

The Guelph Green Party Constitution

BY-LAW NO. 1

Being the general by-law of

The Guelph Green Party

(hereinafter referred to as the “Riding”)

APPROVAL OF BY-LAW

This by-law was approved by the executive, having passed a vote with three-quarters (75%) majority, on February 14th, 2012, in Guelph, Ontario and signed by the current executive herein.

George Jackson, President

Mary Cross

Steve Dyck

David Estill

Mark Filo

John Lawson

Gillian Maurice

Joel Pennington

Ben Polley

Robert Routledge

Beth Timlin

This By-Law was approved by a three-fifths (60%) vote at a General Meeting on MONTH, DAY, YEAR, in Guelph, Ontario.

NAME, Chief Returning Officer

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ARTICLE ONE: INTERPRETATION AND GUIDING PRINCIPLES

1.1 Definitions

- a)** “Provincial Party” refers to the Green Party of Ontario.
- b)** “Federal Party” refers to the Green Party of Canada.
- c)** “The Parties” refers to both the Provincial Party and the Federal Party.
- d)** “By-laws” means any By-law of the Corporation from time to time in force and effect
- e)** “Special Resolution” means a resolution passed by the directors and confirmed with or without variation by at least two-thirds (2/3) of the votes cast at a general meeting of the members of the Riding duly called for that purpose or at an annual meeting, or, in lieu of such confirmation, by the consent in writing of all of the members entitled to vote at such a meeting.
- f)** “Meetings” refers collectively to Annual General Meetings (AGMs), General Meetings, and Special General Meetings. This does not refer to Executive Meetings.

1.2 Interpretation

This by-law shall be construed and interpreted in accordance with the following:

- a)** All terms contained herein which are defined by the Parties shall have the meanings given to such terms as defined by the Parties.
- b)** Headings used in the By-laws are inserted for reference purposes only and are not to be considered or taken into account in construing the terms or provisions thereof or to be deemed in any way to clarify, modify, or explain the effect of any such terms or provisions.
- c)** In such cases whereby the Parties have rules or regulations which override any part of the by-laws, the Parties rules or regulations shall be followed.
- d)** The Riding will act in accordance to all legislation and laws, municipally, provincially, and federally.

1.3 Objectives

The purpose of the Riding is

- a) To elect a candidate to the Legislative Assembly of Ontario,
- b) To elect a candidate to Parliament of Canada,
- c) To support and promote the principles, objectives and policies of the Parties,
- d) To raise money to support the fundamental purposes of the Parties and the riding.

1.4 Alterations to this By-Law and additional By-laws

Alterations to this By-law shall require the following:

- a) A vote passed by the executive to edit and examine the By-law. Such a revision shall take no longer than three (3) months.
- b) A revised copy, clearly marked and dated as the current copy, to be approved by three-quarters (75%) of the executive.
- c) The revised or additional By-laws shall take effect after it has been approved by three-fifths (60%) of the general membership.
- d) Any member of the Riding may request a vote to edit the By-Law by a submission in writing to the President. The above steps shall then be adhered to.

ARTICLE TWO: MEMBERSHIP AND DIRECTORS

2.1 Membership

All members in good standing of either the Federal Party, Provincial Party, or both, residing within the boundaries of the Electoral District of Guelph are members of the Riding. Membership in a specific party shall be required when voting on issues that are specifically provincial or federal.

2.2 Number and Titles of Directors

The directors of the riding shall be

- a) President (1)
- b) Vice-President (1)
- c) Chief Financial Officer, Federal (1)
- d) Chief Financial Officer, Provincial (1)
- e) Secretary (1)
- f) Director-at-Large (3)

ARTICLE THREE: MEETINGS

3.1 Participation

Participation in any meeting of the Riding is subject to a minimum membership period of fourteen (14) days unless otherwise specified by the Parties.

3.2 Motions

Motions shall be passed by a simple majority (50% +1) of the votes cast by those present at the meeting.

3.3 Amendments to by-laws

Amendments to these by-laws must be passed with three-fifths (60%) of the votes cast by those present at the meeting.

3.4 Annual General Meeting

The Riding shall hold an Annual General Meeting (AGM) once per calendar year or no later than fifteen (15) months following the previous AGM. The AGM shall be conducted according to guidelines established by the Parties. The business of the AGM shall include the election of the Executive of the riding, as defined in Article Five of this document.

3.5 General Meetings

In addition to the AGM, the Executive can call General Meetings, having the same force as annual general meetings, as needed.

3.6 Special General Meetings

A Special General Meeting can be called by signed request to the Executive by the lesser of five (5) percent of the membership or twenty-five (25) members. Once called, notice will follow the same rules for a General Meeting as outlined in Article 3, subsection 7 of this document.

