

# CONSERVATIVE PARTY OF CANADA **CONSTITUTION**



As amended by the delegates to the  
National Convention September 9, 2023

As consolidated by the National Constitution  
Committee and approved by National Council

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## **1. NAME**

- 1.1 The name of the Party is the “Conservative Party of Canada”.

## **2. PRINCIPLES**

- 2.1 The Conservative Party of Canada is founded on and will be guided in its policy formation by the following principles.
- 2.1.1 A belief in a balance between fiscal responsibility, compassionate social policy that empowers the less fortunate by promoting self-reliance and equality of opportunity, and the rights and responsibilities of individuals, families and free associations.
  - 2.1.2 The goal of building a national coalition of people who share these beliefs and who reflect the regional, cultural and socio-economic diversity of Canada.
  - 2.1.3 The goal of developing this coalition, embracing our differences and respecting our traditions, yet honouring a concept of Canada as the greater sum of strong parts.
  - 2.1.4 The Conservative Party of Canada will operate in a manner accountable and responsive to its members.
  - 2.1.5 A belief in loyalty to a sovereign and united Canada governed in accordance with the Constitution of Canada, the supremacy of democratic parliamentary institutions and the rule of law.
  - 2.1.6 A belief in the value and dignity of all human life.
  - 2.1.7 A belief in the equality of all Canadians.
  - 2.1.8 A belief in the freedom of the individual, including freedom of speech, worship, assembly, and association.
  - 2.1.9 A belief in our constitutional monarchy, the institutions of Parliament and the democratic process.
  - 2.1.10 A belief in the federal system of government as the best expression of the diversity of our country, and in the desirability of strong provincial and territorial governments, where all must be treated so that the constitutional boundaries of governance between federal and provincial authorities are respected for mutual and national benefit.
  - 2.1.11 A belief that English and French have equality of status, and equal rights and privileges as to their use in all institutions of the Parliament and Government of Canada.
  - 2.1.12 A belief that the best guarantors of the prosperity and well-being of the People of Canada are:
    - 2.1.12.1 the freedom of individual Canadians to pursue their enlightened and

- legitimate self-interest within a free competitive economy;
- 2.1.12.2 the freedom of individual Canadians to enjoy the fruits of their labour to the greatest possible extent;
- 2.1.12.3 the right to own property.
- 2.1.13 A belief that a responsible government must be fiscally prudent and should be limited to those responsibilities which cannot be discharged reasonably by the individual or others.
- 2.1.14 A belief that it is the responsibility of individuals to provide for themselves, their families and their dependents, while recognizing that government must respond to those who require assistance and compassion.
- 2.1.15 A belief that the purpose of Canada as a nation state and its government, guided by reflective and prudent leadership, is to create a climate wherein individual initiative is rewarded, excellence is pursued, security and privacy of the individual is provided and prosperity is guaranteed by a free competitive market economy.
- 2.1.16 A belief that Canada should continue its strong heritage of national defence, supporting a well-armed military, honouring those who serve, and promoting our history and traditions.
- 2.1.17 A belief that the quality of the environment is a vital part of our heritage to be protected by each generation for the next.
- 2.1.18 A belief that Canada should accept its obligations among the nations of the world.
- 2.1.19 A belief that Canadian Jurisdiction extends beyond the coastline to include the internationally recognized regions of the Territorial Sea, Exclusive Economic Zone (EEZ) and Continental Shelf.
- 2.1.20 A belief that good and responsible government is attentive to the people it represents and consists of members who at all times conduct themselves in an ethical manner and display integrity, honesty and concern for the best interest of all.
- 2.1.21 A belief that all Canadians should have reasonable access to quality healthcare regardless of their ability to pay.
- 2.1.22 A belief that the greatest potential for achieving social and economic objectives is under a global trading regime that is free and fair.

### **3. DEFINITIONS**

- 3.1.1 “Affiliated organization” means an organization which has been recognized by National Council pursuant to the provisions of the Constitution.
- 3.1.2 “Arbitration Committee” means the arbitration and dispute resolution committee

established pursuant to the provisions of the Constitution.

