience to the Official Agent); sign all cheques issued on behalf of the Electoral District Association; see that the President counter-signs cheques; keep a complete record of receipts; submit a report to the Annual General Meeting.

5.07 The offices of the Secretary and Official Agent may be combined at the discretion of the Executive.

5.08 The Executive may present a budget for the approval of the Electoral District Association at its first meeting.

5.09 The Provincial Council Representatives, or their alternates, shall represent the Electoral District Association at all meetings of the Provincial Council of the Party and report the business conducted there to the Executive of the Association at its meetings.

5.10 The Women's Action Representative shall be a member of the Party's Women's Action Committee.

5.11 The NSYND Representative shall be a member of the NSYND.

Article 6 CANDIDATE/MLA

6.01 The Candidate nominated by the Electoral District Association to represent the Party in the election campaign for Member of the Legislature for the Electoral District shall be an Executive member from the time of nomination; if elected, the candidate shall remain an Executive member for as long as that person remains the Member of the Legislature for the Constituency; if defeated, the candidate shall remain an Executive member until the first Annual General Meeting, or until the first nomination meeting held following the election (whichever is sooner).

Article 7 COMMITTEES

7.01 The Executive may establish committees to work in particular areas. The Executive shall elect the people to serve on each committee. Members of the Party who are not Executive members may be placed on committees. Such

committees may include the following designated areas of responsibility:

- (a) Membership;
- (b) Social;
- (c) Financial;
- (d) Education; and
- (e) Election.

7.02 The Executive shall establish and approve the terms of reference for the committees.

7.03 Committees shall report at each Executive meeting all decisions they have taken since the last Executive meeting. Decisions by committees may be confirmed or overturned by the Executive.

Article 8 MEETINGS

8.01 There shall be a minimum of eight (8) Executive meetings in each calendar year and such meetings shall, whenever possible, be held on a regular basis.

8.02 Executive meetings may be called by the President, or upon written request of five (5) members of the Executive.

8.03 Quorum is 50 per cent of filled positions, plus 1.

8.04 Minutes shall be kept of all decisions taken at all Executive meetings; these minutes shall be available for inspection by members at general and Executive meetings and at reasonable times by arrangement.

8.05 Executive meetings shall in general be open to members of the Electoral District Association. The Executive may vote to discuss one or more particular items in private. The debate on a motion to discuss items in private must be held in an open Executive meeting; the only items that may be discussed in private are those specific items, whose discussion in private, has been debated and approved at an open Executive meeting. Decisions taken in private Executive meetings must be recorded in the regular minutes and be

available for inspection by any member.

8.06 Executive members shall be elected by those members present and voting at the Annual General Meeting and vacancies that occur between annual meetings shall be filled by a vote of the existing Executive. The terms of those Executive members shall expire at the first Annual General Meeting following their election.

8.07 Members who wish to be considered for nomination to the Executive under Article 8.06 above, but who are not able to attend the general meeting at which the election is to be held may submit a written statement signed by them and giving their wish to be considered for nomination; this statement must be received by the chairperson of the meeting before the close of nominations.

8.08 Executive and/or committee members elected under Article 8.06 above, shall be considered to have vacated their positions if they miss three (3) consecutive meetings without good cause. The Executive may appoint members-at-large to fill or replace vacancies.

8.09 Should the office of President become vacant, the Vice-President shall become Interim President until an Executive Meeting can be held, at which point the Executive shall elect a President from among the Executive Members to serve the remainder of the previous President's term.

Article 9 GENERAL MEETINGS

9.01 The Executive shall call at least one (1) general meeting in every calendar year. Other general meetings may be called by the Executive as necessary. Written notice of each general meeting shall be distributed to all members at least ten (10) days before the meeting. The Executive must call a membership meeting within thirty (30) days of receiving a written request that a general meeting be called for a specific reason, if the request is signed by at least thirty (30) members or one-half of the membership of the Electoral District Association.

