



The Constitution of the New Democratic Party of British Columbia

Incorporating amendments adopted at 2007 Convention

Our Constitution is available in electronic format by visiting the BC NDP website, located at www.bcndp.ca or by sending an e-mail message to the BC NDP Provincial Office at bcndp@bcndp.ca

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The Constitution of the New Democratic Party of British Columbia

PREAMBLE

The New Democratic Party believes that social, economic and political progress in Canada can only be assured by the application of democratic socialist principles to government and the administration of public affairs.

The principles of democratic socialism can be defined briefly as follows: a) the production and distribution of goods and services shall be directed to meeting the social and individual needs of people and not for profit, b) the modification and control of the operations of monopolistic productive and distributive organizations through economic and social planning, towards these ends, and c) where necessary, the extension of the principle of social ownership.

The New Democratic Party holds firm to the belief that the dignity, freedom and equality of the individual is a basic right that must be maintained and extended.

The New Democratic Party is proud to be associated with the democratic socialist parties of the world and to share in the struggle for peace, international co-operation and the abolition of poverty.

ARTICLE I — Name and Purpose

- 1.01 The name of the organization is the New Democratic Party of British Columbia; herein after called “The Party”.
- 1.02 The Party shall constitute a section of the New Democratic Party of Canada, herein after called “the Federal Party”.
- 1.03 Should conflict arise between the Constitutions of the Party and the Federal Party, the Federal Constitution shall prevail.
- 1.04 The Party shall be controlled and financed by its membership.
- 1.05 The Party name, logo and symbols are solely for the use of the Party and its duly constituted bodies, and may not be used by others except in circumstances approved by formal motions of the Provincial Executive of the Party.

ARTICLE II — Individual Membership

- 2.01.1 The Provincial Executive may admit to membership any person who is:
 - a) A Canadian citizen, Permanent Resident or a person who has been granted the status of Convention Refugee or Protected Person, with discretion granted to the Provincial Executive to grant membership approval in special circumstances;
 - b) Twelve (12) years of age or older for new members;
- 2.01.2 Payment of membership fees must be made directly by the individual applicant or by that applicant’s immediate family.
- 2.02 Upon notice to the BC Provincial Office, a member in good standing of the New Democratic Party of any other province or territory who becomes a resident of British Columbia is a member in good standing of the New Democratic Party of British Columbia.
- 2.03 Honorary Life Membership may be granted by Convention upon recommendation by the Provincial Council.
 - a) The number of Honorary Life Memberships granted in any year shall not exceed ten.
 - b) An Honorary Life Member shall be an individual member of the Party without payment of fee.

- 2.04 Subject to the provisions of the Federal Constitution, Provincial Council shall allocate funds among the Party, the New Democratic Party of Canada, and the Provincial and Federal Constituency Associations.
- 2.05 An individual member shall be in good standing for twelve months from the date of his/her last donation to the Party.
- 2.06 Notwithstanding other sections of this Constitution, those individuals entitled to vote or stand for election at a general meeting of any Provincial Constituency Association, any Federal Riding Association or any organization chartered under this Constitution shall be only those individuals who have been members in good standing for a minimum of ninety (90) days prior to the meeting except as allowed by Section 2.07.
- 2.07 Notwithstanding other sections of this Constitution, where an individual renews and was a member in good standing within ninety (90) days following a lapse of membership, that individual shall be eligible to vote and stand for any position as if the individual's membership had been continuous.

ARTICLE III — Affiliated Membership and Donors

- 3.01.1 Affiliated organizations shall be those BC organizations affiliated to the NDP of Canada.
- 3.01.2 An individual may choose to join the BC NDP as an affiliated member by indicating their involvement or membership in an affiliated organization.
- 3.01.3 All affiliated members shall be individual BC NDP members in good standing.
- 3.01.4 Affiliated members of the BC NDP shall participate in Party decision making as members of the constituency association where they reside (except as provided for in Section 5.05) with the exception of selecting delegates to Convention.
- 3.01.5 For the purposes of selecting delegates to Convention, affiliated members will only participate through their affiliated organization, including calculation of delegate entitlement, standing for nomination as delegate to Convention and voting for delegates to Convention.