- 3.1.3 “by-law” means a by-law enacted by National Council pursuant to the provisions of the Constitution.
- 3.1.4 “Conservative Fund Canada” means the fundraising arm and chief agent of the Party provided for in Article 9.
- 3.1.5 “Constitution” means this constitution of the Party, as amended from time to time.
- 3.1.6 “Electoral district association” means an association in a federal electoral district recognized by National Council pursuant to the Constitution.
- 3.1.7 “Leader” means the leader of the Party.
- 3.1.8 “Leadership selection process” means the process for selecting a Leader provided for in the Constitution.
- 3.1.9 “Member” and “membership” means a member and the membership of the Party respectively, unless the context otherwise requires.
- 3.1.10 “National Council” means the body provided for in Article 8.
- 3.1.11 “President” means the Chief Executive Officer who is responsible to oversee the effective operations of National Council.
- 3.1.12 “national convention” means a meeting of members provided for in Article 7.
- 3.1.13 “Party” means the Conservative Party of Canada.
- 3.1.14 “Presidents’ Forum” means an affiliated organization consisting of presidents of electoral district associations and other members of the Party on a national or regional level, as recognized by National Council.
- 3.1.15 “parliamentary caucus” means Conservative Members of the House of Commons and the Senate, subject to the Parliament of Canada Act”.

## **4. MEMBERSHIP**

- 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;
  - 4.1.2 actively supports the principles of the Party;
  - 4.1.3 signifies their intention to join the Party;
  - 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 and procedures to provide reasonable assurance that the membership fee was paid by the member personally; and

- 4.1.5 is not an individual holding a membership in another federal political party.
- 4.2 Twenty-one (21) days after payment of a membership fee in the amount and in the manner specified by by-law, every member is entitled to:
- 4.2.1 participate in any meeting of the electoral district association in which that person resides or serves as a board member;
  - 4.2.2 vote for, and stand for election to, the board of directors of any electoral district association in which that person resides;
  - 4.2.3 attend any national convention upon payment of the prescribed fee;
  - 4.2.4 vote for, and stand for election as, a delegate or alternate delegate at any meeting called by an electoral district association in which that person resides or serves as a board member, for the selection of delegates or alternate delegates to any national convention of the Party;
  - 4.2.5 Stand for election to the board of directors of an electoral district association other than the one in which that person resides; and
  - 4.2.6 Stand for election as a delegate or alternate for any one meeting in a single EDA.
  - 4.2.7 Any member whose membership has expired within the previous ninety (90) days of an event may participate in any event specified in Section 4.2 provided that the member pays the appropriate membership renewal fee “at the door” in the amount and in the manner specified by by-law.
- 4.3 Subject to the oversight of National Council, the Executive Director shall maintain a National Membership Program consistent with the objectives for such a program as set out by by-law. As a minimum, the National Membership Program will contain a listing of each member’s name and address and the name of the electoral district association to which the member belongs. A membership will be considered as valid when listed in the National Membership Program, which listing may be subject to periodic verification by an independent auditor appointed by National Council. The membership fees shall be shared as determined by National Council between the costs of operation of the National Membership Program and the provision of revenue to electoral district associations.
- 4.4 National Council may by by-law set out rules and procedures for the revocation and reinstatement of membership, which shall provide for a two-thirds majority vote for the revocation or reinstatement of a membership.
- 4.5 Subject to Article 4.6, 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:
- 4.5.1 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, provincial or territorial government agency containing the member’s photograph, name and

address, or

4.5.2 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.

4.6 Identification requirements shall be subject to the exercise of discretion by the returning officer or equivalent to waive specific requirements where exceptional circumstances warrant.

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

4.7.1 the Leader;

4.7.2 members of National Council;

4.7.3 directors of Conservative Fund Canada; and

4.7.4 the Executive Director.

