

# The CONSTITUTION and BY-LAWS of the GREEN PARTY of NOVA SCOTIA (Last revised April 2024)

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## **BY- LAW AMENDING HISTORY**

Accountability for Performance (adopted 2009; amended 2010, 2018)

Amendment of Constitution and By-laws (adopted 2009; amended 2010, 2017, 2018, 2019, 2021, 2024)

Caucus (adopted 2009)

Constituency Divisions (adopted 2009, amended 2018)

Discipline, Complaints and Appeals (adopted 2007; amended 2010)

Election of Officers of the Party by the Membership (adopted 2007; amended 2015, 2018, 2019, 2021, 2024)

Electoral District Associations (adopted 2009, amended 2018, 2020)

Executive of the Party (adopted 2009; amended 2010, 2016, 2017, 2018, 2019, 2020, 2021, 2024)

Finance and Financial Procedures (adopted 2019; amended 2020, 2023, 2024)

General Meetings and the Annual Convention (adopted 2009; amended 2012, 2016, 2018, 2019)

Leadership (adopted 2009; amended 2010, 2016, 2018, 2019, 2024)

Leadership Election (adopted 2007; amended 2010, 2016, 2019, 2021, 2024)

Membership (adopted 2009; amended 2012, 2016, 2018, 2020)

Payment of the Leader (adopted 2011; omitted 2024)

Policy Committee (adopted 2009; amended 2010, 2016)

Policy Development and Ratification (adopted 2007; amended 2010, 2021, 2024)

Regions and Regional Divisions (adopted 2009; amended 2010, 2017, 2018, 2020, 2021)

Regional Representation (adopted 2009, amended 2018, 2024)

Rules of Order (adopted 2009)

Selection of Candidates for Members of the Legislative Assembly (adopted 2020; amended 2023)

Shadow Cabinet (adopted 2009; amended 2010; amended 2016)

Voting by Preferential Ballot (adopted 2010; amended 2019)

# The Constitution

## **1. NAME**

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

## **2. REGISTERED OFFICE**

2.1. 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.

3.2. 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.

3.3. 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* - 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* - 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.

### 5.3. Regional Division

5.3.1. An organizational unit in which membership and voting rights are granted to all Party members residing within a group of contiguous electoral districts, as defined in the *Elections Act* of the province of Nova Scotia, or within geographic regions having another basis for political identity. The boundaries of the

Regions, and the structure and function of Regional Divisions 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 Deputy Leader 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 *By-Law on Caucus*.

### **6. GENERAL MEETINGS**

6.1. Throughout the Constitution and By-Laws, the term "General Meetings" means both Annual General Meetings and Special General Meetings, unless further specified."

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

6.2.1. individual members who each have one vote

6.2.2. members carrying proxies who have voting rights as set out in the By-laws

6.3. 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 there is at least one Member present or represented by proxy from each of at least half of the Regions defined in these By-Laws.

6.4. The Annual Convention must include the Annual General Meeting and must be held within four months of the end of the Financial Year, unless an exception is supported in the Bylaws.

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

6.6. 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 at least 60% 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

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

A 1. The Party is to do such things political or otherwise that are incidental or conducive to the attainment of the Party’s purpose and objectives.

A 1.1. The members carry the responsibility for the direction of the Party, the functional and financial organization of the Party, and the effectiveness of the Party in meeting its purpose and objectives.

A 1.2. For the various structural units and individuals in positions of trust, the mechanisms for approval and accountability are to be established within the By-laws relevant to those structures and positions, and enforced by the membership as a whole at General Meeting or through those avenues that the membership has set in the By-laws.

A 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.

A 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 by-law or by-laws 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 by-law or by-laws, which had not happened as of the most recent update of this By-Law, April 2018.)

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

B 1. The members entitled to vote on an amendment of the Constitution or a By-law are those members who have individual voting rights for the relevant General Meeting.

B 1.1. Members may vote either in-person while present at the meeting or by using those alternative voting methods made available by the Executive of the Party or the appropriate appointed working group, including electronic or mailed ballot.

B 2. The Executive of the Party is responsible for the proposal of amendments to the *Constitution and By-laws* and for review of such proposals submitted by members for presentation to the membership at a General Meeting.

B 2.1. In the preparation of a proposal for amendment of the *Constitution and By-laws*, the Executive is to ensure that the foundational nature of the document, the legal language, the required clarity of intent, and the required consistency throughout the document are carefully considered.

B 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.

B 3.1. The working group is directly responsible to the Co-Presidents, who may be members of the working group.

B 4. At least 60 days before an Annual General Meeting, the Executive or its working group must invite the membership to submit proposals pertaining to the Constitution and By-laws in one of two ways as: 1. general statements of concern or 2. formal amendments to be submitted directly to the membership at the General Meeting.