ARTICLE IV — Young People's Section

- 4.01 There shall be a Young People's Section of the Party, as provided for in the Federal Constitution. It shall operate under its own Constitution, as provided for by the Federal Constitution.
- 4.02 The President of the Young People's Section shall furnish to the Provincial Secretary, at least 60 days prior to any Convention, a list of the chartered clubs of the Young People's Section, and of the members thereof.
- The number of Young People's Section Club members entitled to representation as Young People's Section Club delegates shall be deducted from the delegate entitlement of the constituency concerned.
- 4.03 Club members shall participate in the selection of Young People's Section delegates to Convention as provided for in Section 10.10 of this Constitution.
- 4.04 Only those members of the Young People's Section entitled to representation, who are not members of the Young People's Section chartered clubs, shall be entitled to participate in the election of delegates from the constituency in which they are normally resident.
- 4.05 Thirty days prior to the date of any Convention, the Provincial Secretary shall notify the provincial constituencies affected by Section 4.04.
- 4.06 In all other respects, members in good standing of the Young People's Section shall enjoy all rights and privileges of the Party.

ARTICLE V — Provincial Constituency Association

- 5.01 In every provincial electoral district in British Columbia there shall be a Provincial Constituency Association.
- 5.02 Each Provincial Constituency Association shall submit on demand, to the Provincial Council, a written report of its activities and financial circumstances.
- 5.03 All officers of Constituency Associations shall be individual members in good standing of the Party.
- 5.04 Only individual members of the Party in good standing who reside within the boundaries of that provincial electoral district shall be members in that Provincial Constituency Association, except as provided for in Section 5.05
- 5.05 Provincial Constituency Associations may, with the concurrence of the Provincial Executive, admit to membership a member of the Party in good standing who does not reside in its electoral district, and the Provincial Executive shall notify the constituency of residence of the transfer of members.
- 5.06 Each provincial constituency shall adopt by-laws for the conduct of constituency business. All such Provincial Constituency Association by-laws, and all amendments thereto, must bear the approval of the Provincial Executive by-laws, or amendments thereto, shall not be valid without such approval.
- 5.07 The Provincial Executive may impose by-laws upon a Constituency Association which fails to comply with Section 5.06.
- 5.08 Where there is a Young New Democrats Club, the Provincial Constituency Association shall have in place an ex-officio position with full voice and vote on their respective Executive for a representative of the Young New Democrats Club.
- 5.09 Each Provincial Constituency Association shall file financial statements and annual reports with the Provincial Executive on an annual basis. All such statements and reports are to include financial statements and annual reports of any Constituency Subsidiary Organizations.

ARTICLE VI — Federal Constituency Associations

- 6.01 In each federal electoral district in British Columbia the Party shall recognize a Federal Constituency Association, consisting of all the members of the Party in good standing resident within the boundaries of that federal electoral district.
- 6.02 Each Federal Constituency Association shall adopt by-laws for the conduct of constituency business. All such federal constituency by-laws and all amendments thereto must bear the approval of the Provincial Executive, and no by-laws or amendments thereto shall be valid without such approval.
- 6.03 Constituency Associations may, with the concurrence of the Provincial Executive, admit to membership a member of the Party in good standing who does not reside in its electoral district, and the Provincial Executive shall notify the constituency of residence of the transfer of members.
- 6.04 Each Federal Constituency Association shall submit, on demand, to the Provincial Council, a written report of its activities and financial circumstances.
- 6.05 All officers of Federal Constituency Associations shall be members in good standing of the New Democratic Party of British Columbia.
- 6.06 Federal Constituency Associations shall be governed by this Constitution, except where it is in conflict with the federal Constitution, under which circumstances the Federal Constitution shall prevail.

