



# **The CONSTITUTION and BY-LAWS (revised October 25, 2009) of the GREEN PARTY of NOVA SCOTIA**

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# **THE CONSTITUTION (revised October 25, 2009) of the Green Party Of Nova Scotia**

## **1. NAME**

The name of the organization is The Green Party of Nova Scotia

## **2. REGISTERED OFFICE**

The registered office shall be that place reported to Elections Nova Scotia.

## **3. PURPOSE OF THE CONSTITUTION AND BY-LAWS**

3.1. The purpose of this Constitution is to provide for the effective and efficient operation of the Party and to facilitate the inclusion of Nova Scotians who seek to uphold the purpose and objectives of the Party.

3.1.2. This Constitution and By-laws shall govern the activities of the Party, all persons operating on behalf of the Party, and the rights, responsibilities and duties of its recognized units, committees, and membership.

3.2.2 The Constitution has precedence over the By-laws, and any By-law that is inconsistent with the Constitution shall be null and void to the extent of the inconsistency.

## **4. PURPOSE AND OBJECTIVES OF THE PARTY**

4.1. The purpose of the Party is to foster a sustained political institution that reflects the Six Principles of the Charter of the Global Greens: ecological wisdom, social justice, participatory democracy, nonviolence, sustainability, and respect for diversity, and in so doing to consider the interests of all Nova Scotians, their future generations, and the biosphere.

4.2. The objectives of the Party toward this purpose are:

4.2.1. To base policy-making upon the collective wisdom of the Nova Scotian electorate and its community groups, to ratify policies consistent with the Six Principles of the Charter of the Global Greens, and to advance these policies into the laws and policies of the Province of Nova Scotia.

4.2.2. To maintain registration as a political party with Elections Nova Scotia and therefore to provide a sufficient number of candidates for election to the House of Assembly of the Province of Nova Scotia in all relevant elections and to meet all requirements under the Elections Act and other relevant legislation of the Province of Nova Scotia.

4.2.3. To engage in such provincial and municipal political activities as are judged appropriate by the members of the Party within the Province of Nova Scotia.

4.2.4. To honour all lawful Treaties made with the First Nations of Nova Scotia.

## 5. ORGANIZATIONAL UNITS

### 5.1. Members

5.1.1. Any person resident in Nova Scotia who accepts and abides by this Constitution and By-laws may be a member of the Party.

### 5.2. Constituency level units

#### 5.2.1. Electoral District Association

5.2.1.1 An association as defined in the *Elections Act* of Nova Scotia that is composed of members resident in a single provincial electoral district. In addition to meeting the requirements in the legislation and regulations of the province of Nova Scotia, an Electoral District Association meets requirements of this Constitution and By-laws.

#### 5.2.2. Constituency Division

5.2.1.2. A group that is composed of members resident in a single provincial electoral district where an Electoral District Association is not formed. This group functions in accordance with this Constitution and By-laws. (Proviso: This clause shall not come into effect until the members adopt a by-law or by-laws defining the structure and function of a Constituency Division).

### 5.3. Regional Division

5.3.1. An organizational unit in which all Party members residing within a group of contiguous electoral districts, as defined in the *Elections Act* of the province of Nova Scotia, have membership and voting rights. The boundaries, structure, and function of a Regional Division are governed by this Constitution and By-laws.

### 5.4. Executive of the Party

5.4.1. The Executive is the Party's administrative body, responsible for the day-to-day administration and operations of the Party, and for ensuring compliance with this Constitution and By-laws, and answerable to the membership. The composition and functions of the Executive of the Party are defined in this Constitution and By-laws.

### 5.5. Leadership

5.5.1. The Leader and any Deputy Leaders constitute the Leadership of the Party. The election and appointment of leadership positions and the duties of the leadership are executed in accordance with this Constitution and By-laws.

## 5.6. Shadow Cabinet

5.6.1. As an alternative cabinet to the government, the Shadow Cabinet provides critical analysis of the government's position on policy matters. This cabinet is appointed and its functions are executed in accordance with this Constitution and By-laws.

## 5.7. Caucus

5.7.1. The Caucus exists to organize and co-ordinate the Party's activities in the Nova Scotia House of Assembly in accordance with this Constitution and By-laws, for any period when the Party has members of the Nova Scotia House of Assembly. The Caucus is composed of the leadership, the representatives of the Party elected as Members of the Legislative Assembly, and may include other representatives of the Party as defined in the Caucus By-Law.

## 6. GENERAL MEETINGS

6.1 General Meetings must consist of members with voting rights which can include

6.1.1. individual members who each have one vote

6.1.2. members carrying proxies who have voting rights as set out in the By-laws (Proviso: This clause does not come into effect until the members adopt a bylaw or bylaws providing the mechanism whereby proxy voting is established for individual members and delegates.)

6.1.3. delegates who are to be selected and have voting rights as set out in the By-laws (Proviso: This clause does not come into effect until the members have adopted a bylaw or bylaws providing the mechanism whereby delegate voting is established.)

6.2 A quorum at a General Meeting is half of those entitled to vote and who are booked into the General Meeting on that day provided that at least half of all Regional Divisions, that are organized and registered with the Party, are represented by those with voting rights.

6.3 The Annual Convention shall include the Annual General Meeting and shall be held within three months of the end of the Financial Year, unless an exception is supported in the By-laws.

6.4 The Annual Convention and Annual General Meeting must be called and carried out in accordance with the By-laws.

6.5 Special General Meetings must be called and carried out in accordance with the By-laws.

## 7. INCOME, BENEFIT, OR ADVANTAGE TO BE APPLIED TO OBJECTIVES

7.1 Any income, benefit, or advantage will be applied to the Objectives and Purpose of the Party.

7.2 No member of the Party or any person associated with a member shall participate in or materially influence any decision made by the Party in respect of any payment to or on behalf of that member or associated person of any income, benefit or advantage whatsoever. Any such income paid shall be reasonable and relative to that which would be paid in an arm's length transaction (being the fair market value).

7.3 The provision and effect of Article 7 shall not be removed from these rules and shall be implied into any document replacing these rules.

## 8. AMENDMENT OF CONSTITUTION AND BY-LAWS

8.1 The Constitution must not be amended except at a General Meeting of the Party and by a resolution passed by at least 75% of the members entitled to vote in accordance with this Constitution and By-laws.