## **5. ELECTORAL DISTRICT ASSOCIATIONS**

5.1 The electoral district association is the primary organization through which the rights of members are exercised.

5.2 Recognition may be granted by National Council to one electoral district association in each federal electoral district, and such recognition may be revoked, pursuant to rules and procedures set out by by-law.

5.3 Electoral district associations shall comply with such requirements as to their governance, financial management and reporting, as may be implemented by National Council by by-law or otherwise.

5.4 Regarding the composition of an EDA's Board of Directors, one in every five (5) Directors or portion thereof, to a maximum of six (6), may be members of the Party resident in another electoral district.

## **6. GOVERNANCE OBJECTIVES**

6.1 The governance of the Party shall adhere to the following objectives:

6.1.1 full representation of the interests and views of members;

6.1.2 direct regular communication from National Council, Conservative Fund Canada and the Leader to electoral district associations and members to ensure accountability;

6.1.3 maintenance of a policy development process which respects and encourages the participation of all members, provides policy options to the Party parliamentary

caucus, and which culminates in the adoption of policy resolutions at national conventions that will become the Party's Policy Declaration from which the Party's election campaign platform will be developed.

6.1.4 fiscally prudent, open and accountable fundraising and financing which are coordinated with other Party activities and electoral district association fundraising efforts designed to meet the Party's overall objectives; and

6.1.5 democratic representation of the membership at national conventions.

6.2 The members of the National Council, the Leadership Election Organization Committee, Conservative Fund Canada and Party Staff are to remain neutral for all nomination election contests and leadership elections.

## **7. NATIONAL CONVENTIONS**

7.1 Subject to Article 12, the governance, management and control of the activities of the Party are vested in the members at national conventions.

7.2 Subject to Article 7.3, a national convention has the power and responsibility to:

7.2.1 Amend the Constitution;

7.2.2 amend and adopt Party policy; and

7.2.3 elect National Council by secret ballot.

7.3 The date, location(s), business to be transacted, and the rules and procedures for any national convention of the Party will be as determined by National Council. One or more of the matters set out in Article 7.2 need not be conducted at a national convention if less than eighteen months have passed since such a matter was conducted at a national convention. National Council may convene a national convention upon 90 days' notice to the membership.

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 conduct of the leadership selection process.

7.5 The following members are entitled to vote as delegates to a national convention:

7.5.1 an equal number not exceeding 10 from each electoral district association elected in such number and in such manner as determined by National Council which shall include a requirement that 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;

7.5.2 the official candidate of the Party for each electoral district in the preceding federal election, or the then current nominated Party candidate for each such electoral



district;

7.5.3 the parliamentary caucus of the Party;

7.5.4 elected members of National Council;

7.5.5 former leaders of the Party; and

7.5.6 elected members of the National Policy Committee and National Constitution Committee.

7.6 Between national conventions, the governance, management and control of the activities of the Party are vested in 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.

## **8. NATIONAL COUNCIL**

8.1 National Council shall be composed of:

8.1.1 four members elected from a province with more than 100 seats in the House of Commons;

8.1.2 three members elected from a province with 51-100 seats in the House of Commons;

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

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

8.1.5 one member elected from each territory;

8.1.6 the Leader;

8.1.7 the Chair of Conservative Fund Canada or his or her designate plus one other duly appointed director of the Conservative Fund Canada, in a non-voting capacity;

8.1.8 the Executive Director or his or her designate, in a non-voting capacity;

8.1.9 and one representative of the parliamentary caucus, in a non-voting capacity.

8.2 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 district associations of that region, subject to the following:

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

8.2.2 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 8.8 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 that province.

8.2.3 The by-law shall apply only to the 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 the election of National Council is to take place.