ARTICLE VII — Chartered Organizations

- 7.01 Constituency Associations may, upon request, charter clubs to further the aims and objectives of the Party.
- 7.02 In order to charter a club, the Constituency Associations must instruct the Provincial Secretary to issue a charter in the name of the constituency.
- 7.03 The terms of club charters shall be filed with the Provincial Secretary.
- 7.04 All members of the club must be individual members of the Constituency Association chartering the club.
- 7.05 All members of the club must be individual members in good standing of the Constituency Association chartering the club.
- 7.06 The by-laws of chartered clubs must bear the approval of the parent Constituency Association, and no by-laws, or amendments thereto, shall be valid without such approval, provided that clubs which fail to obtain a charter from the parent Constituency Association shall have the right to appeal the decision to the Provincial Executive.
- 7.07 The Provincial Executive may charter interest clubs, other than those mentioned in Section 7.01. Such Clubs shall submit copies of by-laws for approval of the Provincial Executive annually.
- 7.08 Such interest clubs, which may be made available to all members of the Party, shall have no delegate representation at Convention.

ARTICLE VIII — Regional Organizations and Combined Associations

- 8.01 The Provincial Executive may, upon application from two or more Provincial Constituency Associations, authorize their dissolution, and the formation of a Combined Constituency Association which shall embrace the memberships of the component, precedent associations, but which will, in all respects, function as one Association.
- 8.02 The Provincial Executive may, upon application from two or more Associations, authorize the formation of an Area Council, which shall consist of delegates from the component Associations, which shall co-ordinate activities of the Party on a municipal or regional basis.
- 8.03 Each Regional organization or Council shall adopt by-laws for the conduct of regional business. All such by-laws and all such amendments thereto, must bear the approval of the Provincial Executive and no by-laws or amendments thereto, shall be valid without such approval.
- 8.04 With the approval of those members of the affected Constituency Associations who live in a defined area, the Provincial Executive may charter an organization of the Party members in the defined area for the purpose of pursuing electoral politics. All members of the BC NDP in the defined area shall be entitled to be voting members of the chartered organizations.
- 8.05 Members of the Party seeking election in defined areas where there is an Area or Regional Council or Affiliated Civic organization must be duly nominated under regulations approved by the Provincial Executive.
- 8.06 Where there is an Area Council or Affiliated Organization, that body shall be responsible for the carrying out of the New Democratic Party program. Members running for other groups or actively supporting other groups or running independently in opposition to the New Democratic Party shall be considered to have violated Article 2.01 of the Provincial Constitution.
- 8.07 Members of the Party seeking election in regions or municipalities where there is no Area or Regional Council or Affiliated Civic Organization may in no case use the name of the Party in any designation such as “Independent New Democrat” or “Progressive New Democrat”, or any other such name. They may, however, seek endorsement of local Provincial Constituency Associations, and publicize both such an endorsement and the fact of their membership in the NDP.

ARTICLE IX — Public Office

- 9.01 Each Constituency Association shall be responsible for the nomination of candidates in its constituency. Should it fail to nominate, the Provincial Executive may name a candidate or candidates.
- 9.02 Those individuals entitled to nominate and vote at a Nominating Convention of a Constituency Association shall be only those members who have been in good standing in the Party and resident within the electoral boundaries of the Constituency Association for at least 90 days prior to a Nominating Convention. Membership forms for new members must have been received at Provincial Office during normal business hours at least 90 days prior to a nomination Convention.
- 9.03 Each person entitled to vote at a Nominating Convention, including the chairperson, shall have only one vote.
- 9.04 All persons proposed as candidates of the Party for public office shall be only those members who have been in good standing in the Party for at least 90 days prior to a Nominating Convention, and shall obtain acceptance from the Provincial Executive. This requirement may be waived in special circumstances upon application by the prospective candidate to the Provincial Executive before the date of the Nominating Convention.
- 9.05 The Provincial Executive may make regulations governing the nomination of candidates for federal, regional, provincial and municipal offices.
- 9.06 Notwithstanding the provisions of Article 16, complaints arising from the conduct of Nominating Conventions for public office shall be referred first to the Constituency Executive concerned.