8.2 Any By-law must not be amended, added, or rescinded except at a General Meeting of the Party and by a resolution passed by more than 50% of the members entitled to vote in accordance with this Constitution and By-laws.

8.3 The Executive must give notice to all Members of any proposed amendment of the Constitution or any By-law not less than thirty days prior to the General Meeting of the Party at which it is to be presented.

8.4 Submission of any proposed amendment of the Constitution or any By-law must be made to the Executive in accordance with this Constitution and By-laws.

## 9. DISSOLUTION

9.1 90% of the Members entitled to vote and registered at a General Meeting of the Party may resolve that the Party be dissolved as from the date to be named in the resolution, and must also in such resolution direct the method of disposing of the assets and property of the Party after its dissolution.

9.2 Upon the resolution defined in Article 9.1 being confirmed by 75% of the Members entitled to vote and registered at a subsequent Special General Meeting called for the purpose and held not earlier than thirty days after the date on which the first resolution was passed, the Party shall be dissolved.

9.3 A notice of the resolution and its confirmation shall be sent to Elections Nova Scotia.

9.4 The property of the Party shall upon dissolution be transferred to such organizations within Nova Scotia having objectives and purposes similar to those of the Party as the meeting shall determine, or in default as may be determined by the relevant Court on the application of the Party.



## **THE BY-LAWS (revised October 25, 2009) of the Green Party of Nova Scotia**

**Includes: BY-LAWS (added 2009) and BY-LAWS (adopted 2007)**

### **BY-LAWS (added 2009)**

#### **By-law on Accountability for Performance**

1. The Party is to do all such things political or otherwise as are incidental or conducive to the attainment of the Party's purpose and objectives after the members have adopted a bylaw or bylaws to establish mechanisms for approval and accountability for such things. (Proviso: This clause shall not come into effect until the members adopt such a bylaw or bylaws.)
2. So as to operate in an effective and efficient manner, the Party shall constantly strive to improve its operations with respect to the Six Principles of the Charter of the Global Greens, including minimizing waste.
3. An annual audit of the performance of the Party relative to the Six Principles shall be conducted independently and reported at the Annual General Meeting after the members have adopted a bylaw or bylaws to establish what qualifications are required of the auditor, what specifically is to be audited, and how the details are to be evaluated. (Proviso: This clause shall not come into effect until the members adopt such a bylaw or bylaws.)

## **By-law on Amendment of Constitution and By-laws**

1. The members entitled to vote on an amendment of the Constitution are those members registered at the General Meeting and present when the proposal for amendment is offered to the membership for the vote.
2. The members entitled to vote on an amendment of the By-laws are those members registered at the General Meeting and present when the proposal for amendment is offered to the membership for the vote.
3. The Executive of the Party may appoint a working group from the membership to develop proposals for amendments of the Constitution and By-laws, and to receive submissions of proposals by members, and shall provide guidelines for this work until such time as guidelines are approved by the membership for inclusion in this By-law.

## **By-law on Caucus**

1. The Caucus may include any representative of the Policy Committee or the Executive appointed by those bodies and agreed by the elected Caucus to be non-voting members of Caucus.
2. The Caucus shall make such rules for its conduct as it sees fit in accordance with the Objectives and Purpose of the Party.
3. The Leadership and elected Members of the Legislative Assembly shall be the voting members of Caucus.

## **By-law on Constituency Divisions**

### **1. A Constituency Division**

- 1.1 supports the work of the members toward the purpose and objectives of the Party
- 1.2 has the responsibility to seek, select, and support their Candidate for Member of the Legislative Assembly during and between provincial elections in accordance with the Constitution and By-laws, and provincial legislation and regulations.

### **2. A Constituency Division**

- 1.1 must elect annually a convenor, a secretary, and their Representative to be a member of the Regional Division Executive
- 1.2 may have other positions as needed for effective operation
- 1.3 must report in a timely manner the names of the members holding the elected positions to the Regional Division and the Executive of the Party.

3. A Constituency Division may not be involved directly in fundraising, may not raise funds in the name of the constituency, may not have a bank account, and may not transfer funds from or to any other organization.

## **By-law on Electoral District Associations**

1. An Electoral District Association (EDA) is a legislatively defined association with legal status and it is the responsibility of each EDA to maintain its registration with Elections Nova Scotia and meet the requirements of provincial legislation and regulations.
2. An EDA
  - 2.1 must have an Official Agent whose duties are set out in provincial legislation and summarized in a handbook produced by Elections Nova Scotia
  - 2.2 must elect annually a convenor, a secretary, a treasurer, and their EDA Representative to be a member of the Regional Division Executive
  - 2.3 may have other positions as needed for the effective operation of the EDA
  - 2.4 may have two positions held by one member unless not permitted by provincial legislation and regulations
  - 2.5 must report in a timely manner the names of the members holding the positions in its internal structure to the Regional Division and the Executive of the Party..
3. An EDA has both business and political functions. An EDA
  - 3.1 must have a bank account and file financial reports as required under the provincial *Elections Act*
  - 3.2 can raise funds, transfer funds and accept donations in accordance with provincial legislation and regulations
  - 3.3 can initiate membership in accordance with this Constitution and By-laws
    - 3.3.1 must inform Treasurer and Membership Secretary of the Party of the membership and all pertinent information
    - 3.3.2 must transfer half of the membership fee to the Treasurer of the Party
  - 3.4 supports the work of the members toward the purpose and objectives of the Party
  - 3.5 has the responsibility to seek, select, and support their Candidate for Member of the Legislative Assembly during and between provincial elections in accordance with the Constitution and By-laws, and provincial legislation and regulations.