8.3 The following may not hold office as an elected member of National Council:

8.3.1 Members of Parliament or Senators, except the Leader;

8.3.2 employees or contractors of the Party;

8.3.3 employees or contractors of Senators or Members of Parliament including political staff of Ministers of the Crown;

8.3.4 individuals holding a membership in another federal political party;

8.3.5 Directors of Conservative Fund Canada;

8.3.6 Members of Provincial or Territorial Legislative Assemblies.

8.4 Conservative Fund Canada shall appoint the returning officer for elections to National Council. The returning officer shall set out rules and procedures for the conduct of 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 and that the election shall be by way of a preferential ballot. For greater certainty, this provision does not consider the initial period where an individual is elected to the National Council through a by-election towards this limit, however, where an individual resigns from National Council, that period shall be considered a term.

8.5 No person shall be considered for selection as a candidate for the National Council unless that person has signed the following affirmation: "I have read, understand, and do hereby affirm my personal commitment to the principles and policies of the Conservative Party of Canada and the Constitution of the Conservative Party of Canada."

8.6 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 accountable for the encouragement and development of membership in the Party, and for the 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.

8.7 National Council has the following powers and responsibilities:

- 8.7.1 the establishment and recognition of electoral district associations and the terms of their constitutions, including processes for the conduct of founding meetings, and the transfer of assets in the event of redistribution;
  - 8.7.2 the development and implementation of rules and procedures to ensure fair and effective candidate recruitment and selection;
  - 8.7.3 recognition of affiliated organizations;
  - 8.7.4 encouraging the participation and recruitment of youth;
  - 8.7.5 the appointment of the Auditor of the Party;
  - 8.7.6 the establishment of such committees as National Council may determine for the conduct of its responsibilities;
  - 8.7.7 subject to Article 8.8, the enactment of rules and procedures for the conduct of its business;
  - 8.7.8 subject to Article 8.8, the enactment of by-laws for matters set out in this Constitution to be provided by by-law; and
  - 8.7.9 other responsibilities set out in this Constitution or as may be assigned by the Leader.
- 8.8 Rules and procedures enacted under Article 8.7.7 and by-laws enacted under Article 8.7.8 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. If written notice, either email or hard copy, 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. 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 not be subject to subsequent review and repeal by the presidents of electoral district associations.
- 8.9 National Council shall provide the minutes of each meeting to all electoral district associations as well as to members of National Council, National Constitution Committee (NCC), National Policy Committee (NPC), and the Conservative Fund Canada (CFC), within 30 days of said meeting taking place. Furthermore, National Council shall publish known dates of their meetings for the past 5 calendar years as well as the dates of confirmed upcoming meetings.
- 8.10 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) Abstained; (iv) Absent; except that where a motion names a person to a position, the vote will be by secret ballot if requested by two or more voting members of National Council.
- 8.11 National Council and the parliamentary caucus shall establish a liaison committee with equal representation from each body, or another composition subject to the ratification of National Council and the Parliamentary Caucus.

- 8.12 National Council, on approval of two-thirds (2/3) of its current voting membership (not including those on leave of absence) present and voting may remove a National Council member whose conduct is judged improper or unbecoming, or likely to adversely affect the interest or reputation of National Council, the Leader, or the Party, at a meeting called for that purpose.
- 8.13 National Council, on approval of a majority of its current membership (not including those on leave of absence) present and voting may suspend a National Council member whose conduct is judged improper or unbecoming, or likely to adversely affect the interest or reputation of National Council, the Leader, or the Party, at a meeting called for that purpose.
- 8.14 Disputes concerning the revocation or continuance of the suspension, or the removal, of a member of National Council, shall be adjudicated by a panel of the Arbitration Committee, whose decision shall be final and binding.
- 8.15 The presidents of the electoral district associations of the Party, a territory, a province, or a region of a province as applicable, shall elect by secret ballot, within 90 days, members to National Council to fill any vacancies in elected positions between national conventions. Where a vacancy occurs for a province, territory or region of a province, where its members of National Council were elected at the last national convention on a regional basis, any new member shall be ordinarily resident in the same province, territory or region of the province as the former member.
- 8.16 National Council shall meet at least quarterly in every twelve (12) month period, at the call of the President or the Leader. It shall also meet upon written request of at least five (5) National Council members.
- 8.17 National Council shall abide by the principles and policies of the Party and shall act in the interests of all members, not just the jurisdiction from which they were elected, and subject always to the provisions of this Constitution, and to motions passed at any national convention, or by referenda.
- 8.18 A quorum of National Council is a majority of National Council.
- 8.19 Members of National Council shall be reimbursed for reasonable expenses incurred while fulfilling their responsibilities on National Council.
- 8.20 Members of National Council and members of all committees reporting to National Council are to be volunteers and receive no compensation for their service.

