

**CONSTITUTION
OF THE
NEW DEMOCRATIC PARTY
OF
NEWFOUNDLAND
AND
LABRADOR
1988**



ARTICLE 1 NAME

The name of the Association shall be: "The New Democratic Party of Newfoundland and Labrador".

ARTICLE 2 OBJECTIVES

The objectives of the Association shall be:

- (a) to promote through political action, economic and social planning the establishment of a society in which the principle regulating production of goods and services will be the supplying of social and individual needs and not simply the making of profits;
- (b) to pursue these objectives at the federal and provincial level of government;
- (c) to consider affiliations of other organizations with similar aims or objectives; and
- (d) to co-operate with other organizations to better the conditions of the people.

ARTICLE 3 INTERPRETATION

Section 1:

In this constitution,

- (a) "Association" means the Newfoundland and Labrador New Democratic Party;
- (b) "Member of the House of Assembly" means a member of the Association who has been duly nominated and elected and who supports the policies and programs of the Association;
- (c) "Member of Parliament" means a member of the Association who has been duly nominated and elected and who supports the policies and programs of the Association; and
- (d) "Provincial Office" means the central office of the Association.

Section 2:

In this Constitution words in the singular shall be deemed to include the plural and words in the plural shall be deemed to include the singular unless the contrary intention appears.

ARTICLE 4 MEMBERSHIP

Section 1:

Individual membership in the Association is open to every person who:

- (a) is a resident of the Province of Newfoundland and Labrador,
- (b) is at least fourteen (14) years of age or other such minimum age as is established by the New Democratic Party of Canada,

- (c) undertakes to accept and abide by the Constitution and Principles of the Party, and,
- (d) is not, or ceases to be, a member or supporter of any other political party.

Section 2:

Individual Membership

- (a) An application for membership shall be subject to the approval by the District and Provincial Executive.
- (b) All applications, unless rejected by the District Executive, shall be sent to the Provincial Office along with the membership fee, upon which the Provincial Office may issue a membership card.
- (c) Applications for renewal of membership shall be accepted by the Provincial Office unless the District or the Provincial Executive request in writing the withholding of a given membership.
- (d) The membership year is normally from the first day of January to the thirty-first day of December each year. However, any membership application which is received and accepted after the thirtieth day of September shall cover membership for the following calendar year as well as for the remainder of the current year.

Section 3:

Affiliated Membership

- (a) Affiliated membership shall be open to trade unions, farm groups, co-operatives, women's organizations and any other groups and organizations, which by an official act, undertake to accept and abide by the Constitution and Principles of the Party, and are not associated or identified with any other political party.
- (b) An application for affiliated membership may be received from: (i) an international, national, provincial, or regional organization in respect of its membership in Canada or in the province or region concerned; (ii) a provincial or regional section of an international or national organization in respect of its membership in that province or region; (iii) a local, lodge or branch of any of the above mentioned organizations in respect of the membership of that local, lodge or branch; and (iv) a local group or organization in respect of its membership.
- (c) An application for affiliation by an organization with membership in more than one province shall be made to the Council of the Federal Party, which shall have the exclusive authority to deal with such application.
- (d) An application for affiliation by a group or organization with membership in one province shall be made to the appropriate Provincial Party, which shall have authority to deal with such application subject to ratification by the Council of the Federal Party.

- e) members of an affiliated organization must apply for individual membership in order to become full members.

Section 4:

Every individual member shall automatically be a member of the District and Riding Association in the provincial district and riding in which he / she resides. However, if a person wishes to transfer to a District or Riding Association other than the one in which he / she resides, application must then be made in writing to the Executive of the Provincial District or Federal Riding Association to which he / she wishes to transfer. All transfers are subject to District or Riding and Provincial Executive approval. If approved, the executive of the Provincial District or Federal Riding Association, to which transfer is made, shall inform the transferee's former District or Riding Association of such transfer.

Section 5:

Affiliated organizations shall be entitled to participate in the activities of the District or Riding Association on a basis to be negotiated jointly by the Association and the affiliated organization and approved by the Provincial Council.