## **By-law on Executive of the Party**

1. The Executive will act in a manner consistent with the Constitution and By-laws, and with the will of the Party as expressed through the General Meetings.
  - 1.1 At such time as Party members are elected to the Nova Scotia House of Assembly, the Executive and Caucus also will act in a manner consistent with any agreement made between Caucus and Executive.
  - 1.2 The primary responsibility to ensure that the Constitution is upheld shall lie with the two Co-Presidents.
3. The Executive shall consist of:
  - 3.1 the Co-Presidents (one male, one female) and two Policy Co-Convenors (one male, one female) who shall be elected at the Annual General Meeting in accordance with the Constitution and By-laws
  - 3.2 one of the immediate Past-Presidents, as determined by agreement between the immediate Past Co-Presidents.
  - 3.3 the General Secretary, the Membership Secretary, and the Treasurer who must be selected from among the members of the Executive by the Executive.
  - 3.4 one Representative of each Regional Division that is formed and functioning, selected in accordance with the By-law on Regional Representation.
  - 3.5 one Aboriginal representative selected by those members who are Aboriginal, using a selection process of their choice
  - 3.6. the three-person Leadership as set out in the By-Laws
  - 3.7. the Official Agent, for whom the requirements and duties are set by current provincial legislation and regulations, and whose selection by the Executive will be guided by these requirements.
4. The Co-Presidents, Policy Co-Convenors, General Secretary, Membership Secretary, and Treasurer are the Officers of the Party.
5. Removal and Replacement of Members of the Executive of the Party
  - 5.1 An Officer may be removed from that position by a 75% vote of the Executive in which the Officer in question has no vote
  - 5.2 A Member may be removed from the Executive of the Party by a 75% vote of the Executive in which the Member in question has no vote
  - 5.3 A vacant Officer position, regardless of the reason for the vacancy, shall be filled as soon as possible by a means determined by the Executive.
  - 5.4 The Executive shall fill any vacancy of a Regional Representative on the Executive by calling for nominations from the relevant Regional Division.
  - 5.5 The Executive may determine whether any position elected at the Annual General Meeting that is vacant shall be filled by:
    - 5.5.1 Electronic ballot of all Members, or
    - 5.5.2 A General Meeting, or
    - 5.5.3 The next highest polling candidate of appropriate gender at the previous election.

6. The Executive shall, subject to this Constitution, be the administrative body in all matters connected with the affairs of the Party excluding policy, and shall pursue the objects and protect the interests of the Party and shall have authority to:

- 6.1 Raise money from time to time upon such terms as the Executive thinks fit, but not by incurring debt.
- 6.2 Exercise any other lawful powers not inconsistent with these rules or the decisions of the General Meetings as made from time to time; and
- 6.3 Appoint such working groups from the membership as it considers necessary for the efficient administration of the Party's affairs.
  - 6.3.1 In doing so it may delegate any of its powers and duties to any such committee or to any person. The committee or person may without confirmation by the Executive exercise or perform the delegated powers or duties in the same way and with the same effect as the Executive could itself have done, subject only to this Constitution.
  - 6.3.2 Any committee or person to whom the Party has delegated powers or duties will be bound by the rules of the Party and any terms or conditions of the delegation set by the Executive;
  - 6.3.3 The Party will be able to revoke such delegation at will, and no such delegation will prevent the exercise of any power or the performance of any duty by the Executive.
- 6.4 Establish a contract between the Leader of the Party and the membership
  - 6.4.1 The Executive will provide a job description, for the leader position prior to a leadership election taking the form of a contract, relating to the duties and expected performance of the leader, with a proviso that this contract will be subject to amendment based on decisions taken by the membership at the same General Meeting where the election takes place and subsequent General Meetings.
  - 6.4.2 This job description shall be made available to any member who has expressed interest in entering a leadership race and a candidate for leader will agree to the contract and its conditions at the time of entering the leadership race
  - 6.4.3 The Executive will provide the contract amended to reflect any amendments to the Constitution and By-Laws and relevant decisions passed by the membership following the General Meeting at which the leader is elected and each subsequent General Meeting, for the Leader's signature.
  - 6.4.5 The Executive is responsible for ensuring that the duties set out in the Leader's contract are carried out. The Executive shall establish written reasonable expectations for the Leader in the short term and longer-term plan of the Party and set guidelines for assessment of the Leader, which are to be appended to the Leader's contract.
  - 6.4.6 Should the leader be unwilling or unable to fulfill the contract, the Executive has the authority to initiate a leadership review by the membership.

7. The Executive shall ensure that the Party has by-laws consistent with the Constitution that guide actions and are available to all Party members. The Executive shall review and propose amendment of or additions to these by-laws from time to time, which shall come before the membership for ratification at a General Meeting.

8. The Executive shall ensure that the Party has job descriptions for all Party Officers consistent with the Constitution and By-laws, that guide actions and are available to all Party members. These job descriptions shall be reviewed and amended by the Executive from time to time based upon experience and shall come into force upon approval by the Executive or a General Meeting.

9. The Executive shall meet:

9.1 Whenever it is scheduled by the Executive, or

9.2 Whenever a minimum of half of all Regional Division Representatives agree to call an Executive meeting, in which case the meeting will be held within 30 days of the agreement.

9.3 Notice of Executive meetings shall be given to all Executive members, as well as the general membership unless the executive declares the meeting closed.

10. Any Party member may normally attend a face-to-face Executive meeting. Speaking rights may be granted at the discretion of the Executive.

10.1 The Executive may declare a meeting closed to all persons other than Executive members where to do otherwise would

10.1.2 put at risk the privacy of an individual or

10.1.3 seriously prejudice the interests of the Party.

10.1.3.1 The Executive will provide means for members to obtain a reasonable level of information on the proceedings without compromising privacy or party security

11 The quorum for the Executive shall consist of one Co-President, two other Officers, one of the Leadership, and Representatives of at least half of the Regional Divisions that are organized and registered with the Party. Attendance may be in person, by telephone, or such other means as the Executive shall determine.

12 Members of the Executive shall act in the interests of the Party as a whole rather than simply as representatives of their Regional Divisions.

13. A Member shall not occupy simultaneously more than one position of the seven Officers and three Leaders.

14 The Leader, Deputy Leaders, Co-Presidents and Policy Co-Convenors are jointly responsible for ensuring effective co-ordination and communication among the Executive, Policy Committee, and Caucus.

15 Within three months of each General Meeting, the Leader, Deputy Leaders, Co-Presidents and Policy Co-Convenors shall report to the membership on the steps they have taken to fulfill their responsibilities to ensure effective co-ordination and communication.

## **By-law on Finance**

1. The Treasurer and Official Agent shall act at the direction of the Executive. At the first meeting of the Executive following each Annual General Meeting, the Executive will decide by resolution the following:

- 1.1 How money will be received by the Party;
- 1.2 Who will be entitled to produce receipts;
- 1.3 How expenditure commitments will be budgeted for by the Party;
- 1.4 What bank accounts will operate for the ensuing year, including the purposes of and access to accounts;
- 1.5 Who will be allowed to authorize the production of cheques and the names of cheque signatories;
- 1.6 Who will be allowed to authorize the ordering of goods and services;
- 1.7 Policy concerning the investment of money by the Party, including what type of investment will be permitted; and
- 1.8 The type and frequency of financial reporting required during the year.

