

CONSERVATIVE CONVENTION



08

CONSTITUTION FLOOR RESOLUTIONS

**TO BE DISCUSSED IN ROOMS 2EF, 2nd FLOOR ON
FRIDAY, NOVEMBER 14, 2008**

8:30 a.m. - 12:00 p.m. and 1:30 p.m. - 2:30 p.m.

Note: The resolutions in the attached package follow the numerical order of the Articles of the Party Constitution that would be amended. The order of consideration of the resolutions at the workshop and Plenary may vary; please see the agenda of each session. The agenda for the workshop will be included with the kits at registration. The agenda for the Plenary will be provided at Convention on Saturday morning. Please note that there is also a separate package of constitutional resolutions that will be voted on via handout ballot.

RESOLUTION C-101 (Age of Membership)

Delete the words that are struck through and add the words that are underlined in Article 4.1 as follows:

4.1 Membership in the Party is open to every citizen or permanent resident of Canada who:

4.1.1 ~~has attained the minimum age specified by by-law~~ the age of 16.

And, for transition, add:

TRANSITION:

80.1 Despite the amendment to Article 4.1.1. (raising the minimum age of membership to 16) made at the second national convention of the Party, persons who were at least 14 years of age and members in good standing at the time of the adoption of the amendment are eligible to remain as members as long as they continue to fulfill other requirements of membership.

80.2 This Article 80 shall be treated as spent two years after the conclusion of the second national convention, and need not appear in subsequent consolidations of the Constitution prepared more than two years after the second national convention.

RESOLUTION C-102 (Personal payment of membership)

Add the words that are underlined in Article 4.1 as follows:

- 4.1.4 has personally paid the Party's national membership fee in the amount specified by by-law and in the manner specified by National Council which shall set rules or procedures to provide reasonable assurance that the membership fee was paid by the member personally.

RESOLUTION C-103 (60-day waiting period)

Delete the words that are struck through and add the words that are underlined in Article 4.2 as follows:

- 4.2 Subject to ~~minimum periods of membership which may be set out in the Constitution, or in a by-law or otherwise by National Council~~ a minimum waiting period of sixty (60) days after acceptance of their initial membership application by the Party unless waived by National Council for a specific member or class of members, every member is entitled to:
- 4.2.1 participate in any meeting of the electoral district association in which that person holds membership;
 - 4.2.2 vote for, and stand for election to, the board of directors of any electoral district association in which that person holds membership;
 - 4.2.3 attend any national convention upon payment of the prescribed fee; and
 - 4.2.4 to vote for, and stand for election as, a delegate or alternate delegate at any meeting called by an electoral district association of which that person holds membership, for the selection of delegates or alternate delegates to any national convention of the Party.

Delete the words that are struck through and add the words that are underlined in Article 12 (Polls, Petitions and Referenda) as follows:

- 12.1 Only persons who have been members of the Party for ~~twenty-one (21)~~ sixty (60) days are eligible to sign a petition. For a petition to be valid for the purposes of this Article, all names must be collected within a ninety (90) day period. The organizers must inform the National Council forthwith in writing of the date on which the collection of signatures for a petition commences. National Council shall determine the validity of any petition.
- 12.7 To be eligible to vote in a referendum a person must be a member for ~~twenty-one (21)~~ sixty (60) days.

RESOLUTION C-104 (Compulsory Identification)

Add new Articles after Article 4.4 as follows:

4.4A **Subject to Article 4.4B, in order for a member to exercise the rights of a member to vote as provided for in this Constitution, they must first provide identification using:**

4.4A.1 **one original piece of identification, set out by by-law or the leadership election organizing committee, as the case may be, issued by a Canadian federal or provincial government agency containing the member's photograph, name and address, or**

4.4A.2 **two original pieces of identification, set out by by-law or the leadership election organizing committee, as the case may be, both of which contain the member's name, one of which contains the member's photograph and one of which contains the member's address.**

4.4B **Identification requirements shall be subject to the exercise of discretion by the returning officer or equivalent to waive specific requirements where exceptional circumstances exist.**

RESOLUTION C-105 (Persons required to be a member)

Add new Article 4.5:

4.5 Each of the following must be a member of the Party in good standing upon assuming office:

4.5.1 the Leader;

4.5.2 members of National Council;

4.5.3 directors of Conservative Fund Canada;

4.5.4 the Executive Director.