B 4.1. the requirements for a statement of concern must include:

B 4.1.1. the member's name and the date

B 4.1.2. the article number if known (otherwise the topic area)

B 4.1.3. the reason for concern

B 4.2. The requirements for a formal amendment to be submitted directly to the membership at the general meeting must include:

B 4.2.1. those requirements in B 4.1

B 4.2.2. the name of the member who will speak to the proposal if required at the General Meeting

B 4.2.3. the wording of the original article(s)

B.4.2.4. the exact wording of the proposed change or addition, or that the article is to be omitted.

B.4.2.5. the name, contact information of member endorsers (the number of which is to be communicated in the call for proposals) and verification of their endorsements.

B 4.3. In all cases, the Executive or its working group will require clarity and consistency with other articles of the Constitution and By-laws and, in the case of proposals for direct submission, that endorsers are current members. Assistance will be provided to bring all proposals into compliance to submit to the general meeting, as resources are available.

B 4.1.4. detailed requirements for formal amendments, including the number of signatures by members required for the amendments to be presented directly to the Membership at the General Meeting. This number shall be determined by the Executive or its working group but shall not be greater than 10% of the Membership.

B 5. In order for a proposed amendment to be considered at a General Meeting, it must either:

B 5.1. have been distributed to all members more than thirty days prior to the day of the consideration; or

B 6. After each General Meeting where the Constitution or a By-law is amended, the Executive of the Party, or a committee appointed by the Executive, must oversee the drafting of the amended *Constitution and By-laws (date of amendment)* and may, in so doing, and subject to steps that ensure amendments are made as passed by the membership:

B 6.1. Renumber the articles of the Constitution and By-laws to accommodate the changes that have been made

B 6.2. Correct typographical and spacing errors

B 6.3. Correct spelling errors

B 6.4. Remove *proviso* statements and similar clauses referring to conditions that have been met through amendments passed at a General Meeting

B 6.5. Correct cross-references to article numbers which are no longer accurate.

B 8. The Executive may authorize the translation of the Constitution and By-Laws, or other relevant documents, into languages other than English. Upon the completion of such a translation, the translated document shall by resolution of the Executive be accepted as the “Authorized Translation” of that document, and shall be made generally available to Members and, as appropriate, the public. In all cases, only the English version of the document has force.

## **C – By-law on Caucus**

- C 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.
- C 2. The Caucus shall make such rules for its conduct as it sees fit in accordance with the Objectives and Purpose of the Party.
- C 3. The Leadership and elected Members of the Legislative Assembly shall be the voting members of Caucus.

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

### D 1. A Constituency Division

D 1.1. supports the work of the members toward the purpose and objectives of the Party

D 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.

### D 2. A Constituency Division

D 2.1. must elect annually a convenor, a secretary, and their Representative to be a member of the Regional Committee

D 2.2. may have other positions as needed for effective operation

D 2.3. 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.

D 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.

## **E – By-law on Discipline, Complaints, and Appeals**

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

E 1.1. statement of complaint

E 1.2. verbal warning to repeat the statement of complaint

E 1.3. written warning re statement of complaint

E 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.

E 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.

## **F – By-law on Election of Officers of the Party by the Membership**

- F 1. Elections of Officers of the Party of Nova Scotia by the membership will be conducted in accordance with the *Constitution and By-laws* and will normally be part of the Annual General Meeting.
- F 2. The Executive will appoint an election team to organize and conduct the election of Officers by the membership. This team will consist of at least an organizer and a returning officer. This team will be responsible to the current executive and membership for:
- F 2.1. the election notice to the membership to be received not less than 60 days prior to the Annual General Meeting at which the election is to be held
- F 2.1.1. the election notice will include
- F 2.1.1.1. the voting methods and dates;
  - F 2.1.1.2. the voting rights requirements;
  - F 2.1.1.3. the Officer positions that are open; and
  - F 2.1.1.4. the requirements to declare intent to run for one of the Officer positions
  - F 2.1.1.5. the electronic and/or mailing address to which “Declaration of Intent to Run” documentation is to be sent
  - F 2.1.1.6. the closing date for documentation to be received which should allow for appropriate notification to the membership of the candidates for each position two weeks before a General Meeting at which the election is to take place.
- F 2.2. the production and distribution of voting materials such as ballots, online voting process and voting stations;
- F 2.3. accepting and vetting candidate declarations and nominations;
- F 2.4. ensuring, to the maximum extent possible, that information on candidates is made available to the membership prior to voting;
- F 2.5. actively seeking candidates for the positions.



F 3. To formally declare their intent to run for one of the Officer positions, candidates shall submit “Declaration of Intent to Run” documentation to be received by the date published in the election announcement. Declaration of intent to run documents shall include:

F 3.1. 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; and

F 3.2. a current resume or CV.

