

Constitution of the
**Kitchener Centre New Democratic Party
Federal Riding Association**

As adopted by the Ontario NDP Provincial Council on May 1, 2005
and approved at the Founding Meeting on June 29, 2006

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Article 1: Preamble/Name

- 1.1. The name of the Association shall be the Kitchener Centre New Democratic Party Federal Riding Association, hereinafter referred to as “the Association”.
- 1.2. The Association is established pursuant to the Constitutions of the New Democratic Party of Canada and the Ontario New Democratic Party and accepts the principles of democratic socialism.
- 1.3. The term, "riding" as used hereafter, includes "constituency" or "electoral district".

Article 2: Purpose

- 2.1. The purpose of the Association shall be:
- 2.2. To nominate the candidate of the New Democratic Party in each federal election and to conduct a campaign to elect the candidate;
- 2.3. To support and promote the principles and policies of the New Democratic Party of Canada through political education and organization; and
- 2.4. To afford to its members a forum for participation in the development of party policy on federal issues and party governance.

Article 3: Membership

- 3.1. The membership of the Association shall consist of:
 - 3.1.1. All New Democratic Party members in good standing who reside in the riding, except those who have been accepted as members in another riding Association; and
 - 3.1.2. New Democratic Party members in good standing who reside in other federal ridings in Ontario and who request membership in the Association and are accepted by the Executive of the Association or by the membership at a general membership meeting.

Article 4: Meetings

- 4.1. There shall be an Annual General Meeting of the Association, the business of which shall include:
 - 4.1.1. Annual reports of the President, the Membership Officer, and the Financial Agent; and
 - 4.1.2. Election of the Association's Executive and its delegates to the Council of Federal Ridings, where one is established pursuant to the Constitution of the New Democratic Party of Canada.
- 4.2. Other General Meetings of the Association shall be called:
 - 4.2.1. as determined by the Executive, or
 - 4.2.2. upon the written request of at least fifty (50) members in good standing or one quarter of the Association's members, whichever is less.
 - 4.2.3. A General Meeting under the provisions of Article 4.2.2 shall be held no later than forty-five (45) days after receipt of the original request. The request shall specify the business to be placed before the meeting and this information shall be included in the notice of the meeting sent to the membership of the Association. The first order of business shall be this business.
- 4.3. A General Meeting shall be called for the purpose of electing the Association's delegates and alternates to a federal convention of the New Democratic Party.
- 4.4. In accordance with the federal Constitution and the direction of Federal Council, a nomination meeting shall be held for the purpose of nominating the New Democratic Party candidate for Member of Parliament. Those eligible to cast ballots for the nomination shall be limited to New Democratic Party members in good standing who reside in the riding.
- 4.5. Notice for all General Meetings shall be mailed not less than fourteen (14) days in advance of the meeting. Notice period requirements for nomination meetings shall be governed by the Constitution of the Ontario New Democratic Party and the Nomination Guidelines as adopted by Provincial Council.
- 4.6. Quorum at a General Meeting shall be a number equal to 75% of the individuals elected to the existing Executive.

Article 5: Executive

- 5.1. The Executive shall consist of the following:
 - 5.1.1. President;
 - 5.1.2. Vice-President, who shall serve as Interim President in the event of a vacancy in the presidency;

