



**PROGRESSIVE CONSERVATIVE PARTY  
OF NEW BRUNSWICK**

**PARTI PROGRESSISTE-CONSERVATEUR  
DU NOUVEAU-BRUNSWICK**

**CONSTITUTION**

*Last Amended November 5, 2022*

# PROGRESSIVE CONSERVATIVE PARTY OF NEW BRUNSWICK

## CONSTITUTION

*Amended November 16, 2013*  
*Amended September 16, 2017*  
*Amended November 2, 2019*  
*Amended November 5, 2022*

### ARTICLE 1 – NAME

1. The name of the Party shall be the Progressive Conservative Party of New Brunswick.

### ARTICLE 2 – DEFINITIONS

1. In this Constitution:
  - 1.1 “CHIEF AGENT” means the Chief Agent of the Party registered under the New Brunswick Elections Act;
  - 1.2 “CONSTITUTION” means the Constitution of the Progressive Conservative Party of New Brunswick;
  - 1.3 “EXECUTIVE DIRECTOR” means the Executive Director appointed under Article 9;
  - 1.4 “FEDERAL PARTY” means the Conservative Party of Canada;
  - 1.5 “INTERIM LEADER” means the Interim Leader elected under Article 14;
  - 1.6 “LEADER” means Leader or Interim Leader elected under Article 14;
  - 1.7 “MEMBER” means the member of the Party according to the provisions of Article 4;
  - 1.8 “OFFICIAL REPRESENTATIVE” means the Official Representative of the Party registered under the New Brunswick Elections Act;
  - 1.9 “PARTY” means the Progressive Conservative Party of New Brunswick;
  - 1.10 “PERMANENT MEMBERSHIP LIST” means the Permanent Membership List that was established by the Party at the Annual Meeting held on October 26, 2002, and that includes the names of all permanent members of the Party added on or before September 27, 2013;
  - 1.11 “PRESIDENT” means the President of the Party elected under Article 6;
  - 1.12 “PROVINCIAL ELECTORAL DISTRICT” means an electoral district as defined in the New Brunswick Elections Act;
  - 1.13 “RECOGNIZED” means:
    - i) recognized by the Provincial Council in the case of a Registered District Association or other organization not mentioned in (ii) or (iii) below,
    - ii) recognized by the Women’s Association in the case of a women’s organization,
    - iii) recognized by the NBYPC in the case of a youth or student organization.
  - 1.14 “REGIONAL VICE-PRESIDENT” means a Regional Vice-President elected under Article 6.

- 1.15 "REGISTERED DISTRICT ASSOCIATION" means a Registered District Association affiliated with the Party and registered under the New Brunswick Elections Act;
- 1.16 "SECRETARY" means the Secretary of the Party elected under Article 6;
- 1.17 "TERM OF OFFICE" means the period of time from one Annual Meeting to the next Annual Meeting;
- 1.18 "PROVINCIAL VICE-PRESIDENT" means the Vice-President of the Party elected under Article 6;
- 1.19 "WOMEN'S ASSOCIATION" means the New Brunswick Progressive Conservative Women's Association;
- 1.20 "NBYP" means The New Brunswick Young Progressive Conservative Association.
2. Unless there is an inconsistency in the subject matter or context, in this Constitution words, which import the singular, shall include the plural and vice-versa and words, which import the masculine, shall include the feminine.

### **ARTICLE 3 – PURPOSE, AIMS, OBJECTIVES AND PRINCIPLES**

As New Brunswick Progressive Conservatives we believe in:

1. **The Will of People**

We believe that government is an extension of the will of the people; therefore, we must answer to the people for the responsibilities, which we accept. We will consult New Brunswickers on public policy matters before implementing solutions.

2. **New Brunswick and Canada**

We strive to build and preserve a prosperous, united New Brunswick within a prosperous, united Canada.

3. **Equality of the Two Linguistic Communities**

We believe the diversity of our two linguistic communities is a unique strength of our province. We believe in official bilingualism, and that we must protect and promote the cultures and heritage, while treating each community with fairness and justice.

4. **The Individual**

We respect the rights of the individual, but are mindful of the responsibilities, which those rights demand. It is by accepting their responsibility and acting on their own initiatives that individuals will achieve their full potential.

5. **Free Enterprise**

The creation of prosperity can best be achieved by a free enterprise economy.

6. **Living Within Our Means**

As managers of the public accounts, we must fulfill our fiscal and economic objectives; a diversified economy that will maximize employment in all regions and a fiscal plan that will protect essential programs while minimizing taxation.

7. **Access to Education and Health Care**

The strength of our province is derived from our ability to educate our citizens and to encourage a healthy lifestyle so that they may fulfill their potential and by our ability to provide care for New Brunswickers when they are in need.

8. **Social Policies Which Promote Individual Responsibility**

Our social programs should ensure dignified and meaningful lives for those who need assistance, but also recognize the importance of providing the support and resources necessary for an environment in which New Brunswickers can work together, be self-reliant and take responsibility for their own lives.

9. **Protection of the Environment**

We must ensure that economic growth and resource development take place in an environmentally sustainable manner that decisions taken reflect the shared role of government, business and individuals as stewards of the environment for the current and future generations.

10. **An Open, Accessible Party**

We are a Party for all New Brunswickers. We welcome their thoughts, their efforts and their support for the aims and principles of the Progressive Conservative Party of New Brunswick.