F 4. The voting is to be done by preferential ballot.

F 5. Voting in elections for which the choices are known in advance (such as Officer elections) shall normally be done in a fashion that allows all eligible members to vote, not only those present at a meeting.

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

- G 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.
- G 2. An EDA
- G 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
  - G 2.2. must elect annually a convenor, a secretary, a treasurer, and their EDA Representative to be a member of the Regional Division Executive
  - G 2.3. may have other positions as needed for the effective operation of the EDA
  - G 2.4. may have two positions held by one member unless not permitted by provincial legislation and regulations
  - G 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.
- G 3. An EDA has both business and political functions. An EDA
- G 3.1. must have a bank account and file financial reports as required under the provincial *Elections Act*;
  - G 3.2. can raise funds, transfer funds and accept donations in accordance with provincial legislation and regulations;
  - G 3.3. can initiate membership in accordance with this Constitution and By-laws, while
    - G 3.3.1. ensuring all pertinent membership information, including financial and contact information, is communicated to those within the Party who maintain membership and financial records; and
    - G 3.3.2. transferring half of the membership fee to the Party;

G 3.4. supports the work of the members toward the purpose and objectives of the Party;  
and

G 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.

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

H 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.

H 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.

H 1.2. The primary responsibility to ensure that the Constitution is upheld shall lie with the two Co-Presidents.

H 2. The Executive shall consist of:

H 2.1. the two Presidents who shall be elected at an Annual General Meeting in accordance with the Constitution and By-laws

H 2.1.1. the Co-Presidents serve a staggered two-year term with one President to be elected in even numbered years and the other to be elected in odd-numbered years

H 2.2. The most recent past President who does not otherwise hold a position on the Executive;

H 2.2.1. If this person declines to fill the position:

H 2.2.1.1. They will no longer be considered a member of the Executive.

H 2.2.1.2. They will not be considered for the purposes of determining quorum.

H 2.2.1.3. No earlier past president, nor any other person, will be considered to fill the position.

H 2.2.1.4. With the approval of the Executive, the person may change their decision and take up the position again at any point in the future.

H 2.2.2. For purposes of determining quorum, the person's decision shall take effect at the date it is communicated in writing to the Governance Director or the end of an Executive Meeting where the decision has been recorded in the minutes, whichever comes first.

H 2.3. the two Policy Convenors who shall be elected at an Annual General Meeting in accordance with the Constitution and By-laws.

H 2.3.1. the Policy Convenors serve a staggered two-year term with one Policy Convenor to be elected in even-numbered years and the other to be elected in odd-numbered years.

H 2.4. The following Directors, who shall be elected annually during the Annual General Meeting:

H 2.4.1. The Membership Director, responsible for encouraging a larger and more diverse membership, as well as ensuring that the experience of being a member of the Party is positive and rewarding;

H 2.4.2. The Financial Director, responsible for financial policy, financial planning and budgets; and

H 2.4.3. The Governance Director, responsible for the party's procedures and safeguarding the party's internal democracy.

H 2.5. one Representative of each Region.

H 2.6. the two-person Leadership as set out in the By-laws

H 2.7. the Official Agent or agents, 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

H 2.8. such non-voting members as may be authorized by this or other sections of this By-Law.

H 3. Non-voting positions:

H 3.1. The Official Agent shall not have a vote in decisions made by the Executive.

H 3.2. When the party employs a single central staff person, such as an Executive Director, Provincial Organizer or other such individual, that person shall be a member of the Executive, but shall not have a vote in decisions made by the Executive.

H 3.3. The Executive may authorize the creation of additional non-voting positions on the Executive.

H 4. The voting members of the Executive shall, when considering a motion to go to a closed or *in camera* session, specify which, if any, non-voting members are to be included.

H 5. The Co-Presidents, Policy Co-Convenors, Governance Director, Membership Director, and Financial Director are the Officers of the Party.

H 6. Filling a Vacancy in the Executive, except for the elected Leadership

H 6.1. Any vacancy of a Regional Representative on the Executive must be filled by calling for nominations from the relevant Region, in accordance with the By-Law on Regional Representation.

H 6.2. A vacant Officer position, regardless of the reason for the vacancy, must be filled as soon as possible by a means determined by the Executive.

H 6.2.1. Any Officer position elected by the membership at the Annual General Meeting that is vacant must be filled by:

H 6.2.1.1. Electronic ballot of all Members,

H 6.2.1.2. A General Meeting, or

H 6.2.1.3. Appointment of a qualified member as an Interim Officer by the Executive from members offering for the position in response to, and at least seven days after, its availability having been announced to all members; an interim appointment terminates at the next General Meeting.

H 6.3. The Official Agent position must not be vacant at any time. Therefore, the Executive is to always have a Signing Officer of the Party designated to move into the interim position as Official Agent should the Official Agent position unexpectedly be vacated.