Add the words that are underlined to Article 14.1 as follows:

14.1 The rules and procedures for candidate selection set by National Council may provide for a candidate selection committee at the national level, and a candidate selection committee in each electoral district. The rules shall provide that only a member of the Party may seek nomination as a candidate. The candidate selection committee at the national level shall have the right to disallow the candidacy of any person before or after nomination by the electoral district association, subject to the appeal of such a decision to the National Council whose decision shall be final and binding or who may refer the matter to the Arbitration Committee for decision by a panel.

RESOLUTION C-106 (EDA Constitutions)

Add, as Schedule “A” after the last Article of the Constitution, the text of the Electoral District Association Constitution in the form currently approved by National Council as set out on the website of the Party as of November 13, 2008.

Add, new Article 5.4:

5.4 The Electoral District Association Constitution set forth in “Schedule A” appended hereto and which is incorporated into and forms a part of this Constitution, shall be, subject to Article 8.6.1, the constitution of each electoral district association. Provided however that where National Council had already approved unique changes to the constitutions of particular electoral district associations prior to the adoption of this Article 5.4, those changes shall remain in effect.

And, delete the words that are struck through and add the words that are underlined in Article 8.6 as follows:

8.6 The National Council has the following powers and responsibilities:

8.6.1 the establishment and recognition of electoral district associations, the approval of requests from individual electoral district associations for unique changes to their constitution, and the establishment and oversight of ~~and the terms of their constitutions, including~~ processes for the conduct of founding meetings and the transfer of assets in the event of redistribution;

RESOLUTION C-107 (Delegates based on number of EDA members)

Delete the words that are struck through and add the words that are underlined in Article 7.5 as follows:

7.5 The following shall be entitled to vote as delegates to a national convention:

7.5.1 one delegate elected from each electoral district association for every ten (10) members of that association (always rounding the number of delegates upward), to a maximum of ten delegates per association, an equal number not exceeding 10 from each electoral district association – each of whom shall reside in the electoral district or who shall have been elected as a director of the electoral district association at the most recent annual general meeting, in such number and , elected in such manner as determined by National Council which shall include a requirement that where ten (10) delegates are to be elected at least one such delegate reflect youth participation, and as an additional delegate the president of the electoral district association as of a date set by National Council;

RESOLUTION C-108 (Territorial Representation on National Council)

Delete the words that are struck through and add the words that are underlined in Article 8 as follows:

8.1.5 one member elected from each ~~territory~~ the three territories;

And, to provide for transition, add:

90. TRANSITION

- 90.1 The amendment to Article 8.1.5 made at the second national convention of the Party shall be deemed to have come into effect immediately prior to the commencement of that national convention.
- 90.2 This Article 90 shall be treated as spent at the conclusion of the second national convention, and need not appear in a subsequent consolidation of the Constitution prepared after the second national convention.

RESOLUTION C-109 (Provincial Representation on National Council)

Delete the words that are struck through and add the words that are underlined in Article 8.1 as follows:

8.1 ~~The National Council shall be composed of:~~

8.1.1 one member elected from a province with 4 to 25 seats in the House of Commons;

8.1.2 two members elected from a province with 26 to 50 seats in the House of Commons;

8.1.3 three members elected from a province with 51 to 75 seats in the House of Commons;

8.1.4 four members elected from a province with 76 to 100 seats in the House of Commons;

8.1.4A five members elected from a province with more than 100 seats in the House of Commons.