2. The Executive may invest surplus funds as it sees fit provided that the investment does not conflict with the Party's Objectives and Purpose.

3. A Treasurer's report must be prepared and all books and records so kept must be completed up to date for presentation at the Annual General Meeting, according to the requirements of law.

4. The Treasurer and Official Agent must work together and with Organizational Units of the Party to ensure that all financial reporting as required under provincial legislation is done in a timely manner.

## **By-law on General Meetings and the Annual Convention**

1. The Annual General Meeting, held during the Annual Convention, shall be considered the supreme body and set the political and administrative direction of the organization.
  - 1.1 The Annual Convention is held at such time and place as designated by the Executive.
  - 1.2 The agenda of the Annual Convention must be
    - 1.2.1 consistent with the Constitution and By-laws
    - 1.2.2 determined by the Executive.
  - 1.3 Members are to be notified of the time and place of the Annual Convention not less than two months prior to the start date of that Annual Convention.
  - 1.4 Members are to be notified of the agenda of the Annual Convention not less than one month (30 days) prior to the start date of that Annual Convention.
2. The Annual General Meeting will:
  - 2.1 Elect officers as provided for by these rules;
  - 2.2 Receive the financial accounts of the Party for the previous Financial Year;
  - 2.3 Receive the annual audit of the performance of the Party relative to the Six Principles of the Global Green Charter conducted by an independent auditor, after the members have adopted a bylaw or bylaws to establish what qualifications are required of the auditor, what specifically is to be audited, and how the details are to be evaluated. (Proviso: This clause shall not come into effect until the members adopt such a bylaw or bylaws.)
  - 2.4 Provide a forum for the consideration of matters consistent with the Constitution as judged necessary by the Executive.
3. A Special General Meeting may be called by the Executive or by a majority of the Regional Divisions in agreement.
  - 3.1 The organizational unit calling the Special General Meeting shall notify the Members of its time, place, and purpose not less than seven days prior to such meeting being held.
  - 3.2 Only matters addressed in the notice shall be considered at the Special General Meeting.
4. The Annual Convention and all General Meetings shall be open to all Members who have paid any applicable registration fee which may be set by the Executive.
  - 4.1 The Call for a General Meeting must specify the voting rights that apply for that General Meeting in accordance with the Constitution and By-laws.
  - 4.2 Only members who have held registered membership for at least 14 days prior to the date of the start of a General Meeting can have delegate, proxy, or individual voting rights at that General Meeting.
5. The Annual Convention and all General Meetings shall, except where the Executive decides otherwise, be open to the public and the news media as non-participating observers, subject to a requirement to pay a registration fee that may be set by the Executive.

6. The business and procedures of the Annual Convention and General Meetings shall be governed by Rules of Order that include procedures for elections and decision-making in accordance with the Constitution and By-laws.

## **By-law on Leadership**

1. The Leader, First Deputy Leader and Second Deputy Leader constitute the Leadership of the Party.
2. The Leader and First Deputy Leader shall be elected by the membership and all members shall have the right to vote in such elections
3. Any candidate for Leader shall also present a candidate for First Deputy Leader who shall be elected on the same slate.
4. The Second Deputy Leader shall be selected by the Executive within one week after the Leader and First Deputy Leader have been elected by the membership. The Second Deputy Leader shall be selected to balance the Leadership for one or more of gender, age, and region of residence.
5. In the event that the Leader steps down or is otherwise unable to serve, the First Deputy Leader shall assume the office of Leader.
6. A new Leader shall be elected at a General Meeting held within six months of the loss of the Leader,
7. The Leadership shall be reviewed annually at the Annual Convention and a leadership election shall be held at any time if more than 50% of Members petition to hold such an election.
8. The Leadership shall be the spokespersons for the Party in any formal statements made to the news media on behalf of the Party as a whole. Such statements will reflect the provisions of this Constitution.
  - 8.1 From time to time as judged necessary the Leadership may appoint a spokesperson, or spokespersons, to deal with local and regional issues and to speak on behalf of the Party with respect to the specified issues. Regardless of who speaks, responsibility for any such communications rests with the Leadership.
- 9 At least one member of the Leadership shall attend annually at least one meeting of each Regional Division to hear about regional issues and concerns, and facilitate actions in response to those concerns.
- 10 The Leadership is responsible for the affairs of Caucus.

## **By-law on Membership**

1. Any resident in Nova Scotia is eligible for membership if the person:
  - 1.1 is over 15 years of age
  - 1.2 is not a member of any other provincial political party.
  - 1.3 pays the appropriate membership fees
  
2. A person's membership is granted once a receipt is issued from the:
  - 2.1. Executive of the Party
  - 2.2. Electoral District Association of the electoral district in which the applicant resides.
  
3. A membership allows a person to be a member of the:
  - 3.1 Green Party of Nova Scotia
  - 3.2 the Regional Division if formed in the region in which the member resides  
the Electoral District Association Electoral District Association if formed in which  
the member resides  
the Constituency Division if formed in the electoral district in which the member  
resides
  
4. A register of all members shall be maintained by the Membership Secretary and kept at the registered office. Regional Divisions, Electoral District Associations and Constituency Divisions are entitled to the list of their own members upon request at any time, provided adequate steps are taken to ensure adherence to the Privacy Act.
  
5. The membership fee that the member pays shall
  - 5.1 be determined by the Executive of the Party
  - 5.2. be acknowledged by a receipt issued in accordance with the law to the member who paid
  - 5.3 be divided equally between the Executive of the Party for use at the provincial level,  
and the Electoral District Association of the electoral district in which the member  
resides
  
6. Members may:
  - 6.1 nominate candidates for office at any level of the Party
  - 6.2 hold office at any level of the Party
  - 6.3 be voting delegates to a General Meeting of the Party (Proviso: This clause does not come into effect until the membership have adopted a bylaw or bylaws providing the mechanism whereby delegate selection and voting is established.)
  - 6.4. vote at
    - 6.4.1 General Meetings
    - 6.4.2 Meetings of the Regional Division of the region where the member resides
    - 6.4.3 Meetings of the Electoral District Association of the electoral district in which the member resides
    - 6.4.4 Meetings of the Constituency Divisions of the electoral district in which the member resides

- 6.5 nominate or be Party candidates for Members of the Legislative Assembly
- 6.6 submit amendment proposals on matters of policy or the Constitution and By-laws that will be considered at Annual General Meetings.