- 5.1.3. Secretary;
 - 5.1.4. Financial Agent;
 - 5.1.5. Membership Officer;
 - 5.1.6. Youth Officer;
 - 5.1.7. Women's Representative;
 - 5.1.8. The Member of Parliament for the riding, provided (s)he is a member in good standing of the Federal Caucus of the New Democratic Party; and
 - 5.1.9. Those delegates to the Council of Federal Ridings who have not been elected to any of the above positions.
 - 5.1.10. At its first meeting after its election, the incoming executive shall appoint a member of the Executive as a liaison to each of the Provincial Constituency Associations within or partially within its boundaries.
- 5.2. The positions referred to in Articles 5.1.1 through 5.1.9 (above) constitute the core members of the Executive. Other Executive positions may be created through by-laws adopted by the Association, according to the procedures set forth in Article 9 (below). In the absence of such by-laws, the Association may create and fill other positions on the Executive at an Annual General Meeting or at a General Meeting called for this purpose. Members of the Executive must be members in good standing of the Association.
 - 5.3. Those elected to positions on the Executive shall serve from the adjournment of the Annual General Meeting at which they were elected until the adjournment of the following Annual General Meeting. If the position of President is vacated, the Vice-President shall serve as interim president until the next Executive meeting. If the position of Financial Agent is vacated, the President is empowered to appoint immediately a Financial Agent subject to ratification by the Executive at its next meeting and the Association at its next meeting. The Executive may appoint people to fill unfilled or vacant Executive positions subject to ratification by the Association at its next meeting.
 - 5.4. Members of the Executive who cannot attend a meeting of the Executive shall give notice to the President or the Secretary in advance if possible. A member of the Executive who fails to attend three consecutive meetings without such notice shall be deemed to have resigned and shall be notified accordingly in writing.
 - 5.5. The Executive may appoint such committees, as may be necessary or desirable to carry out the functions of the Association. Each committee so appointed shall report regularly to the Executive and shall include at least one member of the Executive.
 - 5.6. The Executive shall meet at least three (3) times during its term of office.

- 5.7. A quorum at Executive meetings shall be forty percent (40%) of the members of the Executive.
- 5.8. Each member of the executive is entitled to one vote at executive meetings regardless of the number of positions held on the Executive.
- 5.9. Meetings of the Executive shall be open to members of the Association. Non-Executive members may participate in discussions but shall not have the right to vote.

Article 6: Affirmative Action

- 6.1. At least one half of the elected members of the Executive, convention delegates and delegates to the Council of Federal Ridings shall be women. The Executive shall ensure that members of Affirmative Action Target Groups, as designated by Federal Council, are encouraged to seek executive positions.

Article 7: Funds

- 7.1. The Association shall comply with all laws regarding the funds of political riding Associations. The funds of the Association shall be kept in a clearly separate account in the name of the federal riding Association in chartered financial institutions.
- 7.2. The signing officer of the Association shall be the Financial Agent. No cheque or other instrument shall be issued without the signature of the Financial Agent
- 7.3. When soliciting or receiving donations, the Association shall ensure that the donor specify that the donation is a federal donation.

Article 8: Amendment

- 8.1. This Constitution may be amended at any General Meeting of the Association by a two-thirds majority of those present and voting, provided that the text of the proposed amendment has been circulated to the membership at least fourteen (14) days in advance of the meeting.
- 8.2. Amendments shall be submitted to Provincial Council for approval in accordance with section 5.05(2) of the Constitution of the Ontario New Democratic Party.

Article 9: By-laws

- 9.1. By-laws consistent with this Constitution may be adopted or amended by majority vote at any General Meeting of the Association, provided the text of the proposed by-law or amendment has been circulated to the membership at least fourteen (14) days in advance of the meeting.

Article 10: Rules of Order

- 10.1. The Association may adopt rules for the conduct of its business. Unless otherwise governed by this Constitution, duly adopted by-laws, or the Constitutions of the New Democratic Party of Canada and the Ontario New Democratic Party, the business of the Association shall be conducted according to Robert's Rules of Order.
- 10.2. In an election, either for an office on the Executive which is held by more than one person, or for more than one delegate to another body, a valid ballot for such office or delegate position shall show as many names as there are positions to be filled, unless fewer candidates are nominated than the number of positions to be filled.

Article 11: Interpretation and Appeals

- 11.1. In any conflict that might arise between this Constitution and its by-laws and the Constitution of the New Democratic Party of Canada or the Constitution of the Ontario New Democratic Party the senior level Constitution shall supersede and prevail.
- 11.2. On a day-to-day basis, this Constitution and its by-laws shall be interpreted by the President of the Association, or by the Vice-President in the absence of the President. Decisions of the President or Vice-President may be appealed to the Executive of the Association. Decisions of the Executive may be appealed to the Association's membership at a General Meeting, whether or not the meeting was called for the specific purpose of hearing such an appeal.
- 11.3. At a meeting of the Association or its Executive, this Constitution and its by-laws shall be interpreted by the President of the Association or by the chairperson in the absence of the President. Any decision of the President or the chairperson may be overturned on appeal by a majority of those present and voting.
- 11.4. Any interpretation or appeal under sections 11.2 or 11.3 may at any stage be the subject of a complaint to the Secretary of the Ontario Section of the New Democratic Party, to be dealt with in a manner similar to Constitutional matters under Article 16 of the Constitution of the Ontario New Democratic Party. Interpretations and appeals under this section shall give some weight to the benefits of resolving Association decisions at the local level. Actions taken under the authority of this section shall take precedence over actions taken under the authority of sections 11.2 or 11.3

Appendix A: ONDP Constitution Committee Terms of Reference

1.