Section 6:

No person shall be eligible to act as an officer of the Association or as a member of the Provincial Council or District Executive or as a delegate to any Convention unless he / she is an individual member of the Association whose membership is in good standing.

ARTICLE 5 FEES

Section 1:

The annual membership fee shall be set by the Provincial Council of the Association, but shall not be less than the requirements of the Federal Constitution of the New Democratic Party.

Section 2:

The per capita fee payable by affiliated organizations shall be as set by the Federal Constitution of the New Democratic Party.

Section 3:

Any member of an affiliated organization may, at any time, notify his / her organization in writing that he / she does not wish a per-capital payment to be made on his behalf, and the organization shall forthwith cease to make such payment.

Section 4:

A member of an affiliated organization may become, at any time, an individual member, upon payment by him / her of the difference between the annual per capita fee paid on his / her behalf and the prescribed individual membership fee pursuant to section 1 hereof.

Section 5:

Where new individual memberships or renewals are obtained by the efforts of the District or Riding Association, the membership fee shall be divided between the District or Riding Association and the Provincial Office according to a formula laid down by the Provincial Council for the amount remaining after payment has been made to the Federal Party in accordance with the Federal Constitution of the New Democratic Party.

Section 6:

The Provincial share of the per-capita fee for affiliated organizations shall be retained by the Provincial Office.

ARTICLE 6 PROVINCIAL DISTRICT AND FEDERAL RIDING ASSOCIATIONS

Section 1:

The Provincial Council may initiate the establishment of Federal Riding and Provincial District Associations.

Section 2:

Each such association shall function within the terms of the Constitution and may adopt such by-laws not inconsistent with this Constitution as the successful operation of the organization may require, provided, however, that such by-laws shall be subject to approval of the Provincial Executive.

Section 3:

Each member of the House of Assembly shall be a member of the Executive and all other committees of his / her District Association and each member of Parliament shall be a member of the Executive and all other committees of his / her Federal Riding Association.

Section 4:

Each Federal Riding and Provincial District Association shall consist of an Executive of not less than four persons, including the Officers of the Association.

- (a) In the case of the Federal Riding the Executive shall consist of one officer from each Provincial District wholly or partly within the boundaries of the Federal Riding and at least one member from each Provincial District wholly

or partly within the Federal Riding elected by the Federal Annual General Meeting.

- (b) In the case of the Provincial District Association, the Executive shall be elected at the District Association Annual General Meeting, or from the members of a District Committee elected by the District Association Annual General Meeting to be held annually.

Section 5:

The Federal Riding and Provincial District Executive shall be responsible for the general administration of the affairs of the District or Riding Association at all times.

Section 6:

The Federal Riding or Provincial District Association Executive shall decide, in consultation with the Provincial Executive, on the calling of a Nomination Meeting.

Section 7:

The books of each Riding and District Association shall be audited prior to each Annual General Meeting and after each election and a copy of each audited financial statement shall be sent to the Provincial Office.

Section 8:

The purpose of a Federal Riding Association shall be to co-ordinate the Provincial Associations within the Federal District into one effective Federal unit to conduct Federal Election campaigns.

Section 9:

The purpose of a Provincial District Association shall be to be responsible for the general administration of the affairs of the District Association at all times between Annual General Meeting, and at the time of the Annual General Meeting, or at subsequent meetings divide the District into zones and call a meeting of members in each zone to elect their zone chairperson, where feasible, and also, if it is considered advisable, appoint workers of any desired number to assist with the organization work of the District, and to conduct an effective election campaign.

ARTICLE 7 REGIONAL / AREA COUNCILS

Section 1:

The Executives of any two or more Federal or Provincial Associations which are adjacent to one another may establish a regional organization to co-ordinate the efforts of the districts involved to conduct publicity, educational and election campaigns; delegate authority to the regional organization; and name the representatives of which the regional organization shall consist.

- (a) The regional organization shall elect an Executive of at least four.

- (b) The regional organization may enact a constitution and pass by-laws which shall not be inconsistent with this Constitution, the Constitution of the New Democratic Party or the By-laws of any of the participating associations and shall be subject to the approval of the Provincial Executive provided that an appeal may be made to the Provincial Council.