## **9. CONSERVATIVE FUND CANADA**

- 9.1 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.

- 9.2 Conservative Fund Canada shall submit quarterly financial reports and an annual audited financial statement to National Council.
- 9.3 Conservative Fund Canada shall submit the annual budget of the Party to National Council for consultation prior to adoption and implementation by Conservative Fund Canada, and shall consult with National Council prior to authorizing or implementing substantial amendments to the budget. Conservative Fund Canada shall not provide funding for activities or programs within the areas of responsibility of National Council unless such activities or programs have been approved by National Council.
- 9.4 Electoral district associations and affiliated organizations shall provide such financial information to Conservative Fund Canada as National Council may require.
- 9.5 National Council may authorize Conservative Fund Canada to take all necessary steps to assume control and ownership of all of the assets of an electoral district association in such special circumstances as may be set out by by-law, including the suspension or revocation of recognition of any electoral district association. Assets assumed under the provisions of this Article shall be held by Conservative Fund Canada and shall be returned to or paid out to the next duly elected board of the electoral district association whose recognition has been renewed. In the event that such association ceases to exist or does not re- apply for renewal of recognition within a period of five (5) years from the assumption of the control of its assets, such assets shall become property of Conservative Fund Canada.
- 9.5.1 Any rebates from Elections Canada to the campaign of candidates for Members of Parliament in national elections assigned to Conservative Fund Canada shall be remitted to the designated recipient, within thirty (30) days of receipt by Conservative Fund Canada.
- 9.6 Any member committing Conservative Fund Canada or the Party to unauthorized expenditures or indebtedness shall save harmless and indemnify the Party against any claim, demand, action, debt or cause of action which may arise as a result of such unauthorized commitment.
- 9.7 The Party shall maintain a national office in the National Capital Region.
- 9.8 The Leader shall nominate the directors of Conservative Fund Canada subject to ratification by National Council.
- 9.8.1 The President of National Council or his or her designate and one other duly elected member of National Council shall serve on Conservative Fund Canada in a non-voting capacity.
- 9.9 A representative of the Conservative Fund Canada will provide a financial report to the delegates at each national convention and at that time be prepared to answer questions the delegates may have on it.
- 9.9.1 The Chair of Conservative Fund Canada's board of directors responsibilities

include, but are not restricted to; ensuring effectiveness of the budgeting reporting process commitments, integrity of the contract process and any agreements made, fundraising, effectiveness of expenditures and compliance with all aspects of Canadian law.

9.10 Directors of the Conservative Fund Canada shall be volunteers and receive no compensation for their service.

9.11 All expenditures of the Conservative Fund must be connected to advancing the political and electoral interests of the Conservative Party. No expenditures can be purely a subsidy to a member of the Party unrelated to advancing the electoral or political interests of the party.

## **10. LEADER**

10.1 The Leader is the chief public official of the Party, whose authority includes that specified for the leader of a party pursuant to the Canada Elections Act.

10.2 The Leader shall promote the Party, its principles and policies.

10.3 If the Leader is not a Member of Parliament or Senator, he or she shall, upon written request to the Chair of Conservative Fund Canada, be entitled to receive a salary equivalent to that of a Member of Parliament.

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

10.4.1 The Executive Director is an employee of Conservative Fund Canada.

10.4.2 Any decision to change the employment status of the Executive Director is the responsibility of Conservative Fund Canada, subject to ratification by National Council.