7 A person shall cease to be a member when:

- 7.1 their written or verbal resignation is received by the Executive either directly or through the Membership Committee;
- 7.2 the person dies;
- 7.3 their membership expires with fees past due
- 7.4 their membership is revoked due to disobedience of the Constitution or By-laws.

## **By-law on Policy Committee**

1. The Policy Committee shall be the Party's policy-making body. It is responsible for the development and preparation of Party policy for review and ratification by the membership. Policy proposals and modifications to existing policy that have been developed by the committee must be presented to the membership at the Annual General Meeting or a Special General Meeting for their decision which can be: acceptance; refusal; or sending the proposal back to the committee for further development.
2. The Policy Committee shall consist of:
  - 2.1 The two Policy Convenors and three Leaders as elected by the Annual Convention or General Meeting;
  - 2.2 A maximum of two Policy Networkers per Regional Division as appointed by each Regional Division; and
  - 2.3 Such other persons as the Policy Committee may appoint.
3. All members of the Policy Committee shall be kept fully informed of all issues of policy that are being considered, and decisions shall be made by Consensus as defined in the By-laws.
4. The Policy Committee may appoint such working groups from the membership, or elsewhere, as it considers necessary for the efficient development of policy. Such working groups shall not generate policy in isolation but shall listen to, and consult with, the Nova Scotia electorate and its community organizations.
  - 4.1 In doing so it may delegate any of its powers and duties to any such working group or to any person. The working group or person may without confirmation by the Policy Committee exercise or perform the delegated powers or duties in the same way and with the same effect as the Policy Committee could itself have done.
  - 4.2 Any working group or person to whom the Policy Committee has delegated powers or duties will be bound by the rules of the Party and this Constitution, as well as any terms or conditions set by the Policy Committee.
  - 4.3 The Policy Committee will be able to revoke such delegation at will, and no such delegation will prevent the exercise of any power or the performance of any duty by the Policy Committee.
- 5 The Policy Committee will act in a manner consistent with these rules and with the will of the Party, as expressed through the Annual Convention and General Meetings and any agreement with the Executive or Caucus.

## **By-law on Regional Divisions**

1 Each Regional Division has a sense of identity, having common local interests within geographical boundaries, and members within a Regional Division work together to achieve the objectives and purpose of the Party.

2. There are 10 Regional Divisions, as follows:

- 2.1 Cape Breton Urban Division constituted of the members in the provincial electoral districts of Cape Breton Centre, Cape Breton North, Cape Breton Nova, Cape Breton South, and Glace Bay.
- 2.2 Cape Breton Rural Division constituted of the members in the provincial electoral district of Cape Breton West, Inverness, Richmond, and Victoria-The Lakes.
- 2.3 Mainland North Division constituted of the members in the provincial electoral districts of Antigonish, Pictou East, Pictou Centre, Pictou West, and Guysborough-Sheet Harbour.
- 2.4 Minas Basin Division constituted of the members in the provincial electoral districts of Colchester North, Colchester- Musquodoboit Valley, Cumberland North, Cumberland South, Hants East and Truro-Bible Hill.
- 2.5 Annapolis Valley Division constituted of the members in the provincial electoral districts of Annapolis, Hants West, Kings North, Kings South, and Kings West.
- 2.6 Sou' West Division constituted of the members in the provincial electoral districts of Argyle, Clare, Digby-Annapolis, Shelburne, and Yarmouth.
- 2.7 South Shore Division constituted of the members in the provincial electoral districts of Chester-St. Margaret's, Lunenburg, Lunenburg West, and Queen's.
- 2.8 Halifax Urban Division constituted of the members in the provincial electoral districts of Halifax Atlantic, Halifax Chebucto, Halifax Citadel, Halifax Fairview, Halifax Needham, and Timberlea-Prospect.
- 2.9 Dartmouth Urban Division constituted of the members in the provincial electoral districts of Cole Harbour, Cole Harbour-Eastern Passage, Eastern Shore, Dartmouth East, Dartmouth North, Dartmouth South-Portland Valley, and Preston
- 2.10 Bedford Basin Urban Division constituted of the members in the provincial electoral districts of Bedford-Birch Cove, Halifax Clayton Park, Hammonds Plains-Upper Sackville, Sackville-Cobequid, Waverley-Fall River-Beaverbank.

3. The main functions of a Regional Division are to:

- 3.1 Co-ordinate the activities of the members within the Regional Division toward the purpose and objectives of the Party
- 3.2 Elect a representative to the Executive of the Party
- 3.3 Elect Policy Networkers and such other positions as are required to carry out the regional coordinating functions of the Regional Division with the Executive of the Party and its committees
- 3.4 To assist as needed in the process of selection of Party candidates for Members of the Legislative Assembly in accordance with the By-laws

4. A Regional Division may not be involved directly in fundraising, may not raise funds in the name of the region, may not have a bank account and may not transfer funds from or to any other organization.

5. The internal organization of a Regional Division is the responsibility of the members in the Regional Division, but shall have at least the following

5.1 a Convenor who chairs meetings of the Regional Division

5.2 a Regional Division Representative, elected annually by the members in the Regional Division, to be a voting member of the Executive of Party

5.3 two Policy Networkers (one male and one female) who are members of the Policy Committee

5.4 a representative from each Electoral District Association and Constituency Division that is formed within the boundaries of the Regional Division

5.5 If there are insufficient members to fill these positions, two functions may be carried out by a single member.

6. The Regional Division is to report in a timely manner to the Executive of the Party the names of those members holding the required positions in the internal organization of that Regional Division.

## **By-law on Regional Representation**

1. One Representative of each Regional Division that is formed and functioning is to be selected annually by the Party members of that Regional Division, normally within 45 days prior to the Annual General Meeting.

1.2 Should a Regional Division fail to elect a Representative prior to the Annual General Meeting, this shall be done at the Annual Convention by all those members of the Regional District who are present.

1.3 Elections of Representatives will be by means of preferential balloting using a form approved in the By-laws.

## **By-law on Rules of Order**

1. Consensus decision-making shall be the standard practice.

1.1 Consensus is a process for ascertaining the will of participants by which agreement is reached that reflects the will of most participants, with dissenters and abstainers agreeing to recognize the majority opinion as being the decision.

