

Model Bylaws

NDP Provincial Constituency Association

1. NAME

The name of the Association shall be the New Democratic Party Provincial Constituency Association, here-in-after referred to as the Association.

2. PURPOSE

As per the Manitoba NDP Constitution, Article 7, Section 1, the purpose of a constituency association is to:

- a) increase membership;
- b) organize for electoral, political and educational purposes;
- c) participate in policy development; and
- d) nominate candidates for electoral office under the guidelines established by Provincial Council.

3. INTERPRETATION

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

4. MEMBERSHIP

Association membership shall consist of Resident and Non-Resident members, as per *Manitoba NDP Constitution, Article 7, Section 2.*

1. Resident Members

All current individual members of the Party who live within the boundaries of the electoral constituency, and who have not elected to become members of any other constituency association of the Party, shall be members of the association.

2. Non-Resident Members

All current individual members of the Party who have applied in writing to the Provincial Secretary of the Party to become members of an association, other than the constituency association in which they reside, shall be non-resident members of the constituency of their choice.

3. An individual member may be a member of only one constituency.

5. EXECUTIVE

A. Powers

The Executive shall be the governing body of the 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.

B. Table Officers

The Table Officers of the Association shall be:

- (a) President
- (b) Vice-President
- (c) Secretary
- (d) Treasurer
- (e) Provincial Council Representative

C. Duties

1. The President shall chair general and executive meeting; shall maintain general supervision of all affairs of the Association; and shall carry out other duties, as decided by the Executive. The President shall be an ex-officio member of all committees. The President shall represent the constituency at meetings of the Provincial Council, and in the absence of the President a member of the Executive as designated in writing to the Provincial Secretary.
2. 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.
3. The Secretary shall keep a brief and accurate form of minutes of all meetings of the Association and of the executive; keep on file reports of committee chairpersons, treasurer, etc.; have all of the Association's filed correspondence and any other records of material belonging to the Association; and be responsible for the Association's correspondence, when directed by the Executive.
4. The Treasurer shall handle the financial affairs of the 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 Treasurer); sign all cheques issued on behalf of the Association; see that the President (or other designated signer) counter-signs cheques; keep a complete record of receipts; and submit a report to the Annual General Meeting.

The Treasurer shall provide the Treasurer of the Provincial Party with a complete financial statement at the end of each calendar year. The Treasurer shall also prepare and submit all year-end documentation required by Elections Manitoba.

5. The offices of the Secretary and Treasurer may be combined at the discretion of the Executive,
6. The Table Officers may present a budget for the approval of the Executive at its first meeting.
7. The Provincial Council Representative or their alternate shall represent their constituency at all meetings of the Provincial Council of the Party and report the business conducted thereat to the Executive of the Association at its meetings. The positions of President and Provincial Council Representative must be gender balanced as per the *Manitoba NDP Constitution, Article 13, Section 1(b)*.

D. Composition

1. The Executive of the Association shall consist of the Table Officers, Members-at-Large, and the Candidate or M.L.A.
2. All executive members have voice and vote.
3. The Chair's ability to vote shall be governed by Robert's Rules of Order.

E. Representation

Associations are encouraged to have representation from the following on their Executive:

- Manitoba Young New Democrats
- Seniors
- Members of Colour
- Indigenous persons
- Other equity seeking groups

F. Candidate/MLA

The Candidate nominated by the Association to represent the Party in the election campaign for Member of the Legislature for the Constituency, 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 Legislative Assembly for the Constituency; if defeated, the candidate shall remain an Executive member until the first Annual General Meeting, or until the first nomination convention held following the election (whichever is sooner).

G. Committees

1. The Executive may establish committees to work in particular areas. The Executive shall elect the people to serve on each committee. Members of the NDP 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
2. The Executive shall establish and approve the terms of reference for the committees.
3. Committees shall report at each Executive meeting all decisions they have taken since the last Executive meeting. Committee's decisions may be confirmed or overturned by the Executive.

H. Meetings

1. There shall be a minimum of eight (8) Executive meetings in each calendar year and such meetings should whenever possible be held on a regular basis.
2. Executive meetings may be called by the President, or upon written request of five (5) members of the Executive.
3. A majority of members of the Executive, at least two (2) of whom are table officers, shall constitute a quorum.
4. 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.
5. Executive meetings shall in general be open to members of the 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.