RESOLUTION C-110 (Regional elections to National Council)

Add new Articles after Article 8.1 as follows:

8.1A **For any province that elects more than one member of National Council, National Council may provide by by-law that the province shall be divided into a number of regions equal to the number of members to be elected, with one member to be elected for each region by delegates of the electoral districts of that region.**

8.1A.1 **The by-law shall provide that the number of electoral districts assigned to each region shall be approximately equal allowing for natural differences which may arise in the composition of the regions of a province, such as the presence of a major metropolitan area.**

8.1A.2 **National Council shall consult with the presidents of the electoral district associations for each province that elects more than one member of National Council as to the advisability of such a by-law. The provisions of Article 8.7 shall not apply, however such a by-law may only be adopted for a particular province with the approval of a majority of the presidents of the electoral district associations of each proposed region of the province.**

8.1A.3 **The by-law shall apply only to an election for a particular province where the by-law is in force at least ninety days before the commencement of a national convention at which an election of National Council is to take place.**

And, add the words that are underlined to Article 8.15 as follows:

8.15 The National Council, on the approval of two-thirds (2/3) of those present and voting, may appoint members to the National Council to fill any vacancies in elected positions. The replacement shall be from the same province as the vacancy. **Where a vacancy occurs for a province where its members of National Council were elected at the last national convention on a regional basis, a new member shall be ordinarily resident in the region of the former member.**

RESOLUTION C-111 (Lobbyists)

Add a new Article to Article 8.2 as follows:

8.2 The following may not hold office as, nor be appointed to replace, an elected member of National Council:

8.2.6 **a person required to be registered as a Consultant Lobbyist under the Lobbying Act (Canada).**

RESOLUTION C-112 (National Council election procedures)

Delete the words that are struck through and add the words that are underlined in Article 8.3 as follows:

- 8.3 ~~The~~ Conservative Fund Canada shall appoint the returning officer for the election of the National Council. The returning officer shall set out the rules and procedures for the conduct of the election, subject to review by National Council. The rules shall provide that no one may be elected to more than three consecutive terms of office and that the election shall be by way of a preferential ballot.

RESOLUTION C-113 (Filling vacancies on National Council)

Delete the words that are struck through and add the words that are underlined in Articles 8.15 and 8.3 as follows:

- 8.15 ~~The National Council, on the approval of two-thirds (2/3) of those present and voting, may appoint~~ presidents of the electoral district associations of the Party in the territories, a province, or a region of a province if applicable, shall elect members to National Council to fill any vacancies in elected positions between national conventions. ~~The replacement shall be from the same province as the vacancy.~~
- 8.3 ~~The~~ Conservative Fund Canada shall appoint the returning officer for ~~the elections of the~~ to National Council. The returning officer shall set out the rules and procedures for the conduct of ~~the~~ any election, subject to review by National Council. The rules shall provide that no one may be elected to more than three consecutive terms of office.

RESOLUTION C-114 (Recall)

Add a new Article to Article 8 as follows:

8.18A **The presidents of the electoral district associations of the Party in the territories, in a province, or in a region of a province if applicable (“the Representative Area”), may petition once for a recall of an elected member of National Council from the Representative Area, after at least one year has passed since the election of the member to National Council. The Executive Director shall organize a vote of the electoral district association presidents from the Representative Area to recall a member of National Council immediately upon receipt of a petition signed by 1/3 of the presidents of the electoral district associations from the Representative Area. A recall shall require the vote of at least 2/3 of the presidents of the electoral district associations in the Representative Area. Where the number of electoral district associations in the Representative Area is four or less, the petition shall be signed by at least 1/2 of the presidents for a vote to be held, and the recall shall require a unanimous vote of the presidents. Where the recall vote is in the affirmative, there shall be deemed to be a vacancy on National Council.**

RESOLUTION C-114 (Fund)

Delete the words that are struck through and add the words that are underlined in Article 9 as follows:

9.1 ~~The Conservative Fund Canada, a non-share capital corporation incorporated under and governed by the provisions of the Canada Corporations Act, is the sole fundraising arm of the Party and shall be the chief agent of the Party pursuant to the Canada Elections Act.~~

9.1.A The President of National Council shall become a director of Conservative Fund Canada upon election as President pursuant to Article 8.5.