2. Decisions by any Group, Regional Division, General Meeting, Executive, Policy Committee, Caucus, or any other body overseen by the Party shall be made by the Bonser method with 60% necessary to secure approval, except for those decisions made by another method in accordance with the Constitution and By-laws.

3. In matters not provided for in the Constitution and By-laws for the orderly running of meetings, *Roberts Rules of Order* apply.

3.1 Discussion on motions will be by co-operative consensus, and adversarial debate is to be discouraged by the Chairperson of the meeting.

## **By-law on Selection of Candidates for Members of the Legislative Assembly**

1. Any member offering as a prospective candidate for the Party must declare to the members of the electoral district that the prospective candidate wishes to represent and to the Leadership
  - 1.1 any potential or perceived conflict of interest
  - 1.2 any specific objections to ratified policy, Party principles, or Party objectives that the member cannot support in good conscience.
  
2. The selection of a candidate for public office shall be
  - 2.1 by preferential ballot by the members in the electoral district that the prospective candidate wishes to represent, at a nomination meeting held by
    - 2.1.1 the relevant Electoral District Association, where it is formed
    - 2.1.2 the relevant Constituency Division, where it is formed
    - 2.1.3 the relevant Regional Division, where it is formed and there is no functioning Constituency Unit for the electoral district
  - 2.2 by appointment by the Leader, where no approved candidate is in place and no nomination meeting is planned within a reasonable timeframe of the writ being dropped
  - 2.3 in accordance with requirements of Elections Nova Scotia.
  
3. The Executive shall ensure that conflict of interest policies are complied with and ensure no bias in the selection process.
  
4. The Leader may reject a selected candidate provided the majority of the Executive supports this decision.
  
5. Approved candidates must:
  - 4.1. Uphold and abide by the rules of the Party
  - 4.2. Promote and abide by the ratified policy of the Party subject to 4.3
  - 4.3. Address with the Leadership specific objections to ratified policy that candidates cannot support in good conscience, and come to agreement on how these differences are to be handled.

## **By-law on Shadow Cabinet**

1. The Leader and any deputy leaders are members of the Shadow Cabinet.
2. Any Party member elected as a Member of the Legislative Assembly is a member of the Shadow Cabinet.
3. Additional Shadow Cabinet members may be appointed by the Executive from the Party membership.
4. Shadow Cabinet portfolios are assigned by the Executive, taking into consideration recommendations from the leadership.

## **BY-LAWS (adopted 2007)**

The By-laws adopted in 2007 refer to article numbers in the Constitution that are no longer the relevant articles. To avoid confusion in this interim period before proposals for amendments to these by-laws are brought to the membership at the 2010 Annual General Meeting, these references to the Constitution are marked by the phrase [to be amended].

### **BY-LAW 1**

- a. **TITLE: Green Party Of Nova Scotia executive position election By-Law**
- b. [to be amended]GPNS CONSTITUTIONAL ARTICLE REFERENCE: article 9 – Executive
- c. **THE BY-LAW APPLIES TO:** executive position candidates,
- d. **THE BY-LAW IS ADMINISTERED BY:** the executive, Returning Officer, Leadership Election Team
- e. **TEXT OF THE BY-LAW:**

1. Elections for executive members of the Green Party of Nova Scotia will normally be conducted at the Annual General Meeting (article 9.2.1) or under the terms of article 9.4.3. This by-law provides expanded instruction on the conduct of selecting executive members.

2. The executive will appoint an election team to organize and conduct the executive elections. This team will consist of at least the party organizer and a returning officer. This team will be responsible to the current executive and membership for:

2.1 The promulgation of voting dates and methods;

2.2 the production and distribution of voting materials such as ballots, online voting process and voting stations;

2.3 accepting and vetting candidate declarations and nominations;

2.4 ensuring, to the maximum extent possible, that information on candidates is made available to the membership prior to voting;

2.4 actively seeking candidates for the positions.

3. All documents required in this by-law shall be sent to the election team at an address to be determined by the executive and promulgated publicly in reasonable time to allow for prospective candidates to be selected, come forward and submit the required documents.

4. The executive positions will be open to all members of the Green Party of Nova Scotia.

5. To formally declare their intent to run for an executive position candidates shall submit a “Declaration of intent to run document” by a date as set by the executive (or those authorized to act on their behalf) depending on the voting method. This date should allow for appropriate notification to the membership. Declaration of intent to run documents shall include:

5.1 a 250-word letter stating reasons for seeking the executive position in the GPNS. This document will be given the widest possible distribution among the membership;

5.2 a current resume or CV; and

5.3 a current photograph (at least 3 x 5 inches).

6. All members of the Green Party of Nova Scotia in good standing are eligible to vote. Voting will take place at the convention (or SGM), via mail-in ballot or by electronic balloting (article 9.4.3). The voting method is preferential balloting. This means that for each vote to be counted the voter must express their preference in numerical order where “1” is their first choice, “2” is their second choice and so on.

7. A candidate will be declared elected when they receive at least 50% of the total of first choice votes or, if there no clear majority on the first choice votes, at least 50% of the total sum of the first choice votes and preferential second or subsequent choice votes.

8. Regardless of how many executive candidates are on the ballot, the option, “None of the Above,” will also appear on the ballot.

9. Mail in ballots must be returned to the Returning Officer at least one day ahead of the “In Person” voting day if both methods are being used for one election.

10. Each candidate may have a scrutineer present during the counting of the ballots.

11. The results of voting will be announced in the following way:

“The Results of Balloting are as Follows:

Total Number of Ballots Cast \_\_\_\_\_;

Total Number of Spoiled Ballots \_\_\_\_\_;

Total Number of votes needed to declare Winner: \_\_\_\_\_;

Here, in ascending order, are the results: (e.g.)

Candidate A: 35

None of the Above: 36

Candidate D Theresa: 71

Candidate B: 72

Candidate C: 358.”

12. All ballots will be destroyed after the results are released to the membership.

## BY-LAW 2

a. TITLE: **Discipline, Complaints and Appeals**

b. [to be amended] GPNS CONSTITUTIONAL ARTICLE REFERENCE: article 9.6.3

c. THE BY-LAW APPLIES TO: all members

d. THE BY-LAW IS ADMINISTERED BY: Executive, Ombuds Committee

e. TEXT OF THE BY-LAW:

1. If a person has a problem with the actions of a Green Party member, the actions to be taken, can include:

1.1 statement of complaint

1.2 verbal warning to repeat the statement of complaint

1.3 written warning re statement of complaint

1.4 If there is still no change: send the complaint to an ombuds committee composed of at least three people (known to the Green Party / in good standing with the Green Party / with knowledge of the Green Party) , who will listen to both sides, allow time for submissions by both parties, and then come to a decision.