10.5 The Leader shall provide a report to, and carry out an accountability session with, the delegates at every national convention.

10.6 The Leader shall provide a report to National Council at least quarterly.

10.7 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 national convention, an irrevocable intention to resign, the delegates will vote by secret ballot if they wish to engage the leadership selection process.

10.8 In the event of any of the following, National Council shall implement the leadership selection process at the earliest convenient date thereafter:

10.8.1 the death or retirement of the Leader;

10.8.2 the Leader indicates an intention to resign by submitting notice in writing to the President of National Council;

10.8.3 more than fifty percent (50%) of the votes cast at a national convention as provided for in Article 10.7 are in favour of engaging the leadership selection process.

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

10.9.1 The parliamentary caucus (including Senators) shall appoint an Interim Leader of the Party who shall exercise the powers and responsibilities of the Leader until a new Leader has been selected. A person appointed as Interim Leader may not be nor become a candidate in the leadership selection process. An Interim Leader may but need not be appointed where the Leader has indicated an intention to resign.

10.9.2 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.

10.9.3 National Council shall appoint the chair and members of the leadership election organizing committee. The committee shall be comprised of, but not limited to, the following; 6 National Councillors from different regions of Canada, 1 Senator, 1 Member of Parliament, and 1 Conservative Fund Canada member.

10.10 The election of the Leader shall be by way of a direct vote of members in every electoral district, as follows.

10.10.1 Each member of the Party will have one vote.

10.10.2 Each electoral district will be allocated 100 points or 1 point per vote cast at that stage, whichever is less.

10.10.3 Leadership candidates will be assigned a point total based on their percentage of the vote in each electoral district.

10.10.4 To win the leadership, a candidate must obtain a majority of points from across the country.

10.10.5 Voting will be by preferential vote (single transferable ballot).

10.10.6 Each leadership candidate is entitled to have scrutineers present at all stages of the vote count.

10.10.7 At each count round, both the weighted results and the results by electoral district shall be made public.

10.10.8 In the event the final ballot of any leadership contest is within 1.50% of point totals, a mandatory recount will be implemented; all ballots will be preserved while said

recount is undertaken.

- 10.10.9 National Council or the Leadership Election Organizing Committee will engage an independent third party auditing firm to count the ballots in the votes specified in 10.7 and 10.10.5.

## **11. AFFILIATED ORGANIZATIONS**

- 11.1 Recognition and renewal of recognition as a Presidents' Forum, youth, campus or other affiliated organization, and the rights and obligations of any such affiliated organizations or their membership may be determined by National Council as provided by by-law.

## **12. POLLS, PETITIONS, REFERENDA**

- 12.1 National Council may conduct non-binding polls of the members of the Party.
- 12.2 Proxy voting is not permitted.
- 12.3 A referendum of the members of the Party may be initiated by:
- 12.3.1 a petition submitted to National Council requesting a referendum, signed by not less than five (5) percent of the members of the Party in each of at least five (5) provinces;
  - 12.3.2 a motion passed by a national convention where notice of such a motion is given in advance of the meeting in such manner as set out by by-law or rules and procedures; and
  - 12.3.3 a motion passed by National Council by a two-thirds majority vote, where notice of such a motion is given in advance in such manner set out by by-law.
- 12.4 Only persons who have been members of the Party for twenty-one (21) 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 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.
- 12.5 National Council is responsible for conducting a referendum by secret ballot within one hundred and twenty (120) days of receiving the results of a valid petition to conduct the referendum, or of a motion passed by a national convention or the National Council to conduct a referendum. National Council shall set the rules and procedures for the conduct of a referendum to ensure a fair and effective process.
- 12.6 The results of a referendum shall be binding if at least one third (1/3) of the membership cast ballots, and the majorities required by this Article have been achieved.
- 12.7 To be eligible to vote in a referendum a person must be a member for twenty-one (21) days.