ARTICLE 8 ANNUAL GENERAL MEETINGS

Section 1:

Each Federal Riding Association shall hold an Annual General Meeting prior to each New Democratic Party Federal Convention, or authorize Provincial District Associations within the Riding to elect delegates to the Federal Conventions, based proportionately on their membership within the Federal Riding.

Section 2:

Each Provincial District Association shall hold an Annual General Meeting, ensuring that such a gathering is held prior to the Biennial Provincial Convention.

Section 3:

When an Annual General Meeting is to be held under the provisions of Sections 1 and 2 hereof, the Executive of the Association shall give at least two weeks notice to all members and affiliated organizations entitled to attend.

Section 4:

At the Annual General Meeting, only those individual members of the Party in good standing and who are residing in the District or Riding at the time, or who have become members in accordance with ARTICLE 4, Section 4 shall have the right to vote.

Section 5:

The business of the Federal Riding and Provincial District Association Annual General Meeting shall be:

- (a) to receive and pass upon the Report of the Executive;
- (b) to receive and pass upon the financial statement;
- (c) to review and prepare amendments to the Program and Constitution of the Federal Party and the Provincial Association, such proposals and amendments to be passed on to the Biennial Federal or Provincial Convention for disposal;
- (d) to pass by-laws and elect an Executive;
- (e) to elect delegates to the Federal or Provincial Convention;
- (f) to lay plans for the political and economic education of the electors and for the organization of the District or Riding;
- (g) to elect a Provincial Council member; and

- (h) to elect a person to act as a liaison with the Newfoundland Organization of Women.

ARTICLE 9 BIENNIAL PROVINCIAL CONVENTION

Section 1:

- (a) There shall be a Biennial Provincial Convention of the Association to be held at the call of the Provincial Executive.
- (b) At least 60 days notice of the date and place of a regular Convention shall be given to each Provincial District Association and to every group or organization eligible for representation.
- (c) In the case of a special Convention, the executive shall ensure that adequate notice of the date and place of the Convention is given.

Section 2:

The Biennial Provincial Convention shall be the governing body of the Association and shall have the sole power to alter or amend the Constitution and Program.

Section 3:

The following shall be seated as delegates:

- (a) the members of the Provincial Council;
- (b) the members of the Provincial Executive;
- (c) the Members of Parliament;
- (d) the Members of the House of Assembly;
- (e) those candidates nominated for provincial districts or federal ridings;
- (f) ten delegates, elected by each Provincial District Association; and when membership in a district reaches 500 members for each seat in the House of Assembly, an additional delegate for each 50 members or major fraction thereof above 500 members. For the purpose of representation, membership in good standing shall be calculated as at the end of the previous membership year, or as at 60 days prior to the convention, whichever is the greater;
- (g) one delegate from each District Labour Council and two delegates from the Newfoundland and Labrador Federation of Labour;
- (h) ten delegates from the Newfoundland Organization of Women;
- (i) one delegate from each affiliated organization for the first 100 members for whom fees are paid, and one for each additional 100 members or major fraction thereof up to a maximum of 5 (five) delegates; and
- (j) 10 (ten) delegates from the Newfoundland and Labrador Young New Democrats.

Section 4:

Resolutions, except those submitted by the Provincial Executive, on program and

organization and constitutional amendments for submission to a regular convention must be received by the provincial secretary not less than 30 days prior to the convention date and may be submitted by:

- (a) a Provincial District or affiliated group or organization entitled to representation,
- (b) the Provincial Council,
- (c) the Provincial Executive,
- (d) the Newfoundland Organization of Women,
- (e) Regional / Area Councils, and
- (f) the Newfoundland and Labrador Young New Democrats.

Section 5:

The Resolutions Committee of the Convention may, with consent of the Convention, present emergency resolutions to the Convention.

Section 6:

Resolutions shall be passed by majority vote.

Section 7:

The Convention shall be called to order by the President, and the Convention shall then appoint a Convention Chair and Vice-Chair, a Credentials committee, a Resolutions committee and such other committees as the Convention may decide to elect or appoint.