Appeals from the ruling of the Constituency Executive may be made to the Provincial Executive. The Provincial Executive may refer the appeal to a Nominating Review Committee, which shall report its findings to the Provincial Executive for consideration. Parties to the dispute shall be entitled to one representative each, at a hearing before the Provincial Executive or a Nominating Review Committee. The decision of the Provincial Executive shall be final.

ARTICLE X — Conventions

- 10.01 Subject to the provisions of the Federal Constitution and the procedures contained in this Constitution, sovereign power is vested in the Convention.
- 10.02 Convention shall be held at least every two years when in opposition, but every year when the Party is in government.
- 10.03 Time and place of Conventions shall be determined by Provincial Council.
- 10.04 Not less than 90 days notice of the date and place of a Convention shall be given to each Provincial Constituency Association, the Young People's Section, each affiliated organization, each Honorary Life Member, each member of the Provincial Council, each member of the Party who is a member of the Legislative Assembly of British Columbia or the House of Commons representing a British Columbia constituency and each member of the Council of the New Democratic Party (of Canada) resident in British Columbia.
- 10.05 Resolutions for consideration by the Convention must originate from Provincial Constituency Associations, from chartered clubs, the Young People's Section, affiliated organizations, the Provincial Council, the Provincial Executive, all Policy Review Committees and duly constituted bodies of the Provincial Party.
- 10.06 Resolutions for consideration by the Convention must be received by the Provincial Secretary not less than 60 days in advance of the date of the Convention.
- 10.07 All resolutions so received shall be distributed to each Provincial Constituency Association, the Young People's Section, and each affiliated organization not less than 30 days in advance of the date of the Convention.
- 10.08 All resolutions not dealt with at the Convention shall be returned to their originators for further consideration and disposition.

The Provincial Council shall advise all Constituency Associations of the disposition of all Convention resolutions within 120 days of the adjournment of the Convention.

- 10.09 The Provincial Executive shall determine the registration fee for delegates to Convention and shall determine a youth registration fee for delegates to Convention. From the registration fee so collected, Provincial Executive shall establish a travel pool to pay, in part, excessive travel costs.

The Provincial Executive shall also establish a subsidy pool in order to waive the delegate fee for one delegate per riding, for someone who could not otherwise afford to attend Convention, as determined necessary by each Constituency Association.

- 10.10 Delegates to Convention, who must hold individual memberships in the Party, shall consist of:

- 10.10.1 Delegates elected by Provincial Constituency Associations on the basis of one delegate for each 25 members in good standing, or major fraction thereof, providing that every Provincial Constituency Association shall be entitled to at least one delegate.

In determining the number of delegates to which a Constituency Association is entitled, the Constituency Association's membership shall be computed on the basis of a whole year (365 days) membership by each individual. For purposes of delegate entitlement a member whose membership was less than 365 days in the year prior to the date on which entitlement is established shall be prorated on the relation of the number of days of membership to 365 days.

In addition to the regular delegate entitlement, one delegate per constituency shall be reserved for a youth delegate.

In a provincial constituency where chartered clubs exist, the constituency organization shall allocate delegates on a membership basis to such clubs within the constituency, but in no case shall the total number of delegates so allocated exceed the entitlement outlined above.

- 10.10.2. Calculation of delegate credential entitlement for affiliated organizations will be based upon the following:
- For an affiliated union, whether that affiliation is through the union's local, provincial or national office, delegate entitlement will be calculated by aggregating all affiliated individual members from all affiliated locals of the union or through regionally based organizations as approved by Provincial Executive.
 - For other affiliated organizations, affiliated local organizations will aggregate their total affiliated individual memberships with like organizations province wide or through regionally based organizations as approved by Provincial Executive.
 - The same formula used to determine constituency entitlement will be used to determine delegate entitlement for these aggregations.