The objectives of the Party are:

- a) to form the government of New Brunswick and to provide responsible and professional government to the residents of New Brunswick;
- b) to provide a forum for the entire membership to participate in political discussion and to advise with respect to Progressive Conservative policy;
- c) to assist in the election of candidates to the Legislative Assembly of New Brunswick who are official candidates of the Party; and
- d) to provide for a sound nomination process that recognizes the democratic selection of candidates for election to the Legislative Assembly of New Brunswick who are official candidates of the Party.

**ARTICLE 4 – MEMBERSHIP**

1. The membership exercises full authority and control over the activities of the Party.

2. Every person who:

- a) is a citizen or permanent resident of Canada,
- b) has attained the age of fourteen (14) years,
- c) resides in the Province of New Brunswick or is enrolled in full time studies at an educational institution in the Province of New Brunswick,
- d) supports the Aims and Principles of the Party, and
- e) meets any of the eligibility criteria defined in section 2.1 of this Article,

is eligible for membership in the Party and upon application, will be considered a member in good standing of the Party.

2.1 A person meets an eligibility criterion for the purposes of section 2(e) of this Article if the person is a person:

- a) upon whom the Provincial Council has conferred an Honourary Life Membership in accordance with Article 5.1;

- b) who is in possession of a permanent membership card or whose name appears on the Permanent Membership List, and who has not requested that his or her name be removed permanently from the Permanent Membership List in accordance with section 2.2(b) of this Article; or
- c) who purchased a membership, on or after the date on which this subsection comes into effect, under the fee structure established by the Provincial Council in accordance with section 8 of this Article.

2.2 The Permanent Membership List shall be divided into an active section and a non-active section, and the Provincial Council shall by resolution determine or revise, in accordance with the recommendation of the Provincial Executive:

- a) the manner in which and the schedule in accordance with which a permanent member shall be assigned or re-assigned to the active section and the non-active section of the Permanent Membership List, provided always that no permanent member shall be required to pay a provincial membership fee or any other fee or to provide any notice in order to be assigned or re-assigned to the active section of the Permanent Membership List;
- b) the manner in which a permanent member may request to have his or her name removed permanently from the Permanent Membership List; and
- c) the rights and privileges of a permanent member that shall be suspended temporarily while the member is assigned to the non-active section of the Permanent Membership List.

2.3 A prospective member who is twenty-three (23) years of age or younger may apply to the Party in writing to have the prescribed provincial membership fee waived.

3. Members of the Party are also members of the Registered District Association in the provincial electoral district in which the member resides or is residing while enrolled in full time studies at an educational institution.

4. Members of the Party may also be members of the Women's Association and/or the NBYPC if they meet the requirements of the membership as determined by those organizations.

5. Every member is entitled to:

5.1 Attend any provincial meeting of the Party upon payment of the prescribed registration fee;

5.2 Vote at any provincial meeting of the Party in accordance with the rules and procedures established in accordance with section 1(1.5) of Article 16; and

5.3 Vote at any meeting of the Registered District Association of which they are a member, including a Nominating Convention. For greater certainty, a meeting of the Registered District Association does not include a meeting of the Directors or the Executive of the Registered District Association.

6. Only members are entitled to:

6.1 Stand for election as a member of the Provincial Council or a member of a Registered District Association executive;

6.2 Serve as a member of the Provincial Council and Provincial Executive;

6.3 Stand for election as a Candidate in a provincial electoral district; and

6.4 Stand for election as Leader.

7. The Party shall implement and maintain a Provincial Membership Program to:
  - 7.1 Facilitate communication between members and the Provincial Council;
  - 7.2 Establish and maintain uniform, provincial criteria for membership;
  - 7.3 Respect the primary role of Registered District Associations for membership recruitment and activity;
  - 7.4 Promote the Aims and Principles of the Party;
  - 7.5 Provide services to members on a provincial basis; and
  - 7.6 Protect the confidentiality of information pertaining to members and not permit its use by anybody other than the Party, its Registered District Associations, and its candidates.
8. The Provincial Council shall by resolution determine or revise, in accordance with the recommendation of the Provincial Executive, the provincial membership fee and the terms of commencement and expiry of membership, provided always that a permanent member shall not be required to pay any additional provincial membership fee or other fee to remain a member.
9. Subject to approval of at least 80% of the members present and voting at a duly constituted meeting of the Provincial Council, a permanent membership may be revoked at the request of the President or Executive Director of the Party.

#### **ARTICLE 5 – RICHARD B. HATFIELD AWARD**

1. A committee, consisting of the Leader, the President of the Party, the President of the Women's Association, the President of the NBYPC, a Caucus representative and the Executive Director of the Party, may confer upon any supporter of the Party the Richard B. Hatfield Award, recognizing the individual's considerable contribution to the Party.
2. Recipients of the Richard B. Hatfield Award are to be inducted as such at the first Annual General Meeting following their appointment.
3. No more than two (2) individuals may be inducted as recipients of the Richard B. Hatfield Award at any Annual General Meeting. The committee's selection must reflect the linguistic duality of New Brunswick by choosing at most one Anglophone and at most one Francophone to be inducted each year.
4. The choice of the candidate will be based on the following criteria: the candidate must be or have been a member of the Progressive Party of New Brunswick who has made a considerable contribution to the Party. In addition to the foregoing criteria, the selection committee shall give priority, when selecting a candidate, to any supporter of the Party who was not appointed to the Senate of Canada, who was not elected as a Member of Parliament or as a Member of the Legislative Assembly and who has given freely of his or her time in his or her support of the Party. His or her involvement in economic and cultural development, volunteer work and any other domain considered important by the selection committee will be considered.