Section 8:

The business of the Biennial Convention shall be:

- (a) to receive and pass upon the financial statement of the Association;
- (b) to receive and pass upon the biennial report of the Provincial Executive;
- (c) to elect a Leader of the Association;
- (d) to elect a President and three Vice-Presidents, none of whom shall be a Member of Parliament or Member of the House of Assembly;
- (e) to elect a Treasurer of the provincial party;
- (f) in the absence of an appointed Provincial Secretary to elect a Secretary of the provincial party;
- (g) to elect three members of the Federal Council of the New Democratic Party;
- (h) to elect five (5) members at large;
- (i) to discuss and pass upon resolutions pertaining to organization and the Program of the Association; and
- (j) to discuss and pass upon amendments to the Constitution of the Association.

ARTICLE 10 SPECIALLY CALLED MEETINGS

Section 1:

Should either a Provincial District or Federal Riding Association not have an Executive, or where for any reason a District or Riding Executive has failed to call an Annual General Meeting when required by this Constitution to do so, the Provincial Executive may call an Annual General Meeting.

Section 2:

Special Meetings may be called on other occasions by the District Executive after consultation with the Provincial Executive.

Section 3:

Special Provincial Conventions of the Association may be called by a three-fourths majority of the members present and voting at a Provincial Council meeting, or by petition presented to Provincial Executive of two-thirds of the individual members of the Provincial Association in good standing.

ARTICLE 11 NOMINATION OF CANDIDATES FOR FEDERAL AND PROVINCIAL ELECTIONS

Section 1:

- (a) Any individual member or any affiliated organization, entitled to representation at a Provincial District or Federal Riding Nominating Meeting, may place the name of a prospective candidate in nomination prior to the Nominating Meeting by forwarding the name in writing, together with the written consent of the proposed nominee, to the District Executive, or Riding Executive or Provincial Office.
- (b) The District or Riding Executive shall prepare a list of all names so submitted, prior to the mailing of the Meeting call, and send or arrange for the Provincial Office to send the list to all individual members and to all affiliated organizations entitled to representation at the District or Riding Annual General Meeting, when the convention call is sent out, provided, however, that nothing in this section shall be construed as interfering with the Nomination Meeting's right to nominate a candidate whose name has not been previously submitted.
- (c) All other guidelines for candidate search and nomination of candidates shall be set down by the Provincial Executive and sent to the District and Riding Associations.

Section 2:

No person shall be eligible to accept nomination as a candidate unless he or she

is an individual member of the Party as defined by Article 4, section 2.

Section 3:

No candidate and no District or Riding Association shall have the authority to change either the Federal or Provincial Program of the Association.

Section 4:

On request of the Executive in a district or riding with problems of communication or transportation, the Provincial Executive may arrange for and conduct a ballot by mail or other acceptable method for the purpose of nominating a candidate.

Section 5:

In Districts and Ridings where there are no organizations as provided for in ARTICLE 6 the Provincial Executive shall have the responsibility for the nomination of candidates.

ARTICLE 12 OFFICERS

Section 1:

The officers of the Association shall consist of the Leader, President, three (3) Vice-Presidents, and Treasurer elected by Convention and a Secretary who shall be the appointed Provincial Secretary as provided for in ARTICLE 13, Section 2(e), or in the absence of a Provincial Secretary, a Secretary elected by Convention. At least three (3) of the Officers shall be women and at least three (3) shall be men.

Section 2:

Officer Roles

- (a) The Leader is the Chief Political Spokesperson of the Party and shall make Statements on behalf of the Party, shall enunciate the Policies laid down by it Conventions, and shall, if a member of the House of Assembly, lead the Party Caucus in the House. He / She shall actively encourage the development and building of the Party in all possible ways.
- (b) The President shall chair meetings of the Biennial Convention, Provincial Executive and Provincial Council, and supervise the internal activities of the Association in general. The President shall call the meetings of the Provincial Executive and other meetings as provided for in this Constitution.
- (c) The Vice Presidents shall assist the President and chair meetings of the Association in the absence of the President.
- (d) The Treasurer shall be responsible for the handling of all monies and assets of the Association and for the preparation of budgets and financial statements in consultation with the Finance Committee.
- (e) The Secretary shall co-ordinate all meetings of Provincial Council and Pro-

vincial Executive and maintain such records and correspondence as relates to the affairs of the Association.