H 7. Removal of a Member of the Executive of the Party:

H 7.1. Any Member except the Leader may be removed from the Executive of the Party by a 75% vote of the full Executive except the Member in question.

H 7.1.1. The Executive is to have used the processes in the By-laws to attempt to address the situation, except those cases involving serious disobedience to the Constitution and By-laws or gross misconduct where the Executive can act directly for removal.

H 7.2. If the Member removed is a Regional Representative from an Active Regional Division, then the Regional Committee is to be informed within 24 hours.

H 7.3. If the Member removed is a Regional Representative from a Region without an Active Regional Division, then the members from that Region are to be informed within 7 days.

H 8. The Executive shall, subject to the 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:

H 8.1. Raise money from time to time upon such terms as the Executive thinks fit, but not by incurring debt.

H 8.2. Exercise any other lawful powers not inconsistent with these rules or the decisions of the General Meetings as made from time to time; and

H 8.3. Appoint such working groups from the membership as it considers necessary for the efficient administration of the Party's affairs.

H 8.3.1. 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 the Constitution and By-Laws.

H 8.3.2. 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;

H 8.3.3. 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.

H 8.4 Appoint a Human Resources Committee. The Human Resources Committee shall:

H 8.4.1 Be appointed by a resolution of the Executive passed at the first meeting of the Executive after each Annual General Meeting, and as necessary thereafter to fill vacancies.

H 8.4.2 Have responsibility for considering questions directly related to the establishment, definition, restructuring and removal of employed staff positions, working conditions and primary communication with employed staff.

H 8.4.3 Not have authority to spend money, or agree to spend money, without the prior approval of the Finance Committee or the Executive.

H 8.4.4 Maintain strong privacy and confidentiality practices.

H 8.4.5 Meet at whatever time, and in whatever format, desired by the Members of the Committee, so long as, regardless of the mode of communication and/or decision making, clear records are kept of all decisions that affect any employee.

H 8.4.6 Consist of between four and six members, appointed by, and from, the voting members of the Executive.

H 8.4.6.1 These members shall normally include the two Presidents.

H 8.5. Create and update, as necessary, job descriptions for the Leader and Deputy Leader of the Party.

H 8.5.1. The Executive will provide job descriptions for the Leadership positions upon the adoption of this by-law. These descriptions will specify the responsibilities and expected performance of the Leadership.

H 8.5.2. These job descriptions shall be made available to any member who expresses interest in entering a Leadership race. Candidates for the Leadership will agree to the job descriptions and their conditions at the time of entering the Leadership race.



H 8.5.3. The Executive will provide updated job descriptions, amended to reflect any amendments to the Constitution and By-laws and relevant decisions passed by the membership at General Meetings.

H 8.5.4. The Executive is responsible for ensuring that the responsibilities set out in the Leadership's job descriptions are met.

H 8.5.5. Should the Leadership be unwilling or unable to fulfill the terms of the job descriptions, the Executive has the authority to initiate a Leadership review by the membership.

H 9. 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.

H 10. 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.

H 11. The Executive shall meet:

H 11.1. Whenever it is scheduled by the Executive, or

H 11.2. Whenever a minimum of half of all Regional Representatives agree to call an Executive meeting, in which case the meeting will be held within 30 days of the agreement.

H 11.3. Notice of Executive meetings shall be given to all Executive members, as well as the general membership unless the executive declares the meeting closed.

H 11.4. Executive meetings may be conducted in-person or remotely using appropriate synchronous telecommunication technology.

H 12. Any Party member may normally attend a face-to-face or remote Executive meeting. Speaking rights may be granted at the discretion of the Executive.

H 12.1. The Executive may declare a meeting closed to all persons other than Executive members where to do otherwise would

H 12.1.1. put at risk the privacy of an individual or

H 12.1.2. seriously prejudice the interests of the Party.

H 12.1.2.1. The Executive will provide means for members to obtain a reasonable level of information on the proceedings without compromising privacy or party security

H 13. A quorum of the Executive shall consist of at least 50% of Regional Representatives and 50% of voting Executive Members who are not Regional Representatives. For clarity, only voting Executive positions currently occupied are considered for the purposes of evaluating quorum.

H 14. Members of the Executive shall act in the interests of the Party as a whole rather than simply as representatives of their Regions.

H 15. A Member shall not occupy simultaneously more than one position of the seven Officers and two Leaders.

H 15.1. A member in any Officer position on the Party Executive may also hold a Regional Representative position.

H 16. The Leader, Deputy Leader, Co-Presidents and Policy Co-Convenors are jointly responsible for ensuring effective co-ordination and communication among the Executive, Policy Committee, and Caucus.

H 16.1. Within three months of each Annual General Meeting, the Leader, Deputy Leader, 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.