In determining the number of delegates to which an affiliated organization is entitled, the affiliated organizations' membership shall be computed on the basis of a whole year (365 days) membership by each individual. For purposes of delegate entitlement, a member whose membership was less than 365 days in the year prior to the date on which entitlement is established shall be prorated on the relation of the number of days of membership to 365 days.

- 10.10.3 All members of Provincial Council.

- 10.10.4 All members of the Party who are members of the Legislative Assembly of British Columbia or the House of Commons, representing a British Columbia constituency.

- 10.10.5 All members of the Council of the New Democratic Party (of Canada) resident in British Columbia.

- 10.10.6 Delegates chosen by the Young People's Section of the Party on the basis of one delegate for each 50 members or major fraction thereof.

10.10.7 The President of each Provincial Constituency Association.

10.11 The number of members in the Provincial Party on a date 90 days prior to Convention shall be used in calculating delegate entitlements. If at that time, Party membership exceeds 20,000, the number of members required for delegate entitlements as provided for in Sections 10.10 (1), (2) and (6) shall be increased by 20 per cent for each 5,000 members or fraction thereof over the figures prescribed.

e.g.

Total BC Constituencies and Affiliated Organizations

Membership	Delegates (one delegate per)
20,000	25
20,000-25,000	30
25,001-30,000	35
30,001-35,000	40

Delegates named by individual members in accordance with Section 10.10 (1) and (6) would approximate 800.

Total delegates including affiliates, council members, Executive members, etc., would be approximate 950.

10.12 All Honorary Life Members shall have voice and vote at Conventions.

10.13 Each delegate to the Convention shall have only one vote at Conventions.

10.14 Two-thirds of the delegates registered at Convention shall constitute a quorum.

10.15 The Convention shall elect, by secret ballot, the members of the Provincial Executive and members of the Oversight Committee.

10.16 A special Convention shall be one which is held in addition to the biennial Convention when the Party is in opposition or in the same calendar year when the Party is in Government.

10.17 Special Conventions may be called by a two-thirds majority of the Provincial Council.

10.18 Special Conventions may be called on 30 days' minimum notice.

10.19 Notice of such Convention shall specify the matters to be considered, and the special Convention shall confine itself to these matters.

10.20 Only members who have been members in good standing for 90 days prior to a constituency meeting to elect delegates to Convention shall be entitled to vote at that meeting or to be nominated for the position of constituency delegate or alternate.

10.21 In alternate years, when there is no Provincial Convention, the Party will convene Regional Policy Conventions whose recommendations will not be binding on the Party but will be brought as resolutions to the Provincial Convention the following year.

ARTICLE XI — The Provincial Leader

11.01 The Provincial Leader shall be the chief political spokesperson of the Party and, subject to the authority of the Convention and the Provincial Council, shall interpret to the public the policies of the Party.

11.02 In the event that the position of Leader becomes vacant, the Provincial Council, after considering the recommendations of the Caucus, shall elect an Interim Leader.

ARTICLE XII — Election of the Provincial Leader

- 12.01 The Provincial Leader shall be elected through a ballot of all individual members of the Party residing in BC who are in good standing 90 days prior to the date of the election of the Leader. Appropriate regulations for the conduct of the election and of election balloting shall be developed from time to time by the Provincial Executive and all such regulations shall be placed before the Provincial Council for ratification.
- 12.02 All persons proposed as candidates for Provincial Leader shall be only those members who have been in good standing in the Party for at least 90 days prior to a Leadership election.
- 12.03 Individuals who nominate a candidate for Provincial Leader shall be only those members who have been in good standing in the Party for at least 90 days prior to the Leadership election.
- 12.04 The Provincial Executive may establish regulations governing the nomination of candidates for the Provincial Leadership.

