

CONSERVATIVE CONVENTION



08

CONSTITUTION HANDOUT BALLOT RESOLUTIONS

PLEASE DROP OFF YOUR COMPLETED HANDOUT BALLOT IN ROOM 7, GROUND FLOOR, ON FRIDAY BETWEEN 9 A.M. AND 5 P.M.

In this package you will find 16 resolutions to amend the Party's constitution, along with brief explanations, that will be voted on by handout ballot rather than at the workshop and Plenary. Delegates should mark yes or no on the Constitution handout ballot they have been provided. It is not necessary to vote on every resolution. The completed Constitution handout ballot must be dropped off in ROOM 7 on the GROUND FLOOR of the Winnipeg Convention Centre on Friday between 9 a.m. and 5 p.m.

PLEASE DO NOT FOLD YOUR HANDOUT BALLOT!

RESOLUTION C-1 (Name of National Council in French)

There is a view amongst some francophones that the term “l’Exécutif national” would describe the role of National Council more effectively in the French version of the Constitution.

In the French version, change all of the references to “le Conseil national” to “l’Exécutif national”.

Do you support this resolution? Yes - or - No
--

RESOLUTION C-2 (Consistent Wording)

This resolution would simply correct some inconsistent wording that remains in the Constitution after amendments were made at the first national convention in Montreal in 2005 to use the terms “governance” rather than “government” of the Party and “national convention” rather than “national meeting”.

Delete the words that are struck through and add the words that are underlined in Articles 7.1, 7.2, 7.6, and 10.6 as follows:

- 7.1 Subject to Article 12, the ~~government~~ governance, management and control of the Party are vested in the members at national conventions.**
- 7.2 Subject to Article 7.3, a national ~~meeting~~ convention has the power and responsibility to:**
- 7.6 Between national conventions, the ~~government~~ governance, management and control of the activities of the Party are vested in the National Council, the Leader and Conservative Fund Canada, as the case may be, subject to general direction from, accountability to and review by the members at national conventions.**
- 10.6 At the first national convention following a federal general election when the Party does not form the government and the Leader has not indicated, prior to the commencement of the ~~meeting~~ national convention, an irrevocable intention to resign, the delegates will vote by secret ballot if they wish to engage the leadership selection process.**

Do you support this resolution? Yes - or - No
--

RESOLUTION C-3 (Delay of National Convention)

This resolution would clarify the possible need to delay a convention in a minority Parliament.

Add the words that are underlined to Article 7.4 as follows:

7.4 There shall be a national convention with a National Council election at least every second calendar year, subject to such reasonable extension not exceeding nine months as may be necessary due to the conduct or threat of a federal election or the conduct of the leadership selection process.

Do you support this resolution? Yes - or - No

RESOLUTION C-4 (Consistent wording)

This resolution would correct some inconsistent wording that remains in the Constitution after amendments were made at the first national convention in Montreal in 2005, which 1. added some responsibility for the Secretary in relation to the National Membership Program, in addition to that of the Executive Director already set out in Article 4.3; 2. set up a National Constitution Committee to oversee the constitutional amendment process.

Delete the words that are struck through and add the words that are underlined in Article 8.5 as follows:

8.5 Immediately following each national convention at which an election of National Council occurred, National Council shall elect by simple majority from its members a President, a Vice-President, a Secretary and such Vice-Presidents and other positions as it may determine. The Secretary is ~~responsible~~ accountable for the encouragement and development of membership in the Party, and for the ~~maintenance~~ oversight of the National Membership Program on behalf of and subject to the direction of National Council and for reporting to National Council and national conventions. ~~The Secretary is also responsible for the constitutional amendment process.~~

Do you support this resolution? Yes - or - No

RESOLUTION C-5 (Nomination of Fund directors)

Article 8.6.5 stipulates that National Council shall ratify the nomination of a new member of the board of directors of Conservative Fund Canada. However, the Constitution does not stipulate who nominates a director. This resolution clarifies that it is the Leader. This resolution also moves the appointment provision from Article 8 (concerning National Council) to Article 9 (which concerns the Fund).

Delete Article 8.6.5 and add Article 9.1A as follows:

8.6 The National Council has the following powers and responsibilities:

~~**8.6.5 the ratification of the nomination of directors of Conservative Fund Canada;**~~

9.1A The Leader shall nominate the directors of Conservative Fund Canada subject to ratification by National Council.

Do you support this resolution? Yes - or - No
--

RESOLUTION C-6 (Nomination of Executive Director)

Article 8.6.7 stipulates that National Council shall ratify the nomination of the appointment of the Executive Director. However, the Constitution does not stipulate who nominates the Executive Director. This resolution clarifies that it is the Leader.