#### **ARTICLE 5.1 – HONOURARY LIFE MEMBERS**

1. The Provincial Council may confer upon any supporter of the Party an Honorary Life Membership recognizing an outstanding contribution to the growth and development of the Party.
2. Honorary Life Members of the Party are to be inducted as such at the first Annual Meeting following their appointment.

3. No more than one (1) individual or couple from each registered district association may be inducted as Honorary Life Members at any Annual Meeting.
4. Honorary Life Members shall be entitled to complimentary registration at provincial meetings of the members.

## **ARTICLE 6 – PROVINCIAL COUNCIL**

1. The Provincial Council shall have full authority to act for the Party between provincial meetings of the members, subject to general direction from, accountability to, and review by, the members at provincial meetings.
2. The Provincial Council of the Party shall be comprised of the following members:
  - a) The President;
  - b) The Immediate Past President;
  - c) The Provincial Vice-President;
  - d) The Secretary;
  - e) The Official Representative;
  - f) The Chief Agent;
  - g) The Leader;
  - h) The Regional Vice-Presidents;
  - i) The President of each Registered District Association;
  - j) The President of the Women's Association;
  - k) The President of the NBYPC;
  - l) Chairperson or Co-Chairpersons of the Campaign Readiness Committee, who shall be a non-voting member(s);
  - m) The member of the National Council of the Federal Party representing New Brunswick;
  - n) The Co-Chairpersons of the P.C. New Brunswick Fund;
  - o) Five Members of Caucus to be appointed by the Caucus; and
  - p) The Executive Director, who shall be a non-voting member.
3. The Provincial Council shall meet at least once every four (4) months in each calendar year at the call of the President.
  - 3.1 In the event of the neglect or refusal of the President to call a meeting of the Provincial Council at least once every four months at the written request of ten or more members of Provincial Council, such a meeting may be called by the said ten members by giving the required notice of the meeting to all members of the Provincial Council.
  - 3.2 Quorum for the conduct of business at a meeting of the Provincial Council shall be not less than thirty-three percent of those voting members eligible to attend said meeting.
  - 3.3 Notice of a meeting of the Provincial Council shall be provided in writing to members of the Provincial Council at least fourteen (14) days prior to the date of said meeting.
    - a) The Provincial Council may conduct its meetings by conference call, provided that members of the Provincial Council are notified at least seventy-two (72) hours prior to the time of the conference call.

- 3.4 The Provincial Council may remove from office the President, the Provincial Vice-President, a Regional Vice- President, or the Secretary if that individual has missed two consecutive meetings of the Provincial Council without just cause or reason.
- 3.5 The Provincial Council may require a Registered District Association to hold a general meeting for the purpose of electing a new President if that Association has not been represented at two consecutive meetings of the Provincial Council without just cause or reason.
- 4. The Provincial Council, in addition to all other rights, powers, and obligations provided for in this Constitution, has the following rights, powers and obligations that cannot be delegated:
  - 4.1 Annually, to consider and ratify the Party's budget;
  - 4.2 On the recommendation of the Provincial Executive, to determine or revise the provincial membership fee;
  - 4.3 To appoint committees to carry out specified functions and delegate to these committees such powers as it deems necessary for the successful execution of their respective mandates;
  - 4.4 To appoint additional members, such as chairs of committees, to the Provincial Council, who shall be non- voting; and
  - 4.5 To enact and amend by-laws consistent with this Constitution, which facilitate the activities of the Party. Written notice must be given to the membership of any by-law so enacted or amended.
- 5. The President, the Provincial Vice-President, and the Secretary shall be elected in accordance with sections 5.1 to 5.4 of this Article.
  - 5.1 Notwithstanding section 1.18 of Article 1, the President and the Provincial Vice-President shall each be elected by the members present and voting at an Annual Meeting of the Party for a term of office that shall end at the second Annual Meeting held after the Annual Meeting at which the President or the Provincial Vice-President, as the case may be, was elected.
  - 5.2 The election of the President and the Provincial Vice-President shall be held during alternating Annual Meetings, except where either position is vacant for any reason immediately prior to an Annual Meeting, in which case both shall be elected at the Annual Meeting and, notwithstanding section 5.1 of this Article and section 1.18 of Article 1, the term of office of the Provincial Vice-President elected at that Annual Meeting shall end at the next Annual Meeting.
  - 5.3 The Secretary shall be elected by the members present and voting at each Annual Meeting.
  - 5.4 Each Regional Vice-President shall be elected by the members who reside in that region and who are present and voting at the Annual Meeting of the Party.

## **ARTICLE 7 – DUTIES OF MEMBERS OF THE PROVINCIAL COUNCIL**

### **1. The President**

The President shall preside over all meetings of the Party and the Provincial Council, enforce the observance of the Constitution, decide all questions of order, announce the results of all votes conducted at meetings of the Party, cast the deciding vote in the event of a tie and shall be an ex-officio member of all committees appointed by the Provincial Council.

It shall be the duty of the President to call all meetings of the Provincial Council, and all Annual Meetings, Special Meetings and Provincial Leadership Conventions at the direction of the Provincial Council.



At an Annual Meeting where the President is seeking re-election, the meeting shall elect a Chairperson to preside while the election is in progress and such Chairperson shall cast the deciding vote in the event of a tie.

2. The Provincial Vice-President

The Vice-President shall act in the place and stead of the President whenever the President is absent, unable or incapable of acting, or on such other occasions as the President may request.

3. The Regional Vice-President

There shall be Regional Vice-Presidents, each of whom is responsible for a specified group of electoral districts as outlined in Schedule "A". Each Regional Vice-President shall facilitate communications between the Registered District Associations in his or her region, and between the region and the Party. Each Regional Vice-President shall also work to ensure that each Registered District Association in his or her region is active and organized.