H 17. The Executive will undertake consultation, on a continuing basis, with Mi'kmaq Members of the Party, in order to ensure that Mi'kmaq Members' voices are represented in the decision-making processes of the Party. The method or type of such representation shall be determined primarily by the Mi'kmaq Members of the Party. The Executive will have the responsibility to facilitate the creation of procedures or the amendment of documents to enable such representation.

H 18. Urgent matters that require the Executive to act between scheduled meetings may be addressed with a provisional motion. A provisional motion:

H 18.1. May be proposed by any member of the executive;

H 18.2. Must only address issues that are urgent and cannot wait until the next executive meeting.

H 18.3. Must be communicated to all Executive Members via the medium of communication that is normally used to notify Executive members of Executive meetings;

H 18.4. May be acted upon immediately once the approval of at least 50% of Regional Representatives and at least 50% of Executive members who are not Regional Representatives has been communicated to all members of the Executive. For clarity, only Executive positions currently occupied are considered for the purposes of evaluating approval;

H 18.5. Must be reported at the subsequent Executive meeting by reviewing the provisional motion and recording it into the minutes of that meeting, along with the names of the approving Executive members.

H 18.6. At the time of the provisional motion's reporting, any part of it that has not yet been carried out must be considered again by the Executive.

H 19. If a responsibility, action, or authority is assigned in these By-Laws to a person holding a specific position, and the position in question is vacant, or the person is unable to fulfill the role for an extended period of time, then the responsibility, action or authority shall be temporarily assigned to:

H 19.1. The Co-presidents assisted by the Executive or those designated by Executive as needed; or, failing that,

H 19.2. A member of the Executive designated by the Executive.

## **I – By-law on Finance and Financial Procedures**

### Executive Responsibilities

- I 1. The Executive is empowered to prepare and also approve a detailed annual budget covering the period January to December of each year, and to present the approved budget for feedback and commentary to members in whatever format may be appropriate. Adjustments to this budget will be made and approved by the Executive as required by changing circumstances.
- I 2. The person responsible for the financial records of the Party and the Official Agent, together with Organizational Units of the Party, shall act at the direction of the Executive to ensure that all financial reporting as required under provincial legislation is done in a timely manner.
- I 3. An annual financial report must be prepared, and all books and records so kept must be up to date for presentation at the Annual General Meeting, according to the requirements of law.
- I 4. At the first meeting of the Executive following each Annual General Meeting, the Executive will adopt or reaffirm, by resolution, policies that guide all of the following:
  - I 4.1. How money will be received by the Party;
  - I 4.2. Who will be entitled to produce receipts;
  - I 4.3. How expenditure commitments will be budgeted for by the Party;
  - I 4.4. What bank accounts will operate for the ensuing year, including the purposes of and access to accounts;
  - I 4.5. Who will be allowed to authorize the production of cheques or the use of alternative payment methods such as e-mail, credit card or debit card transactions, and the names of cheque and/or credit card signatories;
  - I 4.6. Who will be allowed to authorize the ordering of goods and services;

- I 4.7. Policy concerning the investment of money by the Party, including what type of investment will be permitted;
- I 4.8. The type and frequency of financial reporting required during the year; and
- I 4.9. The preparation of the annual budget.
- I 4.10. Any of the foregoing policies that are not adopted or reaffirmed at the first meeting of the Executive following each Annual General Meeting shall appear on the agenda of each subsequent meeting of the Executive, ahead of any new business, and any deferral shall require an explicit resolution of the Executive.
- I 5. The Executive may invest surplus funds as it sees fit provided that the investment does not conflict with the Party's Objectives and Purpose.
- I 6. Only the Executive may hire staff or offer salaries to those holding Party positions. Any recurring expense related to wages and salaries must be approved by the Finance Committee prior to any hiring or salary offer being extended.
- I 7. Conflict of interest: Members of the Executive may not be vendors to the Party.
- I 8. Adoption of this by-law by the Membership replaces any authority previously granted to the Executive, Signing Officers, or others.

#### Expense Approval Process

- I 9. All party members, including the Leadership, Executive, and Officers, must submit an expense Approval Form for all Party expenses.
- I 10. Non-Party members may not submit an Expense Approval Form.
- I 11. The Expense Approval Form contains information about the expense. Each Expense Approval Form has a number for identification purposes.
  - I 11.1. The member is required to provide information about the expense, including:
    - I 11.1.1. a description of the expense;
    - I 11.1.2. the dollar amount of the expense, tax inclusive;

I 11.1.3. the name and contact information of the member requesting the expense;

I 11.1.4. the date the Expense Approval Form was filled out; and I 11.1.5. the date the expense needs to be purchased by.