- (a) The Constitution Committee was created by the ONDP Provincial Council for the following purposes:
 - i) To monitor the Party's constitution in order to:
 - (1) maintain the Constitution as a viable and workable document, and
 - (2) recommend revisions to the Constitution that reflect current and changing circumstances within the party;
 - ii) To monitor the Party's practices and advise whether they are in accordance with its Constitution;
 - iii) To review and prioritize constitutional amendments submitted for consideration to a Provincial Convention and to advise the Convention accordingly;
 - iv) To assist constituency associations by drafting model constitutions and by-laws by which they can be governed and providing such other assistance as may be requested;
 - v) To review constitutions and by-laws adopted by constituency associations and other bodies established by the Party and make appropriate reports to the Provincial Council concerning such constitutions and by-laws;
 - vi) To advise the Provincial Secretary or the Provincial Executive when requested about interpretation of the Constitution of the Party concerning such constitutions and by-laws;
 - vii) To perform such tasks as may be assigned to it by the Provincial Executive, the Provincial Council or a Provincial Convention.
- (b) The Committee shall report to and be accountable to the Provincial Council.

2.

- (a) The membership of the Constitution Committee shall be as follows:
 - i) The Provincial Secretary (*ex officio*);
 - ii) One co-chair of the Constitution Committee appointed by the Provincial Executive at its first meeting following a Provincial Convention subject to ratification by the Provincial Council,. The individual appointed to be co-chair may be but is not required to be a member of the executive;
 - iii) One member of the Provincial Executive selected by the executive, in addition to the Provincial Secretary, to be a member of the Constitution Committee. The individual selected

may be but is not required to be the co-chair appointed pursuant to sub sub paragraph (b) above;

- iv) Such further and other members as are approved from time to time by the Provincial Council to such maximum if any as is set by the Council from time to time.
 - (b) The Constitution Committee shall, subject to the approval of the Provincial Council, select one of its members of the opposite sex as the other co-chair of the Constitution Committee.
 - (c) Council and the Committee shall strive to a membership that reflects the diversity within the Party and the Community.
 - (d) The term of office for each Chair and each member of the Committee shall be from the date of appointment until the first meeting of the Provincial Executive after the next following Provincial Convention.
 - (e) A member of the Constitution Committee who misses three consecutive meetings of the Committee shall be presumed to have resigned but may apply again to become a member of the committee.
- 3.
- (a) Constitution Committee meetings are generally open and, except as set out immediately following, any Party member in good standing may attend and participate in meetings of the Constitution Committee but may not vote. In extraordinary circumstances the Committee by a 2/3 majority of its members in attendance determine that a particular item on its agenda shall be dealt with *in camera*.
 - (b) The Committee may invite any member of an organization with a special interest in a particular agenda item to attend the meeting to assist the committee in its proceedings.
 - (c) A quorum of the Constitution Committee shall be 1/3 of the active members of the committee.
 - (d) Formal decisions of the committee shall be made by motions, duly moved, seconded and carried, and so recorded in the minutes after the opportunity for full discussion and exchange of views at a duly constituted meeting of the committee. Following such motion any member may reserve the right to publicly speak, vote or act against the decision outside the committee and such reservation shall be noted in the minutes. Members of the committee who are absent may declare such a reservation by advising the chair. In the absence of a declaration of such reservation the good faith assumption will be that members are in agreement with the decision and will either support the decision publicly or at least not speak/vote or act against the decision outside the committee. A member or members disagreeing with a majority decision of the committee shall be at liberty to submit a minority report. Committee minutes and reports will record decisions made by the committee as a whole, with appropriate acknowledgement of different views.