9.02 One general meeting in each calendar year shall be designated the Annual General Meeting. At this meeting, the Executive shall be elected, financial reports for the previous fiscal year and for any election campaigns conducted by the Electoral District Association during that fiscal year shall be reviewed and any other appropriate business shall be transacted.

9.03 As prescribed in Article 11.01, prior to every Provincial Convention and Annual General Meeting, a general meeting must be held for the purpose of selecting delegates. Prior to Provincial Conventions, debate and voting on resolutions to be submitted to the Convention in the name of the Electoral District Association must also take place at a general meeting.

Article 10 FINANCES

10.01 The financial affairs of the Electoral District Association, not including Election campaign finances, shall be handled by the Official Agent. The raising and expenditure of funds shall be subject to the approval of the Executive.

10.02 The financial affairs of an Electoral District election campaign shall be handled by the Official Agent of the Candidate. The raising of funds for an election campaign shall be the responsibility of the Election Planning Committee. The expenditures shall be administered by the designated Campaign Manager, subject to the approval of the total expenditure amount by the Executive of the Electoral District Association.

10.03 The Electoral District Association's funds shall be deposited in accounts at one or more registered financial institutions.

10.04 The fiscal year of the Electoral District Association shall be from January 1 to December 31 of the same year.

10.05 Financial reports shall be presented to each Annual General Meeting for the previous fiscal year, and for any election campaigns that the Association may have conducted during that fiscal year.

Article 11 PARTY CONVENTIONS

11.01 Prior to every Provincial Convention of the Party the Executive shall call a general meeting for the purpose of delegate selection, and to debate and vote on Resolutions to be submitted to the Convention in the name of the Electoral District Association.

11.02 Resolutions may be proposed by any member. Resolutions may be proposed at the meeting or may be submitted in advance to the Executive.

11.03 Delegates to a Convention shall be elected by the members present

and voting at a general meeting.

11.04 Members not present at the meeting at which delegates are elected may be nominated as a delegate in their absence.

Article 12 ELECTION CAMPAIGNS

12.01 The Electoral District Association shall be responsible for the nomination of candidates to represent the Party and for the conduct of Election campaigns in the constituency.

12.02 A Nominating Meeting shall be called for the purpose of nominating candidates.

12.03 Only members living within the electoral district shall be eligible to vote at a Nominating Meeting.

12.04 Members living within the Electoral District shall be sent notice of such Meeting at least ten (10) days before it is held.

12.05 Only persons entitled to vote at a Nominating Meeting shall have the right to propose a person for nomination.

12.06 The successful candidate must receive a simple majority of the valid votes cast.

12.07 Every person offering himself/herself for nomination shall be a member of the Party in good standing in accordance with the rules set by Provincial Council.

12.08 The direction of an election campaign in the Electoral District shall be supervised by an Election Planning Committee.

(a) The Election Planning Committee shall report to the Executive on the direction and progress of the campaign, including the pre-writ and post-writ period.

(b) The Election Planning Committee shall be required to have a campaign budget approved by the Executive.

Article 13 AMENDMENTS

13.01 This By-Law may be amended by a vote of a least two-thirds (2/3) of the members present and voting at a membership meeting, provided that notice of the proposed amendment(s) was included with the written notice of the meeting, distributed to all members.

Article 14 CONDUCT OF MEETINGS

14.01 Bourinot's Rules of Order shall apply to all matters not covered in the By-Law, or in the Constitution of the Party.

14.02 Voting by proxy shall not be allowed.

14.03 This Article applies to all General, Executive and Committee Meetings.

Article 15 PARTY CONSTITUTION

15.01 Nothing in this By-Law shall be construed to be paramount to or to supersede any provision contained in the Constitution of the Nova Scotia New Democratic Party and a copy of this By-Law and all subsequent amendments thereto, shall be put on deposit at the provincial office of the Party and may be inspected thereat by any party member.