- (f) The Provincial Secretary shall be the Chief Executive and Administrative officer of the Association and shall carry out such duties and responsibilities as defined by the Provincial Executive.

Section 3:

A Member of Parliament or a Member of the House of Assembly may not be President or a Vice-President, or be elected as Provincial Council member except that a President or Vice-President or Council member elected as a Member of Parliament or Member of the House of Assembly during his / her term of office, may complete the term.

ARTICLE 13 PROVINCIAL EXECUTIVE

Section 1:

The Provincial Executive shall be composed of:

- (a) The Officers of the Association;
- (b) five (5) members at large elected by Convention and five (5) elected from Provincial Council, of whom at least 4 shall be men and at least 4 shall be women;
- (c) one of the three members of the Council as provided for in ARTICLE 14, Section 1(d) hereof, who shall be designated as a member of the Executive by the Members of the House of Assembly;
- (d) one representative of the Newfoundland Organization of Women;
- (e) the three Federal Council representatives provided for in ARTICLE 9, Section 8(g);
- (f) one representative of the Newfoundland Young New Democrats.

Section 2:

Meetings

- (a) The Executive of the Association shall meet at least bi-monthly.
- (b) Special meetings of the Executive may be held on the call of the President.
- (c) The President shall call a special meeting upon request in writing of three members of the Executive.
- (d) The Executive shall conduct the affairs of the Association in accordance with the policies of the Convention and of the Provincial Council.
- (e) The Executive shall have the authority to set up such Committees and appoint such staff as it deems appropriate in order to further the objectives of the Association as provided for in ARTICLE 2.

ARTICLE 14 PROVINCIAL COUNCIL

Section 1:

The Provincial Council shall be composed of:

- (a) members of the Provincial Executive;
- (b) the Provincial Council members elected by the Provincial District Annual General Meetings;
- (c) one member elected by the Newfoundland and Labrador members of Parliament from their number;
- (d) in addition to the Leader, three members of the House of Assembly from their number;
- (e) three representatives of the Newfoundland Organization of Women;
- (f) one member from each affiliated organization; and
- (g) three representatives of the Newfoundland Young New Democrats; and
- (h) one representative from the Newfoundland and Labrador Federation of Labour.

Section 2:

- (a) The Provincial Council shall meet at least twice-yearly to review the activities of the Executive and to give direction to the Executive in accordance with the policies and program of the Association as adopted by the Convention.
- (b) Special meetings of the Provincial Council may be called by the President on direction of the Executive.
- (c) The President shall call a special meeting of the Provincial Council on the request in writing of one-third of the Council members.
- (d) The Provincial Council shall discuss and pass upon resolutions referred from the Biennial Convention and on any other matter as may be duly adopted by Council.
- (e) The Provincial Council shall elect five (5) members at large to the Provincial Executive.

ARTICLE 15 QUORUM

A quorum for the conducting of business shall consist of one-third of the members of any Executive, Council, or Committee of the Association.

ARTICLE 16 VACANCIES

Section 1:

Should the Office of President become vacant between Conventions, the Council shall choose one of the Vice-Presidents to fill the vacancy for the completion of the term.

Section 2:

If the position of Political leader becomes vacant between Conventions, an Acting leader shall be selected at a joint meeting of the Members of the House of Assembly and the Provincial Council.

Section 3:

Should any other office become vacant between Conventions, such vacancy shall be filled from and by the Provincial Council.

Section 4:

Any Executive member who fails to attend at least 50% of Executive meetings over a period of six (6) months may be deemed to have created a vacancy by Provincial Council upon a motion from the Provincial Executive.

Section 5:

Unless the Provincial Council provides otherwise the term of office of any officer, member of the Provincial Executive or member of the Provincial Council shall be automatically terminated when such an officer or member ceases to be a resident of the Province of Newfoundland and Labrador provided that this section shall not apply to a member of the House of Commons.