Schedule "A"

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|--|--|
| 1. <u>North Northwest</u><br>Restigouche West<br>Campbellton-Dalhousie<br>Victoria-La Vallée<br>Edmundston-Madawaska Centre<br>Madawaska Les Lacs-Edmundston                       | 6. <u>Capital Region</u><br>Gagetown-Petitcodiac<br>Oromocto-Lincoln-Fredericton<br>Fredericton-Grand Lake<br>New Maryland-Sunbury<br>Fredericton South<br>Fredericton North |
| 2. <u>Peninsule-Chaleur</u><br>Restigouche-Chaleur<br>Bathurst West-Beresford<br>Bathurst East-Nepisiguit-Saint-Isidore<br>Caraquet<br>Shippagan-Lamèque-Miscou<br>Tracadie-Sheila | 7. <u>Saint John-Kings</u><br>Sussex-Fundy-St. Martins<br>Hampton<br>Quispamsis<br>Rothesay<br>Kings Centre  |
| 3. <u>Miramichi</u><br>Miramichi Bay-Neguac<br>Miramichi<br>Southwest Miramichi-Bay du Vin<br>Kent North<br>Kent South   | 8. <u>Saint John-Charlotte</u><br>Saint John East<br>Portland-Simonds<br>Saint John Harbour<br>Saint John Lancaster<br>Fundy-The Isles – Saint John West<br>Saint Croix      |
| 4. <u>Westmorland</u><br>Shediac Bay-Dieppe<br>Shediac-Beaubassin-Cap-Pelé<br>Memramcook-Tantramar<br>Dieppe<br>Moncton East   | 9. <u>Capital-Upper River Valley</u><br>Fredericton-York<br>Fredericton West-Hanwell<br>Carleton-York<br>Carleton<br>Carleton-Victoria                                       |
| 5. <u>Westmorland-Albert</u><br>Moncton Centre<br>Moncton South<br>Moncton Northwest   |  |

4. The Secretary

The Secretary shall keep a full and correct record of all meetings of the Party and the Provincial Council,

communicate as may be necessary with any organization or individual, send out notices of meetings as required and perform such other duties as the Party or the Provincial Council may require from time to time.

5. The Official Representative

Subject to the *Political Process Financing Act*, the Official Representative shall receive all monies belonging to the Party, keep a record of it and pay all debts incurred.

At the request of the President, the Official Representative shall prepare a financial report for presentation to the Provincial Council.

The Official Representative shall carry out all the duties of an official representative prescribed by the *Elections Act* and the *Political Process Financing Act*.

The Leader of the Party may appoint one or more persons to a finance committee to be known as “The P.C. New Brunswick Fund” to advise and assist the Official Representative in carrying out the duties described above.

6. The Chief Agent

The Chief Agent shall carry out all the duties of a chief agent prescribed by the *Elections Act* and the *Political Process Financing Act*.

7. The President of Each Registered District Association

The President of each Registered District Association shall be responsible for maintaining active communications between the Provincial Council and his or her association.

**ARTICLE 8 – PROVINCIAL EXECUTIVE**

1. The Provincial Executive shall have full authority to act for the Party between meetings of the Provincial Council, subject to general direction from, accountability to and review by the Provincial Council at meetings of the Provincial Council.
2. The Provincial Executive shall be comprised of the following members:
  - a) The President, who shall chair the Executive;
  - b) The Leader;
  - c) The Immediate Past President;
  - d) The Provincial Vice-President;
  - e) The Secretary;
  - f) The Regional Vice-Presidents;
  - g) The Official Representative;
  - h) The Chief Agent;
  - i) The Chair of the P.C. New Brunswick Fund;
  - j) The President of the New Brunswick Progressive Conservative NBYP; and
  - k) The President of the New Brunswick Progressive Conservative Women’s Association; and
  - l) The Executive Director, who shall be a non-voting member.
3. The Provincial Executive shall meet at least quarterly in each calendar year at the call of the President or the Leader.

- 3.1 In the event of the neglect or refusal of the President or the Leader to call a meeting of the Provincial Executive at least once in each quarter of the calendar year at the written request of five or more members of the Provincial Executive, such a meeting may be called by the said five members by giving the required notice of the meeting to all members of the Provincial Executive.
- 3.2 Notice of a meeting of the Provincial Executive shall be provided to members of the Provincial Executive at least twenty-four hours prior to the time of said meeting, except in emergency situations provided that a majority of the members of the Provincial Executive agree to waive their right to notice.
- 3.3 The Provincial Executive may conduct its meetings by conference call provided that members of the Provincial Executive are notified at least twenty-four (24) hours prior to the time of said conference call.
- 3.4 Quorum for the conduct of business at a meeting of the Provincial Executive shall be not less than fifty (50) percent of those voting members eligible to attend said meeting.
4. The Provincial Executive, in addition to all other rights, powers and obligations provided for in this Constitution, had the following rights, powers and obligations which cannot be delegated:
  - 4.1 To oversee the Provincial Membership Program and make recommendations to the Provincial Council on setting or revising the provincial membership fee.
  - 4.2 To prepare and submit to the Provincial Council for its approval the annual budget of the Party; and
  - 4.3 To make decisions with respect to the hiring, remuneration and benefits of the staff of the Party.

#### **ARTICLE 9 – EXECUTIVE DIRECTOR**

1. The Party shall have an Executive Director to manage the day-to-day operations of the Party and to carry out such other tasks as the Provincial Council or the Leader of the Party may direct.
2. The Executive Director shall be appointed by the Provincial Council after consultation with the Leader.