L. Election

1. Officers and Executive members-at-large shall be elected by those members present and voting at the Annual General Meeting. In the case of the Founding Annual General Meeting after boundary changes, only resident members of a

constituency may vote in an election. Vacancies that occur between annual meetings shall be filled by a vote of the then existing Executive. The terms of those Executive members shall expire at the first Annual General Meeting following their election.

2. Members who wish to be considered for nomination for election to the Executive under Subsection 1 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.
3. Only those members in good standing are eligible to vote at an Annual General Meeting of the Association.
4. If a lapsed member renews their membership during the 30 period preceding the Annual General Meeting they may put their name forward for a position on the Executive but shall not have the right to vote.

J. Replacement

1. Officers and/or Executive members elected under Subsection 1 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.
2. Should the office of President become vacant prior to the Annual General Meeting, the Vice-President will succeed to the vacancy.

6. MEMBERSHIP MEETINGS

A. Calling and Notice

The Executive shall call at least one (1) membership meeting in every calendar year. Other membership meetings may be called by the Executive as necessary. Written notice of each membership 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 membership meeting be called for a specific reason, if the request is signed by at least twenty-five (25) members.

B. Annual Membership Meeting

One membership 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

Association during that fiscal year shall be presented, and any other appropriate business shall be transacted.

The Executive may appoint a committee of two (2) to audit the books prior to the Annual General Meeting.

7. FINANCES

A. Treasurer

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

B. Elections

The financial affairs of an election campaign in the Constituency shall be handled by the Official Agent of the Candidate. The raising and expenditure of funds for an election campaign shall be administered by the Campaign Committee, subject to the approval of its budget by the Executive of the Constituency Association.

C. Accounts

The Associations funds shall be deposited in accounts at one or more registered financial institutions.

D. Fiscal Year

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

E. Reports

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.

8. PARTY CONVENTIONS

A. Resolutions

1. Prior to every Provincial Convention of the Party the Executive shall call a membership meeting to debate and vote on Resolutions to be submitted to the Convention in the name of the Association. This meeting must be held prior to the deadline for submission of resolutions.

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

B. Delegates

1. Delegates to a Convention shall be elected by the members present and voting at membership meeting.
2. Members not present at the meeting at which delegates are elected may be nominated as a delegate in their absence.
3. A person must be a party member as of ninety (90) days prior to a constituency meeting to be eligible to vote at the meeting to select convention delegates.

9. ELECTION CAMPAIGNS

The Provincial Executive, in consultation with the constituency association, shall establish the procedures to nominate a candidate for electoral office by secret ballot.

A. Nominating Conventions

1. A Nominating Convention shall be called for the purpose of nominating a candidate.
2. A person must be a member as of thirty (30) days prior to when the first ballot begins and be resident of the constituency.
3. Members resident within the Constituency shall be sent notice of such Convention at least ten (10) days before the first ballot begins.
4. The successful candidate must receive fifty per cent (50%) plus one of the valid votes cast.
5. Every person offering himself/herself for nomination shall be a member of the Party in good standing and complied with the requirements of the Candidate Approval Process.

B. Election Planning Committees

The direction of an election campaign in the Constituency shall be supervised by an Election Planning Committee. The Election Planning Committee shall be responsible to the Executive for the conduct of the campaign. The nature of this responsibility may be defined by the Executive for each particular campaign. The Committee is subject to Article 5.G.3 of this By-Law.

10. AMENDMENTS

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.

11. CONDUCT OF MEETINGS

1. Roberts' Rules of Order shall apply to all matters not covered in this By-Law, or in the Constitution of the Party.
2. Voting by proxy shall not be allowed.
3. This Article applies to all General, Executive and Committee Meetings.

12. USE OF MEMBERSHIP LISTS

At all times membership lists are and remain the property of the Manitoba New Democratic Party.

By using constituency membership lists, constituency associations acknowledge that:

1. the NDP membership list is not to be used for any purpose other than that of contacting Manitoba NDP members in the constituency for party business;
2. they will not release membership information to any individual or organization;
3. that all lists and copies of lists (on paper and/or in electronic format) will be destroyed and confidentially disposed;
4. they will provide Provincial Office with any updated membership information; and
5. there may be sanctions and/or legal proceedings against individuals, should unauthorized use of membership lists occur.

13. PARTY CONSTITUTION

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