Delete Article 8.6.7 and add Article 9.7A as follows:

8.6 The National Council has the following powers and responsibilities:

~~**8.6.7 the ratification of the appointment of the Executive Director;**~~

9.7A The Leader shall nominate the Executive Director of the Party subject to ratification by National Council.

Do you support this resolution? Yes - or - No
--

RESOLUTION C-7 (Appointment of LEOC)

In Article 8.6.9, it is stipulated that National Council shall appoint the chair and members of the leadership election organizing committee ("LEOC"). To make the leadership election process easier to understand, this resolution would simply move the appointment power of LEOC from Article 8 (concerning National Council) to Article 10 (which concerns leadership selection).

Delete Article 8.6.9 and add Article 10.8 as follows:

8.6 The National Council has the following powers and responsibilities:

~~**8.6.9 the appointment of the chair and members of the leadership election organizing committee;**~~

10.8 In the event of the implementation of the leadership selection process, the following shall apply.

10.8.3 National Council shall appoint the chair and members of the leadership election organizing committee.

Do you support this resolution? Yes - or - No
--

RESOLUTION C-8 (Term of Arbitration Committee members)

Article 8.6.10 stipulates that National Council shall appoint the chair and members of the Arbitration Committee. Inadvertently, there is no term of office set out for these positions. This resolution would establish one, so it is clear that the positions are neither permanent nor, on the other hand, have no permanence at all. As well, to make the dispute resolution process easier to understand, the appointment power would be moved from Article 8 (concerning National Council) to Article 19 (which concerns Dispute Resolution).

Delete Article 8.6.10 and add Article 19.0 prior to the existing Article 19.1 as follows:

8.6 The National Council has the following powers and responsibilities:

~~**8.6.10 the appointment of the chair and members of the Arbitration Committee, at least half of whom shall have legal training and none of whom shall be on National Council in any capacity.**~~

19.0 National Council shall appoint the chair and members of the Arbitration Committee. None of them shall be on National Council in any capacity and at least half of them shall have legal training. They shall be appointed for terms of office of at least two years.

And, for transition, add:

98. TRANSITION

98.1 A person who was a member of the Arbitration Committee at the time of the second national convention shall continue in office for six months after the conclusion of that convention, and may be re-appointed for a further term under Article 19.0.

98.2 This Article 98 shall be treated as spent six months after the conclusion of the second national convention, and need not appear in a subsequent consolidation of the Constitution prepared after that convention.

Do you support this resolution? Yes - or - No
--

RESOLUTION C-9 (National Council procedure)

This resolution would modify Articles 8.7 and 8.9 to clarify the intent and make the processes more workable and understandable. For example, currently, National Council makes a number of appointments in effect unanimously, without the requirement of a formal ballot. If a secret ballot is held, for example between competing candidates, the “categories” set out in Article 8.9 do not necessarily apply.

Delete the words that are struck through and add the words that are underlined in Article 8.7 as follows:

8.7 Rules and procedures enacted under Article 8.6.11 and by-laws enacted under Article 8.6.12 shall be circulated to all electoral district association presidents within 7 days of enactment by National Council and shall take effect on the date of enactment, ~~unless~~. If written notice of objection from more than 99 electoral district association presidents has been received by National Council within 30 days of the rule and procedure or by-law being distributed to the electoral district associations, it shall be deemed repealed. In the alternative Alternatively, National Council may propose rules and procedures and by-laws to a national convention, which, if approved by a simple majority of delegates voting, ~~will be deemed to be enacted by National Council and to take effect immediately~~ not be subject to subsequent review and repeal by the presidents of electoral district associations.

Delete the words that are struck through and add the words that are underlined in Article 8.9 as follows:

8.9 The voting of National Council on motions shall be recorded in the minutes to indicate, by member of National Council, his/her vote on each motion, as follows: (i) In favour; (ii) ~~Against~~; (iii) ~~Abstain~~; (iv) ~~Absent~~; except that where a motion names a person to a position, the vote will be by secret ballot ~~and only the number of votes falling into each category will be recorded~~ if requested by two or more voting members of National Council.

Do you support this resolution? Yes - or - No
--

RESOLUTION C-10 (Clarifying status of territories)

In Articles 12.9 and 16.5, it is stipulated that a referendum or an amendment to the Constitution respectively must receive a majority of votes cast by delegates from each of a majority of individual provinces, and that the territories may be designated as a province under the rules. Inadvertently, the Constitution is silent as to the role of delegates from the territories in the policy process. This resolution would amend the Constitution to stipulate that the territories together constitute one province for all purposes, without reference to rules and procedures or a by-law.