#### **ARTICLE 10 – OFFICES**

1. The Party shall maintain as its principal office a provincial headquarters located in the City of Fredericton.
2. The Provincial Council may locate a branch office of the Party in any location in the province.

#### **ARTICLE 11 – RECOGNITION OF REGISTERED DISTRICT ASSOCIATIONS AND OTHER ORGANIZATIONS**

1. There shall be maintained by the Party Headquarters a permanent list containing the names and addresses of the elected officers of each Registered District Association and other organizations recognized by the Party, which shall be submitted annually by such Registered District Associations and other organizations which:
  - 1.1 Support the Aims and Principles of the Party;
  - 1.2 Admit all bona fide members of the Party to their membership without regard to race, age, religion, language or gender;
  - 1.3 Hold at least two (2) meetings of their Executive in each calendar year;

- 1.4 Hold at least one (1) general meeting of members in each calendar year for the election of officers and transaction of business and give adequate notice of such meetings;
- 1.5 Adopt a constitution. When the constitution has been approved by the Registered District Association this constitution and/or amendment(s) is forwarded to the Provincial Executive for final approval. Once final approval is given, the constitution and amendment(s), if any, are filed with the Secretary of the Party. A copy of the constitution shall be made available to any member upon request.
2. In the event that the provisions of a constitution referred to in section one (1) conflict with this Constitution, the provisions of this Constitution shall prevail.
3. A Registered District Association or other organization not recognized and wishing to be recognized shall apply in writing to the President of the Party for recognition by the Provincial Council.
4. The Provincial Council may revoke recognition of any Registered District Association or other organization, which fails to comply with sections one (1) and/or two (2) of this Article.
5. Any ten (10) members of the Party resident in any provincial electoral district may protest in writing to the President of the Party that the requirements of section one (1) of this Article are not being met by the Executive of the Registered District Association in their provincial electoral district.
  - 5.1 If a protest is received, the President shall immediately notify the Executive of the Registered District Association and all parties concerned. If it appears to the President, after conferring with the Progressive Conservative Member, if any, of the Legislative Assembly for the provincial electoral district, that there is substance to the complaint, the President shall attempt to persuade the Executive of the Registered District Association to comply with this Constitution. If such compliance is not obtained, then the President shall refer the matter to the Provincial Council which may revoke recognition of the Registered District Association. Such action shall only be taken after every other reasonable attempt to secure compliance with the Constitution has failed.
6. Any decision of the Provincial Council to revoke the recognition of any Registered District Association or other organization shall be final and not subject to appeal.
7. Any member may be elected or appointed as a director or a member of the Executive of a Registered District Association notwithstanding that the member resides in a provincial electoral district other than the provincial electoral district for which the Registered District Association is registered.
8. In a Registered District Association, the maximum number of directors may not exceed the number of polls within a provincial electoral district.
9. The Executive Director shall forward copies of all by-laws and any amendments thereto to the Registered District Associations upon request.

## **ARTICLE 12 – ANNUAL MEETINGS**

1. In each calendar year, the Provincial Council shall by resolution set the time and place for the holding of the Annual Meeting of the Party for that year.
  - 1.1 Notwithstanding section 1, the Provincial Council may by resolution decide not to hold an Annual Meeting in any year in which a Provincial or Federal Election or a Provincial Leadership Convention is held and may cancel any Annual Meeting previously scheduled for that year, providing always that in no event shall twenty-four consecutive months pass without the holding of an Annual Meeting.
  - 1.2 Notice of the Annual Meeting shall be given to all Registered District Associations, the Women's Association

and the NBYPC at least thirty (30) days prior to the date of the Annual Meeting and shall be publicly advertised by the Provincial Council.

### **ARTICLE 13 – SPECIAL MEETINGS**

1. Provincial Council may at any time call a Special Meeting of the Party for any purpose it deems necessary.
  - 1.1 Notice of a Special Meeting shall be given to all Registered District Associations, the Women’s Association and the NBYPC at least thirty (30) days prior to the date of the Special Meeting and shall be publicly advertised by the Provincial Council.

### **ARTICLE 14 – INTERIM LEADERS, PROVINCIAL LEADERSHIP CONVENTIONS AND LEADERS REVIEWS**

1. Upon the resignation or death of the Leader, a Provincial Leadership Convention to elect a new Leader shall be held at such time and place, as the Provincial Council shall decide. The nominating convention shall determine the rules and procedures for the conduct of the leadership selection process, the rules shall provide that a member casts 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. A dispute resolution procedure which shall be established and it must be final and binding. Voting by way of faxed ballot shall not be permitted.
2. Upon the resignation or death of the Leader, the Provincial Council shall meet within thirty (30) days for the purpose of electing an Interim Leader.
  - 2.1 A simple majority of fifty (50) percent plus one of the votes cast at a meeting of the Provincial Council held under this section shall be required to elect an Interim Leader. In the event that no one candidate receives fifty (50) percent plus one of the votes cast, the candidate who received the fewest votes shall be dropped and another ballot shall be held. This process shall continue until an Interim Leader is elected.
3. A leadership review shall be held within two (2) years of the date of a provincial general election if the Party fails to form a government in said election.
4. A leadership review shall be conducted at an Annual Meeting or Special Meeting of the Party and shall be by secret ballot.
  - 4.1 The question to be put to the Annual Meeting or Special Meeting of the Party on a leadership review shall be as follows;