3.7 Notice of Meetings

The Executive shall provide notice of Meetings to all members of the Riding no later than 25 days prior to meeting. Notice of proposed amendments to the by-laws must be included in such a notice.

3.8 Quorum

Quorum at Meetings shall be the lesser of five percent (5%) of the membership or twenty-five (25) members. Quorum rules shall be followed as dictated by the Parties when Party issues are being voted upon.

3.9 Proxy Voting

Proxy voting is not permitted at General Meetings.

ARTICLE FOUR: EXECUTIVE

4.1 Executive function

The executive shall be comprised of directors as outlined in Article 2, and shall meet a minimum of four (4) times per year.

4.2 Executive meetings

The President shall call executive meetings. Meetings may be called by two (2) other directors through a written request to the President. Quorum shall be a majority of the voting members of the executive. Any member of the Riding shall be permitted to attend any meeting of the executive, however, portions of the meeting may be closed to the general membership at the sole discretion of the President at any time.

4.3 Vacancies on the executive

Should a director resign or be removed from the executive, the remaining members of the executive shall have the power to appoint an interim director to fill the vacancy. Current members of the executive shall be considered for the position at their request. Such a motion must pass with a two-thirds (2/3) majority of the voting executive present at the meeting.

4.4 Removal of current directors

A director who misses three consecutive meetings, or a director who is not acting in the best interests of the Riding may be removed by a special vote of the executive. Such a motion must be made in writing to all members of the executive at least forty-eight (48) hours prior to a meeting. Such a motion must pass with a two-thirds (2/3) majority of the voting executive present at the meeting.

4.5 Voting Procedures for Executive Meetings

Motions shall be passed by a simple majority (50% +1) of the present voting members of the executive. In the case where a Director knows she/he will be absent, she/he may appoint a Riding member to vote on her/his behalf. The proxy shall be designated in writing, shall not be a sitting member of the executive and shall have the full rights of a director for that meeting. Electronic voting shall be permitted for matters that arise in between executive meetings.

ARTICLE FIVE: ELECTION OF THE EXECUTIVE

5.1 Eligibility

Any member of the Riding, in good standing, may run for the executive. To run for the position of CFO Provincial, Riding members must be a member in good standing with the Provincial Party. For the position of CFO Federal, Riding members must be a member in good standing with the Federal Party. To run for the positions of President and Vice President, Riding members must be a member in good standing with both Parties.

5.2 Dates of application and election

The election of Directors for the Riding shall take place at the AGM. Nominations for the vacant offices shall be advertised to the membership of the Riding for at least sixty (60) days prior to the AGM. Nominations shall be accepted until fifteen (15) days prior to the AGM.

5.3 Eligibility to vote

To vote for the position of CFO Provincial, Riding members must be a member in good standing with the Provincial Party. To vote for the position of CFO Federal, Riding members must be a member in good standing with the Federal Party. For all other Executive positions, members of the Riding must be registered and in good standing fifteen (15) days prior to the AGM to be eligible to vote.

5.4 Nomination of candidates

Riding members who are eligible to run for the executive shall complete a nomination form and submit it to the secretary. A Riding member who submits a complete application shall be eligible to run for the executive. The secretary shall circulate the information from application forms to the members of the Riding fourteen (14) days prior to the AGM, as well as make copies available at the AGM.

5.5 Chief Returning Officer

When an AGM is called, the executive shall appoint a Chief Returning Officer (CRO) who shall oversee the elections. The CRO shall be a member of the Riding in good standing, shall not be seeking election, and shall not be eligible to vote in the election she/he is overseeing. The CRO shall be familiar with the rules and regulations as outlined here and in the relevant documents of the Parties. The CRO shall prepare all ballots.

5.6 Voting procedures

Voting shall be done by preferential ballot. Riding members shall rank candidates in order of preference, with one option being "None of the Above". For acclaimed positions, candidates must receive fifty one percent (50% +1) of a vote of confidence.

5.7 Voting tabulation

The CRO shall tabulate all votes, and may recruit the help of persons she/he sees fit. The percentage tally of the vote shall be kept secret. The CRO will instruct anybody handling ballots not to discuss results. Ballots shall be kept for a period of 14 days after the election at which point they will be destroyed. Any person who enters the voting tabulation room shall sign a non-disclosure agreement agreeing not to disclose any tally of election results.

5.8 In the event of a tie

In the event where a result is within 5%, an immediate recount shall occur. In the case where two candidates receive exactly 50% of the vote, a name shall be drawn from a hat by the CRO to determine the winner.