Delete the words that are struck through and add the words that are underlined in Articles 12.10, 13.3 and 16.1 as follows:

12.10 For the purposes of this Article 12, ~~a by-law or the rules and procedures for the conduct of the referendum may provide that~~ the territories together shall constitute one province.

13.3 Between national conventions, interim policies of the Party shall be determined by the parliamentary caucus and the Leader with interim approval by the policy committee provided such policies are consistent with the Party's policy declaration document. Final approval of interim policies shall occur at national conventions and these policies shall become the party's policy declaration document and the Party's official policy position until the next national convention at which policy is discussed. At a national convention, a policy resolution must receive a majority of votes cast by delegates and a majority of votes cast by delegates from each of a majority of individual provinces. For the purpose of this provision, the territories together shall constitute one province.

16.1 In addition to a referendum provided for in Article 12, the Constitution may be amended at a national convention by a majority of votes cast by delegates and a majority of votes cast by delegates from each of a majority of individual provinces. For purposes the purpose of this provision, ~~a by-law or rules and procedures of the national convention may provide that~~ the territories together shall constitute one province.

Do you support this resolution? Yes - or - No
--

RESOLUTION C-11 (Role of Policy Committee)

In Articles 13.1.2 and 13.1.3, it is stipulated that the National Policy Committee shall serve as a policy resource to the Party, the Leader and the parliamentary caucus, as well as provide information from a variety of sources that shall serve as a source of policy expertise and education. These articles do not reflect actual practice and the limitations of a volunteer-driven process. The National Policy Committee consists of part-time representatives who organize a Policy Declaration amendment process. They have neither the skills nor the time to be a source of expertise on policy. Article 13 also fails to specify a term of office for the committee. This resolution would amend the Constitution accordingly.

Delete the words that are struck through and add the words that are underlined in Article 13.1 as follows:

- 13.1 Within thirty (30) days of the previous National Policy Committee having completed its mandate, National Council shall establish a ~~policy committee~~ National Policy Committee whose responsibilities shall include:
- 13.1.1 facilitating the promotion and maintenance of an ongoing policy process of the Party, and ensuring that at all times the policy process is accountable to the members;
 - 13.1.2 facilitating and supporting policy discussion within the Party ~~and serving as a policy resource to the Party, the Leader and the parliamentary caucus;~~
 - ~~13.1.3 providing information from a variety of sources that shall serve as a source of policy expertise and education;~~
 - 13.1.4 identifying policy areas needing study; and
 - 13.1.5 serving as a means of communication between members, ~~electoral district associations, Presidents' Forums, and other affiliated organizations, the Leader and the parliamentary caucus~~ on policy issues.
 - 13.1.6 after each national convention at which delegates approve amendments to the Policy Declaration, ensuring that a consolidated version of the Policy Declaration is prepared in both official languages for approval by National Council, incorporating all of the amendments made at the national convention, and following legislative practice in preparing such a consolidation by correcting any numerical, typographical, grammatical, syntax or translation errors that may otherwise exist in the text.

Add Article 13.2A after Article 13.2 as follows:

- 13.2A The term of the National Policy Committee shall begin upon the election and appointment of its members and shall terminate upon the submission to National Council of the consolidated text of the Policy Declaration referred to in Article 13.1.6.

Do you support this resolution? Yes - or - No

RESOLUTION C-12 (Policy Committee Membership)

In Article 13.2, it is stipulated that the National Policy Committee shall include two representatives from each province. Each of the two representatives from Ontario and Quebec has to lead the Policy Declaration and amendment process in 53 and 37 EDAs respectively. In Manitoba, Saskatchewan, Nova Scotia, New Brunswick, Newfoundland and Labrador and Prince Edward Island, each of the two representatives has to lead our process in 7 EDAs at most. This resolution would provide members in each province the same number of representatives on the National Policy Committee as the number of representatives that they have on National Council, thus balancing the workload of committee members somewhat more.

Delete the words that are struck through and add the words that are underlined in Articles 13.2 as follows:

13.2 The ~~policy committee~~ National Policy Committee shall consist of:

13.2.1 a chair appointed by National Council;

13.2.2 the President of National Council;

13.2.3 two members of National Council to be selected by National Council;

13.2.4 ~~two~~ the same number of representatives from each province as the number of members of National Council from that province, selected by the presidents of the electoral district associations in each province; and

13.2.5 one representative for the three territories elected by the presidents of the electoral district associations from the territories.