“Do you support (insert name of Leader) as Leader of the Party?”
  - 4.2 In the event that a simple majority of fifty (50) percent plus one of the votes cast are in the negative, the Provincial Council shall immediately arrange a Provincial Leadership Convention to be held no later than six months from the date of such vote.
5. A leadership review may be held at any time, including when the Party forms the Government of the Province, by following the procedures set out below.
  - 5.1 In the event that fifty (50) or more members of the Party, at least twenty (20) of whom are Presidents of Registered District Associations and no more than five (5) of whom reside in the same provincial electoral district, make a request in writing to the President at least twenty-one (21) days in advance of a meeting of the Provincial Council requesting that the Provincial Council be asked “Do you want an Annual Meeting or Special Meeting of the Party to be held within the next three (3) months for the purpose of holding a leadership review?”, that question shall be placed on the agenda of the next meeting of the Provincial Council; and

- 5.2 In the event that a vote in favour of holding a leadership review is passed by a two thirds majority of the members of the Provincial Council voting at said meeting:
- 5.3 The Provincial Council shall call an Annual Meeting or Special Meeting of the Party within three (3) months for the purpose of holding a leadership review; and
- 5.4 Such a leadership review shall be held in accordance with the procedures set out in section 4 above.
6. The numerical results of any vote held under this Article shall be announced immediately by the chairperson of the meeting at which said vote is held.

#### **ARTICLE 15 – ORDER OF BUSINESS AT ANNUAL MEETINGS**

The order of business at an Annual Meeting shall be as follows, but may be varied with the consent of the meeting:

1. Call to Order and National Anthem
2. Reading of Minutes of the previous Annual Meeting
3. The President’s Address
4. Receipt of Communications
5. Presentation of Reports
6. Provincial Council Elections
7. Speeches
8. The Leader’s Address
9. General Business and Resolutions
10. Adjournment.

#### **ARTICLE 16 – PROCEDURE AT ANNUAL MEETINGS, SPECIAL MEETING AND PROVINCIAL LEADERSHIP CONVENTIONS**

1. The Provincial Council shall have the responsibility and authority for organizing Annual Meetings, Special Meetings and Provincial Leadership Conventions and for prescribing the manner in which such meetings shall be held and conducted. This may include prescribing rules, consistent with this Constitution, governing:
  - 1.1 The implementation of the principle of “one member, one vote” by ensuring that all members of the Party are free to exercise their right to vote;
  - 1.2 The certification of a member’s right to vote;
  - 1.3 The procedure for nominating candidates;
  - 1.4 The method of conducting elections; and
  - 1.5 The standing rules governing credentials for Annual Meetings, Special Meetings and Provincial Leadership Conventions.
2. The Provincial Council may appoint a meeting Chairperson or Co-Chairpersons and may appoint a meeting committee, to administer rules pertaining to the manner in which a meeting is conducted. A nominating committee shall also be appointed for each annual meeting.
3. The Provincial Council shall appoint a Credentials Committee for each meeting or convention other than a nominating convention held in accordance with Article 17. The Credentials Committee shall be comprised of at

least nine (9) members, two of whom shall be appointed by the President of the NBYPC, two of whom shall be appointed by the President of the Women's Association and the remainder of whom shall be appointed by the President of the Party.

- 3.1 The Credentials Committee shall be responsible for administering rules with respect to the validity of a member's right to vote, which rules shall be those rules established by the Provincial Council in accordance with section 1(1.5) of Article 16 to govern credentials.
- 3.2 Any decision of the Credentials Committee on a question of the validity of a member's right to vote shall be final and may not be appealed.
4. At an Annual Meeting where the President is seeking re-election, the meeting shall elect a Chairperson to preside while the election is in progress and such Chairperson shall cast the deciding vote in the event of a tie.

#### **ARTICLE 17 – NOMINATION OF CANDIDATES**

1. The nomination of a candidate to represent the Party in any provincial electoral district shall be conducted in accordance with the provisions of this Article.
2. The Executive of the Registered District Association shall set the date, time and location of the Nominating convention in consultation with the Executive Director.
  - 2.1 Notice of the nominating convention shall be posted on PCNB website and emailed to all active members of Registered District Association of the PCNB Party at least twenty-one (21) days in advance of the convention. The request for the nomination must be sent to the Executive Director at least thirty (30) days before the nominating convention.
  - 2.2 The Executive of the Registered District Association shall make every effort to provide each member of their Association with direct notice of the nominating convention by mail, telephone or other means.
3. The Executive of the Registered District Association shall appoint a chairperson for the nominating convention in consultation with the Executive Director not less than five (5) days before the date of the Convention.
4. All members of the Party who reside in the provincial electoral district, or who are residing in the provincial electoral district while enrolled in full time studies at an educational institution, and who have paid the provincial membership fee, if applicable, for the year in which the nominating convention is being held, are eligible to vote.
  - 4.1 The deadline for adding new members for the purpose of voting at a nominating convention shall be 4:30 p.m. on the seventh (7<sup>th</sup>) calendar day prior to the nominating convention.
5. In order to stand for nomination, the potential candidate must meet the following requirements:
  - 5.1 Be a member of the Party;
  - 5.2 Meet the qualifications for a candidate under the *Elections Act*;
  - 5.3 Be nominated and seconded by members of the Party; and
  - 5.4 Any person who wishes to have his or her name stand for nomination shall advise in writing the President of the Registered District Association as well as the Executive Director of the PC Party of New Brunswick, no fewer than fourteen (14) days before the nomination meeting, of his or her intent to seek such nomination, witnessed by at least fifteen (15) members of the Party.
  - 5.5 Any person who wishes to have his or her name stand for nomination shall submit such application forms, declarations, background checks, bonds, and other requirements, and shall submit himself or herself to

such interviews, as may be established by the Provincial Council from time to time.