I 11.2. The approvers must provide information as well, including:

I 11.2.1. their signature and position;

I 11.2.2. whether or not they approve of the expense;

I 11.2.3. the maximum dollar amount which can not be exceeded;

I 11.2.4. the date on which the expense was approved; and

I 11.2.5. in the case of limited funds, a condition where part of the funds is approved based on future donations. (In this case, if funds do not become available, the rest of the expense is not approved.)

I 12. Expense Approval Forms are financial documents and must be archived for 5 years.

I 13. Approval is subject to availability of Party funds, the relevance of the expense to the Party, and can only be granted by Signing Officers. Availability of funds is determined by 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.

#### Responsibilities of Signing Officers

I 14. Only the Executive may elect members of the Executive to be Signing Officers with signing authority on the Party bank account.

I 15. The executive is responsible to ensure that there are at all times a minimum of four Signing Officers.

I 16. All Signing Officers should attempt to authorize all Expense Approval Forms, but at minimum:

- I 16.1. Two Signing Officers are necessary to approve any expense amounting to \$1000 or less, tax included.
- I 16.2. Three Signing Officers are necessary to approve any expense over \$1000, tax included.
- I 17. 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:
  - I 17.1. 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.
  - I 17.2. 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.
  - I 17.3. The Executive members agreeing to the emergency approval will be noted on the Expense Approval Form.
  - I 17.4. All Executive members will be immediately notified of the emergency approval.
  - I 17.5. The emergency approval will be reviewed at the Executive meeting following the approval.
- I 18. The Signing Officer who is the last necessary officer to approve an Expense Approval Form is charged with the responsibility of notifying the member who applied that the expense has been given final approval.
- I 19. The Signing Officers must review: the detailed annual budget and expense authorizing motions of the Executive, the legitimacy of each expense, the applicable Nova Scotian legislation and regulations, the Constitution and By-laws of the Party, any anticipated requests for large amounts, and the availability of funds.
- I 20. Cheques may be written only when final approval has been granted.
- I 21. Even if more than two Signing Officers were necessary to authorize an expense, only two Signing Officers are necessary to sign cheques for authorized expenses , and only one

Signing Officer may be necessary to exercise alternative payment methods for authorized expenses.

I 22. There shall be a Finance Committee, which shall consist of all the Signing Officers, and shall be chaired by the Financial Director.

I 23. For tendering contracts, the Signing Officers must

I 23.1. first authorize the Expense Approval Form,

I 23.2. then write up the details of the tender for posting on the party website. The details should include

I 23.2.1. the responsibilities to be executed under the contract,

I 23.2.2. the contact information to apply, and I 23.2.3. the deadline.



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

J 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.

J 1.1. The Annual Convention is held at such time and place as designated by the Executive.

J 1.2. The agenda of the Annual Convention must be

J 1.2.1. consistent with the Constitution and By-laws

J 1.2.2. determined by the Executive.

J 1.3. Members are to be notified of the times, places and methods (including electronic methods) of gathering, of the Annual Convention not less than two months prior to the start date of that Annual Convention.

J 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.

J 1.5. The Annual Convention and Annual General Meeting may be delayed beyond the normal period from the end of the Financial Year provided

J 1.5.1. there are exceptional circumstances relating to a provincial or federal election, a major storm event, or other situation which the Executive and Cabinet, or Shadow Cabinet, unanimously agree requires such a delay, and

J 1.5.2. the Annual General Meeting is held as soon as possible.

J 2. The Annual General Meeting will:

J 2.1. Elect officers as provided for by these rules;

J 2.2. Receive the financial accounts of the Party for the previous Financial Year;

J 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 by-law or by-laws 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 by-law or by-laws, which had not happened as of the most recent update of this By-Law, April 2018.)

J 2.4. Provide a forum for the consideration of matters consistent with the Constitution as judged necessary by the Executive.

J 3. A Special General Meeting may be called by the Executive or by a majority of the Regional Divisions in agreement.

J 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, with the exception when the purpose includes changes to the Constitution or By-Laws then not less than 30-days' notice is required.

J 3.2. Only matters addressed in the notice shall be considered at the Special General Meeting.

J 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.

J 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*.

J 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 for election of Officers and Leadership, and for amendment to the Constitution and By-laws, at that General Meeting.

J 4.2.1. a member may vote by proxy at a General Meeting, or in an election at any Party level, for those matters that use a paper ballot provided that

J 4.2.1.1. the member has completed the official proxy voting form delegating a qualified member with voting rights to carry the proxy, and

J 4.2.1.2. the member has registered the form with the returning officer for the relevant Meeting within the required timeframe, and

J 4.2.1.3. the member carrying the proxy carries no more than one proxy vote,  
and

J 4.2.1.4. the member carrying the proxy has been verified by the returning  
officer at the time of the vote.

J 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.

J 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*.