- 12.8 All matters to be voted on in a referendum shall be in the form of a resolution, including a resolution to amend the Constitution.
- 12.9 To be carried, a resolution must receive two-thirds of the votes cast, and a majority of votes cast in each of a majority of individual provinces.
- 12.10 For the purposes of Article 12, the territories together shall constitute one province.

### **13. POLICY**

- 13.1 Immediately following a National Convention, National Council shall commence the process to elect a 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 the policy process is at all times accountable to the members;
  - 13.1.2 facilitating and supporting policy discussion within the Party;
  - 13.1.3 identifying policy areas needing study;
  - 13.1.4 serving as a means of communication between members on policy issues; and,
  - 13.1.5 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.
- 13.2 The 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 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;
  - 13.2.5 one representative for the three territories elected by the presidents of the electoral district associations from the territories; and
  - 13.2.6 one representative of the parliamentary caucus appointed by the Leader.
- 13.3 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 13.1.5. No representative may serve more than three consecutive terms of office on the National Policy Committee.

- 13.4 Between national conventions, interim policies of the Party may be determined by the parliamentary caucus and the Leader.
- 13.5 Interim amendments to the Policy Declaration of the Party may be made by the parliamentary caucus and the Leader with interim ratification by the National Policy Committee. 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. 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.
- 13.6 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.
- 13.7 After every National Convention, the National Council, will prepare one or a series of amendment proposals to the Policy Declaration, each being an amendment to be voted on individually, for approval by the delegates at the next National Convention, either at the floor of the convention or through handout ballots (in accordance with section 13.6), that shall remove or update all redundant and spent items from the Policy Declaration but which shall not contradict specific decisions of the previous National Conventions or the National Policy Committee.
- 13.8 The CPC National Policy Committee will prepare a simple yes / no paper or electronic ballot to present to the membership at each Convention so members can vote on the committee's recommendations for removal of redundant or otherwise invalid policies.
- 13.9 The National Policy Committee shall send guidelines pertaining to the amendment of the Party Policy Declaration to all EDAs. These guidelines shall be developed by the Committee and distributed through the Executive Director of the Party, no later than 365 days before the next national convention.
- 13.10 In the event a member of a National Policy Committee member fails to attend three (3) consecutive meetings, that member of said committee may be removed by a majority vote of said committee. A by-election will be held to replace said member provided sufficient time remains prior to the next convention.

## **14. CANDIDATES FOR PARLIAMENT**

- 14.1 National Council shall create rules and procedures for the selection of candidates. The rules shall provide that only a member of the Party may seek nomination as a candidate. National Council shall establish the 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 National Council whose decision shall be final and binding or who may refer the matter to the Arbitration Committee for decision by a panel.
- 14.2 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.
- 14.3 Every electoral district association shall provide organizational and financial support to the Party's candidate in the electoral district.

## **15. PROVINCIAL PARTIES**

- 15.1 The Party shall not establish provincial political parties. The Party shall promote and maintain relationships with existing provincial conservative parties.

## **16. CONSTITUTIONAL AMENDMENT**

- 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 the purpose of this provision, the territories together shall constitute one province.
- 16.2 The following may propose amendments to the Constitution for consideration at a national convention:
- 16.2.1 National Council;
  - 16.2.2 any four electoral district associations from at least two provinces, on approval of a majority vote of the board of directors or membership of each of those electoral district associations at a duly constituted meeting of each called for that purpose, subject to such requirements as may be set out by by-law or the rules and procedures for the national convention.
- 16.3 The text of any proposed amendment must be received by the Executive Director within such time and in such manner as set out by by-law or in the rules and procedures of the national convention. The Executive Director shall cause the text of all proposed amendments duly received to be posted forthwith on the public website of the Party.