1.5 If, at any time, during the procedure, legal counsel is obtained, then all communication with the person will cease, and communication will be through a lawyer.

## BY-LAW 3

- a. TITLE: **GPNS POLICY DEVELOPMENT AND RATIFICATION BY-LAW**
- b. [to be amended] GPNS CONSTITUTIONAL ARTICLE REFERENCE: Article 11 Policy
- c. THE BY-LAW APPLIES TO: all members, Policy committee
- d. THE BY-LAW IS ADMINISTERED BY: Policy committee
- e. TEXT OF THE BY-LAW:

### GENERAL

1. Policy development is normally done through the Policy Committee, but individual members can make policy submissions for consideration and approval of the entire membership. This by-law lays out procedures for policy development and adoption by the Green Party of Nova Scotia.

### POLICY FORMAT

2. Policy submissions shall be in the following format and order:
  - 2.1 Subject/policy area title
  - 2.2 Relevant principles, beliefs and the current state of affairs on the subject
  - 2.3 The numbered list of specific subject-based policy suggestions to be submitted for ratification as policy
  - 2.4 A concluding section including cost estimates if applicable
  - 2.5 Date, citations and endorsing members if applicable

### POLICY COMMITTEE POLICY DEVELOPMENT PROCESS

3. Policy Networkers shall represent their regional divisions or constituents, submit policy proposals to the committee, and develop and refine proposed policy.
4. Policy Co-Convenors shall oversee and facilitate the policy development process, submit policy proposals to the committee, and develop and refine proposed policy.
5. A policy will be voted on when a motion to do so is made and seconded by another member of the committee.
6. The vote will be in accordance with the GPNS constitution (i.e. a Bonser vote where if the policy passes it goes to be voted on by the membership at the Policy Convention, if it fails it is discarded, and if it neither fails nor passes, it remains open for further revision and voting.

## SUBMISSION OF POLICY TO THE MEMBERSHIP

7. Policy will be put to membership vote if it either:

7.1 is submitted prior to the stated submission deadline with a minimum of 5 endorsements by members in good standing; or

7.2 has been approved by the Policy Committee prior to the stated submission deadline by Bonser vote with at least 75% of the Policy committee members voting.

## RATIFICATION

8. All policy must be ratified by the membership at a Policy Convention using constitutional voting procedures (Bonser vote process).

8.1 Policies that neither pass nor fail the first vote will go to committee for revision.

8.2 Any member in good standing may participate in a committee.

8.3 After committee revision a second membership Bonser vote will then be held.

8.4 All policies that do not pass the second vote fail.

## BY-LAW 4

- a. TITLE: **Green Party Of Nova Scotia leadership election By-Law**
- b. [to be amended] GPNS CONSTITUTIONAL ARTICLE REFERENCE: article 12 – The Leadership
- c. THE BY-LAW APPLIES TO: Leadership candidates,
- d. THE BY-LAW IS ADMINISTERED BY: the executive, Leadership Election Team
- e. TEXT OF THE BY-LAW:

1. Leadership of the Green Party of Nova Scotia will be contested if the current leader is stepping down or if more than 50% of members in good standing petition to hold such an election (article 12.7)
2. The executive will appoint a leadership election team to organize and conduct the leadership election. This team will consist of at least the party organizer and a returning officer. In addition to the process of running the election, this team will also have a mandate of actively seeking candidates for the position.
3. All documents required in this by-law shall be sent to the leadership election team at an address to be determined by the executive and promulgated publicly in reasonable time to allow for prospective candidates to be selected, come forward and submit the required documents.
4. The election will take place at the next Annual General Meeting (AGM) or Special General meeting (SGM). The AGM is held in conjunction with the annual convention.
5. All members of the Green Party of Nova Scotia in good standing are eligible to vote. Voting will take place at the convention (or SGM) and via mail-in ballot.
6. The leadership contest (for Leader and Deputy Leader) will be open to all members of the Green Party of Nova Scotia who are residents of Nova Scotia, who are Canadian citizens and who are of voting age at the time of the first day of the convention or SGM.

### **Declaration of Intent to run**

7. Declaration of intent to run documents are to be submitted no later than one month prior to the start date of the AGM/SGM (post-marked envelopes accepted). Declaration of intent to run documents shall include:
  - 7.1 a 250-word letter stating reasons for seeking the leadership of the GPNS;
  - 7.2 proof of Nova Scotia residence and Canadian citizenship (photocopies okay);
  - 7.3 a current resume or CV; and
  - 7.4 a current photograph (at least 3 x 5 inches).

## Guidelines For Leadership Candidates

8. No candidate for the Leadership of the Green Party of Nova Scotia may spend more than \$7,500 total, including campaigning before and during the convention. Any candidate for the Leadership of the Green Party of Nova Scotia must submit a financial report detailing all campaign contributions of money, services, and material within 60 days of the convention. The report need not be complicated but should record all contributions and clearly indicate when, whom, and what (money, material or service) was received.
9. Any candidate for the Leadership of the Green Party of Nova Scotia who is also a member of the executive of the GPNS must resign from the executive on or before one month prior to the first day of the AGM or by the day of notice for the SGM (if that date is less than one month prior to the SGM).
10. Candidates for the Leadership of the Green Party of Nova Scotia must be prepared to name a Deputy Leader candidate by one week prior to the first day of the AGM or by the day of notice for the SGM. Failure to do so will be regarded as formal withdrawal from the leadership race.

## **Guidelines for Deputy Leadership Candidates**

11. Candidates for the Deputy Leadership of the Green Party of Nova Scotia will need to submit the following documents no later than one week prior to the first day of the AGM or by the day of notice for the SGM (post-marked envelopes accepted) to the promulgated address for the election team:
  - 11.1 a 250 word letter stating reasons for seeking deputy leadership;
  - 11.2 proof of Nova Scotia residence and Canadian citizenship (photocopies okay);
  - 11.3 a current resume or CV; and
  - 11.4 a current photograph (at least 3 x 5 inches)

### At the CONVENTION

12. Each candidate seeking Leadership of the Green Party of Nova Scotia will participate in a 30-minute question and answer session with members of the GPNS.
13. Any candidate seeking Leadership of the Green Party of Nova Scotia must be nominated by a party member. This nomination may take the form of a speech at the convention. The nominator may speak for no more than 10 minutes.