ARTICLE 17 AUDIT

The Books of the Association shall be audited at the end of each financial year and the financial statement and the Auditor's report shall be laid before the next following Biennial Provincial Convention. The financial year of the Association shall end on December thirty-first of each year.

ARTICLE 18 NEWFOUNDLAND AND LABRADOR YOUNG NEW DEMOCRATS

Section 1:

The Association may charter a young people's provincial section to be known as the Newfoundland and Labrador Young New Democrats, which shall be fully autonomous as to its Constitution and Program, provided that the Constitution and Program are not in conflict with those of the Association and the New Democratic Party of Canada.

Section 2:

The Newfoundland and Labrador Young New Democrats shall consist of:

- (a) an Executive;
- (b) Constituency Youth Associations; and
- (c) Clubs at Educational Institutions.

Section 3:

A founding meeting of the Provincial Youth Wing shall be established at the first available meeting of the Provincial Council for the purpose of chartering the Newfoundland and Labrador Young New Democrats providing that there is a minimum of at least five (5) Youth Associations or Clubs.

Section 4:

A Youth Association is a group of five (5) or more individual members of the Party, who are twenty-five (25) years of age or less, which has been recognized prior to the chartering of the Newfoundland and Labrador Young New Democrats by the Provincial Executive and afterwards by the Executive of the Newfoundland and Labrador Young New Democrats.

Section 5:

A Club is a group of five (5) or more individual members of the Party who are full time, or part-time students of an educational institution within the province which has been recognized prior to the chartering of the Newfoundland and Labrador Young New Democrats by the Provincial Executive and afterwards by the Executive of the Newfoundland and Labrador Young New Democrats.

Section 6:

Youth Associations and Clubs shall each elect an Executive of at least four (4) at their Annual General Meeting.

ARTICLE 19 SECTION CONSTITUTIONS

Section 1:

The Constitutions of the Newfoundland Organization of Women and Provincial Youth Section shall be subject to the approval of the Provincial Executive.

ARTICLE 20 DISCIPLINE

Section 1:

No member, District or Riding Association, or affiliated organization shall publish or circulate information purporting to express the view of the Association without same having been approved by the Provincial Council or Committee appointed by the Provincial Council.

Section 2:

The Provincial Council shall be charged with the responsibility of deciding all disputes brought to their notice subject to appeal

Section 3:

- (a) (1) Any five members in good standing may by petition addressed to a District Executive or the Provincial Executive request that disciplinary action be taken against any member who has not abided by the Policies, Program and Constitution of the Party.
- (2) The petition shall state the reason for the request and shall be signed by the five members.
- (b) Upon receipt of a petition the Provincial Executive shall forward a copy of it to the Executive of the District in which the member is registered.
- (c) Upon receipt of a petition by a District Executive it shall arrange to hold a meeting of the Executive within 30 days and shall notify the petitioners and the accused member will be heard at that time and place.
- (d) After hearing the case the District Executive may recommend to the Provincial Executive that the accused member be admonished, suspended for a defined period or expelled or they may dismiss the case.
- (e) If the District Executive makes a recommendation to the Provincial Executive it shall be accompanied by a full written account of the hearing of the case and the petition.
- (f) The Provincial Executive may on the evidence submitted or after hearing the petitioners and the accused, admonish, suspend or expel the accused member or dismiss the case.
- (g) The Provincial Council at its next meeting shall be informed of the action taken by the Provincial Executive .
- (h) A member who has been disciplined may appeal to the Provincial Council and their decision shall be final.
- (i) All votes taken in Executives or Provincial Council under this Article shall be by secret ballot and action to discipline shall not be taken unless two-thirds of the members present and voting are in favour of the proposed action.

ARTICLE 21 FINANCIAL RESPONSIBILITY

The Association and its Officers shall not be responsible for any debt incurred by any District or Riding Association , Club, or other organization.

ARTICLE 22 AMENDMENTS

Amendments to this Constitution may be made at any Convention of the Association by a two-thirds majority of the delegates present and voting and shall supercede any previous Constitution.

THE NEW DEMOCRATIC
PARTY
OF NEWFOUNDLAND &
LABRADOR

PARTY on the move
ROWING every day
here to STAY.

FOR MORE INFORMATION
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