ARTICLE XIII — The Provincial Executive

13.01 The Provincial Executive of the Party shall consist of:

a) Composition of Executive

- i) Leader
- ii) President
- iii) Treasurer
- iv) One Labour Vice-President
- v) Six Vice-presidents
- vi) Four members-at-large including one chosen by affiliated labour organizations
- vii) Sixteen regional members
- viii) Two representatives from the YND
- ix) The Chair of the Women's Rights Committee
- x) The Chair of the Standing Committee on the Environment
- xi) The representative of the Standing Committee on Agriculture
- xii) Provincial Secretary (non-voting)

b) Election of Executive

The Provincial Executive shall be elected at a provincial Convention. All votes, where required, shall be a secret ballot of accredited delegates present during the time set aside for balloting, in the following manner:

- i) The Leader, President and Treasurer each shall be elected on a separate ballot.
- ii) The Labour Vice President elected by labour delegates at labour caucus at Convention.
- iii) Six Vice-Presidents, elected on a single ballot.
- iv) Four Members at Large, elected on a single ballot.
- v) Two Regional Representatives shall be nominated at Convention from each of the eight regions defined by Provincial Council. Only accredited delegates to the Provincial Convention are eligible to participate in the nomination of representatives from their region. The candidates nominated at the regional meeting will be designated on the ballot, which will be open to other candidates from the region.

c) Gender Requirements

- i) There shall be representation of both genders in the three positions of Leader, President, and Treasurer.
 - ii) The positions of Vice-President, Members at Large, Regional Members, and YND Representatives shall have at least 50% women.
- 13.02 It shall be a specific responsibility of the Provincial Executive to oversee the administration of the Party and to supervise the work of the President, Secretary and Treasurer.

13.03 The President shall be the chief executive officer of the Party, and shall be responsible to the Provincial Executive.

13.04 The Vice-Presidents shall assume the duties of the President in his/her absence.

13.05 The Secretary shall be an employee of the Party, and is the senior administrative officer, responsible to the Provincial Executive. The terms of his/her contract shall be negotiated between the Provincial Executive and the Secretary. The Secretary shall have voice but no vote at meetings of the Provincial Executive, Provincial Council and at Conventions.

13.06 The Treasurer shall be the official receipting agent for the Party for purposes of the Provincial Income Tax Act. The Provincial Executive may designate other persons as official receipting agents for purposes of the Act, and all contributions to the Party, including those in respect of a single constituency, shall be receipted only by one of the above-named official receipting agents.

13.07 For legal and banking purposes, the signing officers of the Party shall be any two of the President, Secretary and Treasurer. These three officers shall be bonded in an amount to be determined by the Provincial Executive.

13.08 In the event of a vacancy in the office of Treasurer, the Provincial Executive shall name a replacement.

13.09 An Executive member may be replaced by appointment by the Table Officers subject to ratification by the Provincial Executive and Council after three consecutive absences from meetings of the Provincial Executive without just cause.

13.10 All members of the Provincial Executive shall be members in good standing of the Party.

13.11 The Table Officers shall consist of the Leader, President, Treasurer, the Labour Vice-President, the six Vice-Presidents, and the Provincial Secretary (who shall have no vote).

13.12 The Table Officers shall deal with administrative matters and matters of clear emergency. Minutes of Table Officers' meetings will be provided to the Executive and the Table Officers will be responsible to the Executive.

13.13 The Executive will administer matters of political and strategic importance to the Party and will ratify and oversee the decisions of the Table Officers. The Executive shall be responsible to Provincial Council. The Minutes of the Provincial Executive meetings shall be distributed in a timely manner to the Provincial Council.

13.14 The Provincial Council shall deal with all matters of Party policy between Conventions. The Council will ratify and oversee actions of the Executive and Table Officers.

13.15 When an elected position on the Executive other than President becomes vacant, the Provincial Council shall appoint a new person to the remainder of that term at the next meeting of Provincial Council. If the position of President becomes vacant during the term of office, the Provincial Council shall appoint a new person from among the Executive to the remainder of that term.

13.16 Election of Provincial Executive shall be for a term of two years.

13.17 No member, other than the Leader, may serve in any one elected position in the Party at any level of the Party, for more than 6 consecutive years.