Delete the words that are struck through and add the words that are underlined in Article 8 as follows:

8.2 The following may not hold office as, nor be appointed to replace, an elected member of National Council:

8.2.5 ~~directors of the Conservative Fund Canada, except the President of National Council.~~

8.10 ~~National Council and the Conservative Fund Canada shall establish a liaison committee with equal representation from each body.~~

Add a new Article 7.5.4A as follows:

7.5 The following shall be entitled to vote as delegates to a national convention:

7.5.4A directors of Conservative Fund Canada, to a maximum of twelve (12).

RESOLUTION C-116 (Leadership voting: Postal and fax ballots)

Add the words that are underlined to Article 10.8.2 as follows:

- 10.8.2 The leadership election organizing committee shall determine the rules and procedures for the conduct of the leadership selection process, including a dispute resolution procedure which shall be final and binding. The rules shall provide that a member may cast a postal ballot; the minimum membership period established for eligibility to vote in the leadership election shall be set so as to permit adequate time for ballots to be mailed to members and returned by mail. Voting by way of faxed ballot shall not be permitted.

RESOLUTION C-117 (Leadership Voting: weighting of votes per riding)

Add the words that are underlined to Article 10.9, and delete the word struck through, as follows:

- 10.9 The election of the Leader shall be by way of a direct vote of members in every electoral district, as follows:
- 10.9.1 Each member of the Party will have one vote.
 - 10.9.2 Each electoral district will be allocated one point per vote cast, up to a maximum of 100 points.
 - 10.9.3 Leadership candidates will be assigned a point total based on the points allocated and their percentage of these points based on their percentage of the vote in each electoral district.
 - 10.9.4 To win the leadership, a candidate must obtain a majority of points from across the country.
 - 10.9.5 Voting will be by preferential ~~vote~~ ballot (single transferable ballot).
 - 10.9.6 Each leadership candidate is entitled to have scrutineers present at all stages of the vote count.
 - 10.9.7 At each count round, both the weighted results and the results by electoral district shall be made public.

RESOLUTION C-118 (EDA Presidents' Council)

Add new Article 20:

20. EDA PRESIDENTS' COUNCIL

20.1 There shall be an EDA Presidents' Council which shall consist of:

- 20.1.1** **The Leader;**
- 20.1.2** **The President of National Council;**
- 20.1.3** **The Chair of Conservative Fund Canada;**
- 20.1.4** **The Vice-Presidents of National Council;**
- 20.1.5** **The Secretary of National Council;**
- 20.1.6** **The Chair of the National Policy Committee;**
- 20.1.7** **The Chair of the National Constitution Committee;**
- 20.1.8** **The Chair of the parliamentary caucus of the Party; and**
- 20.1.9** **The president of each electoral district association, or a designated representative who may not be a Member of Parliament.**

20.2 The EDA Presidents' Council shall meet annually, to receive, consider and approve reports from the President of National Council, the Chairs of Conservative Fund Canada, the National Policy Committee, National Constitution Committee and the parliamentary caucus of the Party; to participate in an accountability session with the Leader and the President of National Council; and to propose by-laws and by-law amendments.

20.3 Meetings of the EDA Presidents' Council:

- 20.3.1** **Shall be held, in person, at least annually;**
- 20.3.2** **May be convened by the Leader or by the President of National Council at any time on thirty (30) days' notice; or**
- 20.3.3** **May be convened at any time by one hundred (100) members of the EDA Presidents' Council by giving thirty (30) days notice in writing to the President of National Council requesting such a meeting.**

20.4 Members of the Council may participate in meetings via teleconference.