5.9 Terms of office

All positions on the executive are two year terms. Half of the positions shall be elected each year. In even numbered years the Secretary, two (2) Directors-at-Large and CFO Federal will be elected. In odd numbered years, the President, Vice President one (1) Director-at-Large

and CFO Provincial will be elected. In the case where an executive member has resigned with more than one (1) year remaining in her/his term, that position shall be elected for a one (1) year term.

ARTICLE SIX: NOMINATIONS OF CANDIDATES FOR THE PARTIES

6.1 Nomination Meeting

The riding shall hold a nomination meeting to select a candidate for either of the Parties when a Provincial or Federal election is called. Such a meeting will take place during a general meeting or AGM.

6.2 Nomination Committee

The executive shall appoint a Candidate Nomination Committee, comprised of member(s) of the Riding. This Committee shall be responsible for encouraging potential candidates to run for the nomination. Members of the Committee shall not be allowed to seek nomination, or support any potential nomination campaigns.

6.3 Members of the Executive seeking Candidacy

Any member of the executive seeking candidacy shall take a leave of absence from the executive from the time they file nomination papers until they are no longer a candidate. If their position is a legal requirement, an interim director shall be appointed as per article 4.3.

6.4 Election Rules

The election shall follow the rules as outlined in Article Five, and will follow the same procedure as electing the executive. In a contested nomination, candidates may appoint one (1) scrutineer, who will sign a non-disclosure agreement, agreeing not to disclose any tally or election results.

6.5 Voting Eligibility

To be eligible to vote in the nomination contest for the Provincial Candidate, one must have been a member in good standing of the Provincial Party for fifteen (15) days before the nomination contest. To be eligible to vote in the nomination contest for the Federal Candidate, one must have been a member in good standing of the Federal Party for fifteen (15) days before the nomination contest.

6.6 Ballots

Ballots shall be kept for fourteen (14) days after the election, at which point they shall be destroyed.

ARTICLE SEVEN: AUDITS

7.1 Appointment of Auditor

The executive shall appoint an auditor as per the requirements of Elections Ontario and Elections Canada.

7.2 Frequency of Audits

The executive shall perform audits as outlined by Elections Ontario and Elections Canada.

ARTICLE EIGHT: ROLES WITHIN THE EXECUTIVE

8.1 President

- a) The President is to provide guidance and direction to the Riding. The focus of the President shall be to improve the objectives of the Riding as outlined in Article 1.3 of this By-law. The President shall call and chair all executive meetings. The President will oversee all activities of the executive and of the Riding. The President shall act as the spokesperson for the Riding in the absence of a candidate.
- b) The President shall be the sole non-voting member of the executive. The President shall have the ability to cast a vote when a tie arises. The President still retains the ability to vote during all General Meetings of the Riding, but shall not have a vote on executive matters unless a tie arises.
- c) The President shall be a member of both Parties.
- d) The President shall have knowledge of, adhere to and enforce all By-Laws of the Riding, as well as all rules, regulations and policies of the Parties.

8.2 Vice President

- a) The Vice President is to provide support and guidance to the Riding. The Vice President shall call and chair Executive Meetings in the absence of the President.
- b) In the case that the President is no longer able to perform her/his duties, the Vice President shall take that role on an interim basis until an election at the AGM.
- c) The Vice President shall be a member of both Parties.
- d) The Vice President shall have knowledge of, adhere to and enforce all By-Laws of the Riding, as well as all rules, regulations and policies of the Parties.

8.3 Chief Financial Officer, Federal

The Chief Financial Officer (CFO), Federal shall be the CFO for the Federal EDA. The CFO, Federal shall be responsible for ensuring all activities of the riding comply with the rules and regulations of the Green Party of Canada. The CFO, Federal, shall be responsible for all federal audits. The CFO, Federal, shall comply with all filings and requirements as outlined by Elections Canada. The CFO Federal, shall be a member of the Federal Party.

8.4 Chief Financial Officer, Provincial

The Chief Financial Officer (CFO), Provincial shall be the CFO for the Provincial CA. The CFO, Provincial, shall be responsible for ensuring all activities of the riding comply with the rules and regulations of the Green Party of Ontario. The CFO, Provincial, shall be responsible for all provincial audits. The CFO, Provincial, shall comply with all filings and requirements as outlined by Elections Ontario. The CFO, Provincial, shall be a member of the Provincial Party.

8.5 Secretary

a) The Secretary shall be responsible for taking minutes during all executive meetings. The secretary shall ensure the minutes are circulated in a timely manner, and be available for all members of the Riding.

b) The secretary shall also be responsible for maintaining up-to-date records of membership in the Parties and the Riding.

8.6 Directors-at-Large

Each member of the executive shall help move forward the objectives of the party, as outlined in Article 1.3 of this by-law. The Directors-at-Large may, at the direction of the executive, create ad-hoc or subcommittees to help achieve these objectives.