ARTICLE XIV — Oversight Committee

14.01 The Oversight Committee shall consist of three members elected at Provincial Convention.

14.02 Oversight Committee members shall serve terms of four years, and no member may serve more than one consecutive term.

- 14.03 The election of Oversight Committee members shall be staggered so that no more than two members are elected at one time. In the first election of the Oversight Committee, three members shall be elected, two for four years and one for two years.
- 14.04 The members of the Oversight Committee shall choose a Chair from among their number.
- 14.05 There shall be representation of both genders on the Oversight Committee.
- 14.06 During their term of office, Oversight Committee Members are barred from holding any other office in the Party, including at the constituency level. Oversight Committee members are also barred from being employees of the Party during their term of office.
- When a position on the Oversight Committee becomes vacant in mid-term, the Provincial Council shall appoint a new member to fulfil the period of the term remaining until the next Provincial Convention. At such Convention, an election will be held to fulfil the balance of the term.
- 14.07 The Oversight Committee shall examine all financial records, Council, Executive and Table Officer meeting minutes and other relevant documents at least quarterly. The material examined shall include appropriate records of subsidiary organizations. The Oversight Committee shall determine whether bodies of the Party are acting in accordance with Party Constitution, policy and directives of senior Party bodies. Additionally, the Oversight Committee shall have the right to determine whether receipts are properly recorded and that expenditures have been authorized by the Party Convention, Council and Executive. Table Officers or other appropriate authority.
- 14.08 The Oversight Committee shall report on its activities and findings to Provincial Council and Convention.
- 14.09 At its sole discretion, the Oversight Committee may report to the Table Officers or Provincial Executive.
- 14.10 At its sole discretion, the Oversight Committee may make expenditures as required of funds allocated to its operations by Convention or Provincial Council. Details regarding the nature of such expenditures, along with appropriate receipts, shall be presented at the time of the committee report to Convention.

ARTICLE XV — Provincial Council

- 15.01 The Provincial Council of the Party shall consist of the members of the Provincial Executive, one delegate chosen by each Provincial Constituency Association, four members chosen by the Young People's Section, six representatives of affiliated organizations and the Past President.
- 15.02 Subject only to the authority of the Convention and the provisions of this Constitution, the Provincial Council shall be the governing body of the Party between Conventions.
- 15.03 It shall be a specific responsibility of the Provincial Council to amplify, extend and add to policy decisions enunciated by the Convention and that such amplifications or extensions not be inconsistent with existing Convention policy.

It shall be the responsibility of MLAs, when they consider there are problems in the clarity, applicability or feasibility of existing Party policy, to bring these problems to the attention of the appropriate policy committees or to the chairperson of the Policy Review Committee.

Where policy revisions are considered appropriate and urgent or where the problems are unable to be resolved in discussion with the policy committees, the matter shall be directed to the Provincial Council for decision in accordance with this section.

- 15.04 It shall be the right of any individual member of the Party to attend meetings of the Provincial Council.
- 15.05 Members of the Party who are members of the Legislative Assembly of British Columbia or the House of Commons may attend meetings of the Provincial Council and shall have voice but not vote.

15.06 Meetings of the Provincial Council shall be called by the President. Calls may be issued on the order of the Provincial Executive or any 12 members of the Provincial Council.

There shall be a minimum of four meetings of the Provincial Council in each calendar year.

15.07 Travel expenses of Provincial Council members shall be paid by the Provincial Office. A per capita assessment to be determined by the Provincial Council shall be levied on every Provincial constituency for Provincial Council meetings to defray travel expenses of Provincial Council members.

Provincial Council may prevent seating of a delegate from any provincial constituency that refuses to pay such assessment.

15.08 A registration fee shall be set by Provincial Council for its meetings.

15.09 The Provincial Council shall determine the annual and supplementary budgets of the Party and the raising and division of tax-receptable revenues, such decisions to be implemented by the Executive. Provincial Council shall review these decisions and their implementation at least yearly with full consultation with Constituency Associations and the Provincial Executive.