6. The procedures for conducting the nominating convention shall be as follows:
  - 6.1 The Chairperson of the nominating convention shall determine the speaking times for the movers, the seconders and the nominees, provided that the time allocated to each nominee for the presentation as to his or her candidacy shall be a period no less than ten (10) minutes and no more than fifteen (15) minutes in duration, which time shall include the speech of the mover, the seconder and the nominee and any floor demonstrations or other activities related to the presentation of the nominee's nomination.
  - 6.2 The Chairperson of the nominating convention shall, from the nominees who declared their intention pursuant to section 5.4, determine the order of the speeches of the movers, seconders and nominees. The order in which each nominee speaks shall be decided through a draw to be held by the Chairperson at a time and place which he or she shall determine.
  - 6.3 Should only one person be nominated, be nominated and seconded by members of the Party living in that registered district association. The Chairperson shall declare that nominee to be elected.
  - 6.4 Should only two persons be nominated, then the nominee receiving the majority of votes shall be declared elected.
  - 6.5 Should three or more persons be nominated, the first nominee to gain a clear majority of the votes cast shall be declared elected. A nominee shall gain a clear majority where the number of votes cast on his or her behalf exceeds the total number of votes cast on behalf of all the other nominees combined on the same ballot.
  - 6.6 In the event that no nominee gains a clear majority of votes cast on the first ballot, the Chairperson shall declare defeated, after such ballot and after each subsequent ballot to be held:
    - a) the nominee who received the least number of votes cast on the said ballot;
    - b) any other nominee who received less than fifteen percent (15%) of the total number of votes cast; and
    - c) any other nominee who wishes to have his or her name removed from the ballot;and shall cause as many ballots as are necessary to elect one of the nominees by a clear majority.
  - 6.7 The Chairperson shall select a person to serve as the Returning Officer in consultation with the Executive Director and the Executive of the Registered District Association whose duty it shall be to ensure the distribution of ballots, the collection of the votes cast, under the supervision of scrutineers appointed by each nominee to count the votes cast for each of the nominees, and to deliver to the Chairperson a report of each ballot showing the number of votes cast for each nominee. The Returning Officer and the scrutineers of each nominee shall sign the report.
  - 6.8 In determining the number of votes needed to gain a clear majority, spoiled or rejected ballots as determined by the Returning Officer shall not be considered in the calculation.
  - 6.9 Where a ballot is conducted and a tie results amongst the candidates who received the most number of votes cast on said ballot, and the number of such candidates amongst whom the tie exists is equal to the number of candidates whose names appeared on said ballot, the tie shall be broken by re-balloting.
7. The Chairperson shall select persons to comprise a Credentials Committee in consultation with the Executive Director and the Executive of the Registered District Association, which Credentials Committee shall whenever possible be composed of members of the Association.
  - 7.1 Any question concerning the eligibility of any person to vote at a nominating convention shall be decided by the Credentials Committee, whose decision shall be final.



- 7.2 The rules governing credentials and the eligibility of any person to vote at a nominating convention shall be those rules established by the Provincial Council in accordance with section 1(1.5) of Article 16 to govern credentials.
8. The Order of Business at a nominating convention shall follow the following form, but may be varied with the consent of the meeting:
- a) Call to Order;
  - b) Reading of the Notice of the Nominating Convention;
  - c) Instructions as to Nomination Procedures;
  - d) Address of each Mover, Seconder and Nominee;
  - e) Instructions to members on Voting;
  - f) Report of the Credentials Committee;
  - g) Balloting;
  - h) Guest Speaker (if any);
  - i) Report of the Returning Officer and Subsequent Ballots as required;
  - j) Declaration of Election of Candidate;
  - k) Acceptance of Nomination by Candidate; and
  - l) Adjournment.
9. In the event that the President of the Registered District Association announces his or her intention to seek the nomination for the provincial electoral district, he or she must immediately resign his or her position as President and may not be re-appointed or re-elected to that position until such time as the nominating convention has been held.

## **ARTICLE 18 – POLICY DEVELOPMENT**

1. The Provincial Council shall establish and oversee a Policy Advisory Committee.
  - 1.1 The Provincial Council shall appoint a Chairperson or Co-Chairpersons of the Policy Advisory Committee on the recommendation of the Leader.
  - 1.2 The Provincial Council shall appoint members of the Policy Advisory Committee on the recommendation of the Leader.
  - 1.3 The Executive Director shall provide the Policy Advisory Committee with adequate staff support.
2. The Provincial Council, through the Policy Advisory Committee, is responsible for the implementation and maintenance of the policy development process within the Party and in particular, is responsible for:
  - 2.1 Promoting and encouraging all members, Registered District Associations, women's associations, youth associations and other organizations to participate in the policy process;
  - 2.2 Organizing and conducting policy conferences or forums at the riding, regional and/or provincial level;
  - 2.3 Facilitating and promoting the communication of policy proposals or resolutions from registered district associations, women's associations, youth associations and other organizations to the provincial level; and

- 2.4 Implementing a regular reporting system to members, registered district associations, women's association, youth associations and other organizations on the policy development process.
3. The Policy Advisory Committee shall:
  - 3.1 Facilitate and support policy discussion within the Party and serve as a resource to the Party, the Leader and the Legislative Caucus;
  - 3.2 Provide effective and timely communication within the Party on policy issues;
  - 3.3 Seek policy expertise from a variety of sources;
  - 3.4 Provide and promote opportunities for members to become involved in the policy development process;
  - 3.5 Define policy issues for detailed study; and
  - 3.6 Prepare and distribute policy discussion papers.
4. The Policy Advisory Committee shall submit a report to the members on its activities at each Annual Meeting.