## **K – By-law on Leadership**

- K 1. The Leader and Deputy Leader constitute the Leadership of the Party.
- K 2. The Leader and Deputy Leader are to be elected by the membership in accordance with the *Constitution and By-laws*.
- K 3. In the event that the Leader steps down or is otherwise unable to serve, the Deputy Leader shall assume the office of Interim Leader. This excludes the event that the Leader and Deputy Leader failed to receive approval for their continuation.
- K 3.1. If the Deputy Leader is unable to serve, the Executive will appoint an Interim Leader, such an appointment to terminate at the next General Meeting. This excludes the event that the Leader and Deputy Leader failed to receive approval for their continuation.
- K 4. A new Leadership shall be elected at a General Meeting held within six months of the loss of the Leader.
- K 5. 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.
- K 6. The Deputy Leader position that becomes vacant must be filled by appointment by the Executive with final approval of the Leader.
- K 7. 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.
- K 7.1. The Leadership in consultation with the Shadow Cabinet or Cabinet is to base position statements on the Principles of the Party, the policies ratified by the membership, the Platform, and the collective wisdom of Nova Scotians.
- K 7.2. Such statements must be consistent with the Party’s Constitution and By-laws.
- K 7.3. 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.

K 8. The Leadership, in consultation with the Shadow Cabinet or Cabinet, will apply the Genuine Progress Index approach

K 8.1. To evaluate the cost of the Party's position statements, the Platform, and policies as appropriate

K 8.2. To critique government expenditures and priorities, and the position statements and platforms of other Parties.

K 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.

K 10. The Leadership is responsible for the affairs of Caucus.

K 11. Leadership Review – Leadership Reviews take place at every Annual General Meeting, and can also be initiated by other circumstances, as described in the By-Laws.

K 11.1. A Leadership Review consists of two parts: informational and voting.

K 11.2. Informational Part:

K 11.2.1. If the Review is held as part of a General Meeting, the informational part consists of a question-and-answer session with either the Leader or both members of the Leadership. The session will be moderated by one of the Presidents, or another person designated by the Executive. Non-members shall not be granted speaking rights during this process.

K 11.2.2. If the Review is not held as part of a General Meeting, the informational part shall be defined by the Executive, but shall always include both an opportunity for the Leadership to describe their past actions and future vision, and an opportunity for the Membership to question the Leadership. If possible, the informational part shall include opportunity for feedback between the Leadership and Members of the party. Non-members shall not participate in this process.

K 11.3. Voting Part:

K 11.3.1. If the Review is held as part of a General Meeting:

K 11.3.1.1. The voting part shall be managed by the Officers Election Team for that General Meeting, or other people appointed by the Executive.

K 11.3.1.2. Voting shall be by secret ballot, by a method similar to that for the elections held as part of that General Meeting.

K 11.3.2. If the Review is held in some other format, the Executive shall appoint a Leadership Review Team, who shall determine the method of, and carry out, the voting process, with the limitation that the ballot must be secret.

K 11.3.3. Members shall be asked the question: “Do you support the current Leader and Deputy Leader of the Green Party of Nova Scotia continuing in their positions?” Members shall be given only the options “Yes” and “No”.

K 11.4. In the case where greater than 50% of the valid votes cast are for “No”, the Executive shall meet at the earliest possible opportunity, and in any event no more than 10 days after the Leadership Review. At this meeting, Executive shall accept the results of the Leadership Review, declare the positions of Leader and Deputy Leader vacant and appoint an interim Leader.

## **L – By-law on Leadership Election**

L 1. The executive will appoint a leadership election team to organize and conduct the leadership election. This team will consist of an organizer and a returning officer.

L 1.1. In addition to the process of running the election, this team will be responsible for the election notice to the membership to be received not less than 60 days prior to the General Meeting at which the election is to be held.

L 1.1.1. The election notice will include

L 1.1.1.1. the voting methods and dates;

L 1.1.1.2. the voting rights requirements;

L 1.1.1.3. the requirements to declare intent to run

L 1.1.1.4. the electronic and/or mailing address to which “Declaration of Intent to Run” documentation is to be sent

L 1.1.1.5. the closing date for documentation to be received, which must allow for verification of documentation followed by notification to the membership of the candidates for each position normally 30 days before a General Meeting at which the election is to take place.

L 2. The Leadership of the party is elected as a unit, which each Leadership Candidacy consisting of a candidate for Leader and a candidate for Deputy Leader to be voted upon as a unit.

L 3. The voting is to be done by preferential ballot.

L 4. Voting in a Leadership Election shall normally be done in a fashion that allows all eligible members to vote, not only those present at a meeting.

L 5. Candidacy for a leadership position is open to all members who are residents of Nova Scotia, who are Canadian citizens, and who are of provincial legal voting age by the first day of the General Meeting at which the election is to be held.