ARTICLE XVI — Appeal

16.01 Each member of the Party, including candidates for, and holders of, public office has covenanted that:

“I accept and will abide by the Constitution, principles and policies of the New Democratic Party.”

Breach of this covenant is a violation of the Constitution.

16.02 A complaint may be lodged with the Provincial President by any member or constituted body of the Party alleging a violation of the Constitution or a statement or action resulting in severe and evident injustice to a member or constituted body of the Party.

16.03 Satisfaction must first have been sought under existing Party procedures and rules of the appropriate organizations before the appeal is directed to the President.

16.04 Such complaint must be in writing, must set out the details of the action or statement which gave rise to the complaint, the remedy sought, and such evidence as may be pertinent.

16.05 The President, or persons appointed by the President, shall endeavour to achieve an amicable settlement. If this is not successful, the President, with the advice of the Table Officers, shall appoint a special panel to promptly mediate the dispute, or if a mediated solution is not possible, make recommendations as to the appropriate resolution of the dispute to the Provincial Executive.

16.06 The Provincial Executive shall determine the matter promptly and communicate their decision to the persons concerned. The persons concerned have 30 days from receiving notice of the decision to appeal to the Provincial Council. Provincial Council shall determine the matter promptly and summarily, and its decision shall be final with no appeal to any other body.

16.07 The Provincial Executive may make any additional rules that are necessary to deal with appeals or dispute resolution procedures in a fair and expedient manner. Remedies under this part include reprimand, prohibition from seeking Party or public office, fines and suspension of membership for up to 2 years.

16.08 It is a breach of the principles and policies of the New Democratic Party for any member to seek redress for any complaint against another member or body of the Party through public notice or solicitation, or legal redress without first exhausting the procedures outlined in this Article, and following the directions of the Provincial Council in their final decision.

16.09 If the complaint to the President concerns allegations of malfeasance with respect to Party funds or property (including wilful abuse or improper personal profit from the handling of Party funds, knowing and wilful criminal action in the course of publicly acting on the Party's behalf, or similar serious conduct), the possible penalty under this part is expulsion from the Party.

16.10 The procedures to be followed under Section 16.09 are the same as those under Sections 16.02 to 16.08, except that the original complaint must specifically state that the remedy sought is expulsion. False or malicious complaint under Section 16.09 is a breach of the principles and policies of the Party.

16.11 At any hearing the complainants and the defendants shall each be entitled to one representative of their choice to speak on their behalf.

ARTICLE XVII — Rules of Order

17.01 The Party may adopt such rules and regulations as it deems necessary for the conduct of its business, but in all matters not governed by such rules, the most current version of *Robert's Rules of Order* shall govern.

ARTICLE XVIII — Subsidiary Organizations

18.01 The Provincial Executive shall be empowered to create organizations to manage properties of the Party and for other such purposes as may become necessary.

18.02 The Table Officers shall be the Directors of any such organizations, and the Provincial Executive shall be the members of the organizations.

18.03 Any such organizations shall present minutes, financial statements, and annual reports to Provincial Council and Provincial Convention.

18.04 The minutes of any such organizations shall be distributed in a timely manner to Table Officers, Provincial Executive and Provincial Council.

18.05 All duly constituted bodies of the Party may be empowered to create organizations to manage properties and for other such purposes as may become necessary.

18.06 All such organizations shall be approved by the Provincial Executive.

18.07 All such organizations shall present minutes, financial statements, and annual reports to the applicable general and annual general meetings.

18.08 All such organizations shall file minutes, financial statements, and annual reports with the Provincial Executive.

ARTICLE XIX — Amendment

19.01 Amendments to this Constitution shall be dealt with as resolutions submitted under Sections 10.05, 10.06 and 10.07 of this Constitution, and shall require a two-thirds majority of delegates present and voting to pass.