#### **ARTICLE 19 – CAMPAIGN READINESS COMMITTEE**

1. The Provincial Council shall establish and oversee a Campaign Readiness Committee.
  - 1.1 The Provincial Council shall appoint a Chairperson or Co-Chairpersons of the Campaign Readiness Committee on the recommendation of the Leader.
  - 1.2 The Provincial Council shall appoint members of the Campaign Readiness Committee on the recommendation of the Leader.
2. It shall be the responsibility of the Campaign Readiness Committee to:
  - 2.1 Maintain a state of election readiness within the Party at all times;
  - 2.2 Encourage and assist the Registered District Association to maintain a state of election readiness within their provincial electoral districts at all times;
  - 2.3 Encourage and assist the Registered District Associations with candidate search activities;
  - 2.4 Develop and provide campaign skills training to campaign managers, campaign workers and candidates; and
  - 2.5 Undertake such other responsibilities as may be assigned to the Committee by the Leader and/or the Provincial Council.
3. The Campaign Readiness Committee shall submit a report to the members on its activities at each Annual Meeting.

#### **ARTICLE 20 – RULES OF PROCEDURE**

1. The rules of procedure contained in “Robert’s Rules of Order” and “Procédures des Assemblées délibérantes” by Victor Morin shall govern business of the Party in all cases to which they are applicable and when they are not inconsistent with the Constitution.
  - 1.1 In the event of a conflict between the provisions of “Robert’s Rules of Order” and “Procédures des Assemblées délibérantes”, “Robert’s Rules of Order” shall prevail.

## **ARTICLE 21 – AMENDMENTS**

1. Subject to Article 21.1, amendments to this constitution can only be made at Annual Meetings or Special Meetings.
  - 1.1 Notice of proposed amendments must be received by the Secretary at least thirty (30) days in advance of the Annual Meeting or Special Meeting at which it is proposed to present the amendment.
  - 1.2 Any member, Registered District Association, the Women’s Association or the NBYPC may propose an amendment to this constitution.
  - 1.3 The Secretary shall send a copy of all proposed amendments to each member of the Provincial Council at least twenty (20) days in advance of the Annual Meeting or Special Meeting at which it is proposed to present the amendment.

## **ARTICLE 21.1 – CONSTITUTIONAL REVISION COMMITTEE**

1. There is established a Constitutional Revision Committee consisting of:
  - a) the President;
  - b) the Secretary;
  - c) the Executive Director; and
  - d) two other members of the Party appointed by the Provincial Council.
2. The President shall be the chairperson of the Constitutional Revision Committee.
3. The Constitutional Revision Committee may from time to time prepare a revision of the Constitution.
4. In preparing a revision of the Constitution, the Constitutional Revision Committee may do any or all of the following:
  - a) omit a provision of the Constitution that:
    - i) is obsolete, is spent, or has no effect;
    - ii) is transitional in nature; or
    - iii) has effect for a limited period of time;
  - b) change the numbering and the arrangement of provisions of the Constitution;
  - c) make changes in language and punctuation to achieve a uniform mode of expression;
  - d) correct clerical, grammatical or typographical errors;
  - e) revise language to achieve gender-neutral terminology;
  - f) revise language for purposes of clarity;
  - g) make improvements in the language of the Constitution to make the form of expression of the Constitution in one of the official languages more compatible with its expression in the other official language; and
  - h) add, change, or omit a heading in the Constitution.
  - i) Make changes to comply with any changes in the New Brunswick Election Act and the Political Process Financing Act.
5. The Constitutional Revision Committee may take an action that is described in section 4 of this Article only where the taking of the action:

- a) does not have the effect of changing the substance or intent of a provision of the Constitution; and
  - b) has been endorsed by a unanimous vote of the Constitutional Revision Committee.
6. Quorum for the conduct of business at a meeting of the Constitutional Revision Committee shall be not less than five of those voting members eligible to attend said meeting.
  7. Where the Constitutional Revision Committee prepares a revision of the Constitution, the revision or any part of it shall come into effect on a day or days to be fixed by resolution of the Constitutional Revision Committee.

#### **ARTICLE 22 – DISCIPLINE OF SITTING MEMBERS**

1. Any elected member of the New Brunswick Legislature who was a member of the Progressive Conservative Party of New Brunswick at the time of his or her election and who quits the Party to sit as a member of another political party, shall within 90 days return all monies paid out during the last election campaign on their behalf by the Party or the official agent for that candidate.
2. The Progressive Conservative Party of New Brunswick will by whatever legal means at its disposal make every effort to see that these monies are returned to the local riding association as soon as possible.
3. All duly nominated candidates will sign an affidavit stating that they accept and understand this Article before becoming the official candidate.

#### **ARTICLE 23 – INTERPRETATION**

1. The English and French language versions of the Constitution are equally authoritative.
2. Should any question arise as to the interpretation of this Constitution, it shall be decided in the first instance by the President.
  - 2.1 Any decision by the President on a question of interpretation may be appealed to the Provincial Council, whose decision on the appeal shall be final.
  - 2.2 The President shall not attend that portion of any meeting of the Provincial Council where any appeal of a decision under this provision is being considered.
3. The Secretary shall make and preserve minutes of any decision made by the President or the Provincial Council on the interpretation of this Constitution.
4. Any time limit set in this Constitution may be modified or waived by the President of the Party if an election or by-election has been called, or if such call is reasonably perceived to be imminent.