14. Any candidate seeking the Leadership of the Green Party of Nova Scotia must accept the nomination of the nominator. This acceptance will take the form of a speech that will immediately follow the nominator's speech and not exceed 30 minutes.

15. Regardless of how many leadership candidates are on the ballot, the option, "None of the Above," will also appear on the ballot.

16. Each candidate seeking Leadership of the Green Party of Nova Scotia may have a scrutineer present during the counting of the ballots.

17. The results of voting will be announced in the following way:

"The Results of Balloting are as Follows:

Total Number of Ballots Cast \_\_\_\_\_;

Total Number of Spoiled Ballots \_\_\_\_\_;

Total Number of Votes Needed to Declare Winner: \_\_\_\_\_;

Here, in ascending order, are the results: (e.g.)

Rocky Balboa: 35

None of the Above: 36

Mother Theresa: 71

Joseph Howe: 72

David Suzuki: 358."

18. All ballots will be destroyed after the results are released to the convention.

BY-LAW 5

- a. TITLE: **Salary for Leader**
- b. [to be amended] GPNS CONSTITUTIONAL ARTICLE REFERENCE: article 12, The Leadership
- c. THE BY-LAW APPLIES TO: the Leader
- d. THE BY-LAW IS ADMINISTERED BY: The Leader, the treasurer and the executive.
- e. TEXT OF THE BY-LAW:

The Green Party of Nova Scotia reimburses the Leader of the Green Party of Nova Scotia the sum total of \$30,000 per annum on the proviso the Leader and the executive do adequate fundraising to help offset the salary.

## BY-LAW 6

- a. TITLE: **GPNS Budget and Expense Approval By-Laws**
- b. [to be amended] GPNS CONSTITUTIONAL ARTICLE REFERENCE: article 14. Finance
- c. THE BY-LAW APPLIES TO: all members
- d. THE BY-LAW IS ADMINISTERED BY: The treasurer, the official agent and the Signing Officers.
- e. TEXT OF THE BY-LAW:

### Definitions:

Signing Officer

(SO) people with signing authority on the party bank account.

### Availability of Funds

The current bank account balance, plus funds received but not deposited, minus outstanding cheques, minus previously approved expenses that have not been paid for yet.

### Budget

The detailed annual budget prepared and approved by the Executive.

1. The Executive will prepare and approve a detailed annual budget immediately following the Annual Convention. Adjustments to this budget will be made and approved by the Executive as required by changing circumstances. These approvals will be made as per Article 15 of the Constitution.
2. All party members, including the leadership, executive, and officers, must submit an EAF (Expense Approval Form) for all party expenses.
3. Non-party members may not submit an EAF.
4. The EAF contains information about the expense. Each EAF has a number for identification purposes.
  - 4.1 The member is required to provide information about the expense, including: a description of the expense; the dollar amount of the expense, tax inclusive; the name and contact information of the member requesting the expense; the date the EAF was filled out; and the date the expense needs to be purchased by.
  - 4.2 The approvers must provide information as well, including: their signature and position; whether or not they approve of the expense; the maximum dollar amount which can not be exceeded; the date on which the expense was approved; and, in the case of limited funds, a condition where part of the funds are approved based on future donations. (In this case, if funds do not become available, the rest of the expense is not approved.)
5. EAF's are financial documents and must be archived for 5 years.

6. Approval is subject to availability of party funds and the relevance of the expense to the party.
7. Approval must be made by SO's.
8. Only the executive may elect members of the executive to have signing authority.
9. There must be at minimum 4 SO's.
10. All SO's should attempt to authorize all EAF's, but at minimum:
  - 10.1 Two SO's are necessary for approving an expense amounting to \$1000 or less, tax included.
  - 10.2 Three SO's are necessary for approving an expense over \$1000, tax included.
  - 10.3 *Except in an emergency, no expense may be approved unless it has been authorized by a budget item or by a special executive motion. In an emergency, the following provisions will apply:*
    - 10.3.1 For an expense of not more than \$1000 including taxes, the expense may be approved if at least 30% of executive members (with a minimum of three executive members) have been consulted and agreed to the expense.
    - 10.3.2 For an expense exceeding \$1000 including taxes, the expense may be approved if at least 60% of the Executive members (with a minimum of six executive members) have been consulted and agreed to the expense.
    - 10.3.3 The Executive members agreeing to the emergency approval will be noted on the EAF.
    - 10.3.4 All Executive members will be immediately notified of the emergency approval.
    - 10.3.5 The emergency approval will be reviewed at the Executive meeting following the approval.
11. The SO, who is the last necessary officer to approve an EAF, is charged with the responsibility of notifying the member, who applied for with the EAF, that the expense has been given final approval.
12. SO's must review: the detailed annual budget and expense authorizing motions of the Executive, the legitimacy of each expense, applicable Nova Scotian legislation and regulations, the GPNS constitution, any anticipated requests for large amounts, and the 'availability of funds'.
13. All SO's are automatically on the finance committee with the treasurer as chair.

14. Cheques may be written only when final approval has been granted.
15. Even if more than two SO's were necessary to authorize an expense, only two SO's are necessary to sign cheques for authorized expenses.
16. Party members may submit EAF's after they have purchased the expense with personal funds. An approval or reimbursement is not guaranteed.
17. A reimbursement may be made to a party member for a party expense purchased with personal funds if detailed receipts and/or invoices have been submitted and verified by any SO, if an EAF is submitted, and if the expense meets all of the other requirements as decided by SO's and this set of by-laws, the GPNS constitution, and applicable Nova Scotian legislation and regulations.
18. Conflict of interest: Members of the GPNS executive may not be vendors to the GPNS.
19. Only the executive has the power to hire staff, who are not party members and offer salaries for those holding party positions. However, the finance committee must give approval for reoccurring expenses related to wages and salaries before the executive hires or offers salaries.
20. For tendering contracts, the SO's must first authorize the EAF, then write up the details of the tender for posting on the party website. The details should include the responsibilities to be executed under the contract, the contact information to apply, and the deadline.
21. Adoption of these expense approval by-laws by the executive replaces the power vested by the executive to the current signing officers.