Do you support this resolution? Yes - or - No
--

RESOLUTION C-13 (Role of Policy Committee)

Article 13.3 currently stipulates a process for the adoption of interim policies that makes the roles of the Leader, parliamentary caucus and National Policy Committee difficult to understand. This resolution would clarify the respective roles.

Split Article 13.3 into three articles, and delete the words that are struck through and add the words that are underlined as follows:

13.3 Between national conventions, interim policies of the Party ~~shall~~ may be determined by the parliamentary caucus and the Leader.

13.4 Interim amendments to the Policy Declaration of the Party may be made by the parliamentary caucus and the Leader with interim ratification by the policy committee National Policy Committee. provided such policies are consistent with the Party's policy declaration document. Upon the National Policy Committee ratifying an interim amendment to the Policy Declaration, National Council shall cause to be published an Interim Policy Declaration that sets out the amendments. Final approval of interim policies shall occur at national conventions and these policies shall become the Party's policy declaration document and the Party's official policy position until the next national convention at which policy is discussed. Interim amendments to the Policy Declaration shall be subject to final ratification at the next national convention. These amendments along with any policy resolutions passed at the national convention shall become the Policy Declaration of the Party.

13.5 At a national convention, a policy resolution must receive a majority of votes cast by delegates and a majority of votes cast by delegates from each of a majority of individual provinces.

Do you support this resolution? Yes - or - No
--

RESOLUTION C-14 (National and EDA Candidate Committees)

This resolution would clarify the roles of the National and Electoral District Association Candidate Committees.

Delete the words that are struck through and add the words that are underlined in Articles 14.1 and 14.1A 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.~~ National Council shall create rules and procedures for the selection of candidates. The candidate selection committee at the national level National Council shall establish a National Candidate Selection Committee that 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.

14.1A The rules shall provide for a candidate nomination committee in each electoral district that shall, subject to the rules, be responsible for the administration of the candidate selection process in the electoral district.

Do you support this resolution? Yes - or - No

RESOLUTION C-15 (Role of Constitution Committee)

This resolution would clarify the role of the National Constitution Committee, and add a term of office for the committee.

Delete the words that are struck through and add the words that are underlined in Article 16.5 as follows:

16.5 Within thirty (30) days of the previous National Constitution Committee having completed its mandate, National Council shall establish a ~~constitution committee~~ National Constitution Committee for the purpose of considering and proposing constitutional amendments whose responsibilities shall include:

16.5.1A facilitating the constitutional amendment process;

16.5.2A considering and drafting amendments to the Constitution; and

16.5.3A after each national convention at which delegates approve amendments to the Constitution, ensuring that a consolidated version of the Constitution is prepared in both official languages, for approval by National Council, incorporating all of the amendments made at the national convention, and following legislative practice in preparing such a consolidation by correcting any numerical, typographical, grammatical, syntax or translation errors that may otherwise exist in the text.

Add Article 16.5A as follows:

16.5A The term of the National Constitution Committee shall begin upon the election and appointment of its members and shall terminate upon the submission to National Council of the consolidated text of the Constitution referred to in Article 16.5.3A.

Do you support this resolution? Yes - or - No

RESOLUTION C-16 (Composition of Constitution Committee)

In Article 16.5, it is stipulated that the National Constitution Committee shall include two representatives from each province. Each of the two representatives from Ontario and Quebec has to lead the constitutional amendment process in 53 and 37 EDAs respectively. In Manitoba, Saskatchewan, Nova Scotia, New Brunswick, Newfoundland and Labrador and Prince Edward Island, each of the two representatives has to lead the process in 7 EDAs at most. This resolution would provide members in each province the same number of representatives on the National Constitution Committee as the number of representatives that they have on National Council, thus balancing the workload of committee members somewhat more.

Delete the words that are struck through and add the words that are underlined in Article 16.5 as follows:

16.5 ~~National Council shall establish a constitution committee for the purpose of considering and proposing constitutional amendments. The committee~~ National Constitution Committee shall consist of:

16.5.1 a chair appointed by National Council;

16.5.2 two members of National Council to be selected by National Council;

16.5.3 ~~two~~ the same number of representatives from each province as the number of members of National Council from that province, selected by the presidents of the electoral district associations in each province;

16.5.4 one representative for the three territories elected by the presidents of the electoral district associations from the territories; and

16.5.5 one representative of the parliamentary caucus of the Party appointed by the Leader.

Do you support this resolution? Yes - or - No
--