- 16.4 In lieu of the prior notice provided for in Article 16.3 and subject to the rules and procedures for the national convention, a proposed amendment will be put to a vote at a national convention where constitutional amendments are being considered if it has the supporting signatures of delegates from at least one hundred electoral district associations. However, it must follow the same process as the other proposed amendments, i.e. be debated and adopted at the corresponding session before going to plenary.
- 16.5 Within thirty (30) days of the previous National Constitution Committee having completed its mandate, National Council shall establish a National Constitution Committee whose responsibilities shall include:
- 16.5.1 facilitating the constitutional amendment process;
  - 16.5.2 considering and drafting amendments to the Constitution; and
  - 16.5.3 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.
- 16.6 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 16.5.3. No representative may serve more than three consecutive terms of office on the National Constitution Committee.
- 16.7 The National Constitution Committee shall consist of:
- 16.7.1 a chair appointed by National Council;
  - 16.7.2 the president of National Council;
  - 16.7.3 two members of National Council to be selected by National Council;
  - 16.7.4 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;
  - 16.7.5 one representative for the three territories elected by the presidents of the electoral district associations from the territories; and
  - 16.7.6 one representative of the parliamentary caucus of the party appointed by the Leader.
- 16.8 The National Constitution Committee shall send guidelines pertaining to the amendment of the party constitution to all EDAs. These guidelines shall be developed by the Committee and distributed through the Executive Director of the party, no later than 365 days before the next national convention.

- 16.9 In the event a member of a National Constitutional Committee member fails to attend three (3) consecutive meetings, that member of said committee may be removed by a majority vote of said committee. A by-election will be held to replace said member provided sufficient time remains prior to the next convention.

## **17. ENFORCEMENT AND INTERPRETATION OF THE CONSTITUTION**

- 17.1 The Constitution is to be interpreted and read subject to the provisions of the Canada Elections Act. Unless the context otherwise requires, words and phrases used in the Constitution have the same meaning as in the Canada Elections Act. To the extent that there is any conflict between any provision of this Constitution and the Canada Elections Act or other applicable law, the law shall prevail.
- 17.2 National Council shall provide rules and procedures for the giving of any notice required under the Constitution.
- 17.3 Subject to Article 17.1, the Constitution shall govern the affairs of the Party and in the event of any conflict between the Constitution and any other document, the Constitution shall prevail.

## **18. LIABILITY AND INDEMNITY**

- 18.1 When acting within the scope of their authority, no employee, volunteer, officer, director, or member of any committee established by the Party shall be liable for any debts, actions, claims, demands, liabilities or commitments of any kind of the Party. The Party and Conservative Fund Canada shall indemnify and hold harmless each such person against any debt, action, claim, demand, liability or commitment whatsoever.

## **19. DISPUTE RESOLUTION**

- 19.1 Except for any dispute related to the leadership selection process, any ten (10) members of an electoral district association or affiliated organization may give notice in writing to National Council of a dispute as to whether the requirements of the Constitution, a by-law or any rules and procedures are being met by the electoral district association or affiliated organization or any committee thereof.
- 19.2 National Council shall appoint one or more members to investigate the merits of the dispute, which member(s) shall be authorized to intervene to attempt to resolve the dispute.
- 19.3 If the members appointed pursuant to Article 19.2 decide not to intervene or are unsuccessful in resolving the dispute, National Council shall, in writing, refer the matter to the Arbitration Committee.
- 19.4 National Council may also refer any other matter or class of matter, other than a matter related to the leadership selection process, to the Arbitration Committee for adjudication by a

panel.

- 19.5 On receipt of a referral from National Council, the Arbitration Committee shall select a panel of three (3) of its members to arbitrate and decide on the dispute.
- 19.6 The decision of an Arbitration Committee panel is final and binding and there shall be no appeal or review on any ground whatsoever.
- 19.7 Subject to any specific directions from any Arbitration Committee panel, National Council is empowered to implement the decisions of that Arbitration Committee panel.
- 19.8 The general rules and procedures for the Arbitration Committee and its panels shall be determined by the Arbitration Committee, subject to ratification by National Council within 30 days of the election of a National Council at convention.
- 19.9 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.