L 6. To formally declare their intent to run for Leadership, both candidates that are part of a Leadership Candidacy must submit “Declaration of Intent to Run” documentation to be received by the date published in the election notice.

L 6.1. Declaration of Intent to Run documents must include:

L 6.1.1. a 250-word letter of application stating reasons for seeking the leadership of the Green Party of Nova Scotia

L 6.1.2. proof of Nova Scotia residence and Canadian citizenship (photocopies accepted)

L 6.1.3. a current resume or *Curriculum Vitae*; and

L 6.1.4. a current photograph in a format specified in the election notice for electronically submitted or mailed documents.

L 7. In the Declaration of Intent to Run documentation, each candidate for Leader must name the candidate for Deputy Leader who is to run on the same ticket under the name of the candidate for Leader.

L 7.1. Failure to receive Declaration of Intent to Run documentation from the candidate for Deputy Leader by the promulgated closing date will be regarded as formal withdrawal of the candidate for Leader from the leadership race.

L 8. No Leadership Candidacy of the Green Party of Nova Scotia may spend more than \$7,500 total, including campaigning before and during the convention.

L 8.1. 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, from whom, and what (money, material or service) was received.

L 9. Any candidate for the Leadership of the Green Party of Nova Scotia who is also a member of the Executive must resign from the Executive on or before one month prior to the first day of the General Meeting at which the election is to be held.

L 10. At the General Meeting at which the election is to be held, each set of candidates for the positions of Leader and Deputy Leader must:

L 10.1. be nominated by a party member in a speech of no more than 5 minutes

L 10.2. accept the nomination in a joint speech that will not exceed 15 minutes and will immediately follow the nominator's speech, and



L 10.3. participate in a 15-minute question and answer session with the membership.

## **M – By-law on Membership**

M 1. Any resident in Nova Scotia is eligible for membership if the person:

M 1.1. is over 15 years of age

M 1.2. is not a member of any other provincial political party.

M 1.3. pays the appropriate membership fees

M 1.4. Signs or electronically confirms agreement with a statement that the person:

M 1.4.1. Supports the Green Party of Nova Scotia;

M 1.4.2. Understands that the Green Party of Nova Scotia is a registered political party, and hence that its primary purpose is to field candidates for election as Members of the Nova Scotia House of Assembly; and

M 1.4.3. Will act with respect and support towards other members of the Green Party of Nova Scotia.

M 2. A person's membership is initiated or renewed as of the date recorded in the party's membership database and on the official receipt for the annual membership fee issued electronically or by mail from

M 2.1. one of the Signing Officers of the Executive of the Party, or

M 2.2. one of the Signing Officers of the Electoral District Party Association of the provincial electoral district in which the applicant resides.

M 3. A membership allows a person to be a member of the:

M 3.1. Green Party of Nova Scotia

M 3.2. the Regional Division if formed in the region in which the member resides

M 3.3. the Electoral District Association Electoral District Association if formed in which the member resides

M 3.4. the Constituency Division if formed in the electoral district in which the member resides

M 4. An electronic database of all members' contact and membership information shall be maintained by a person appointed by the Executive to do so. 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 abide by the ten fair information principles as stated in the Personal Information Protection and Electronic Documents Act (PIPEDA), and adhere to the intent of PIPEDA

M 5. The membership fee that the member pays shall

M 5.1. be determined by the Executive of the Party

M 5.2. be acknowledged by a receipt issued in accordance with the law to the member who paid

M 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

M 5.4. apply for one year from the date on which it is initiated or renewed.

M 5.5. be deducted from the contributions of those members who are on a regular donation scheme and have elected to have their membership fee paid annually in this manner.

M 6. Any member accepting membership fees on behalf of Green Party Nova Scotia from a person to renew membership or to apply for membership must:

M 6.1. collect the contact information that is required on the Party membership application, and a statement that this person is not a member of another provincial political party.

M 6.2. issue a personal receipt to verify acceptance of the fee

M 6.3. notify the person responsible for the maintenance of the financial records of either the EDA or the Party, as well as the person responsible for the maintenance of the Party's membership database, within 24 hours. Upon confirmation of payment being received, the person responsible for the maintenance of the Party's membership database will provide a receipt and confirmation of membership to the Member.

M 7. Members may:

M 7.1. nominate candidates for office at any level of the Party

M 7.2. hold office at any level of the Party as permitted by provincial laws

M 7.3. vote at

M 7.3.1. General Meetings of the Party, except as follows:

M 7.3.1.1. Voting rights for election of Officers and Leadership, and for amendments to the Constitution and By-laws, require that the Member's membership was granted at least 14 days prior to the meeting at which the vote is to be taken.

M 7.3.1.2. If a former member renews their membership within 90 days after the expiry of their membership, then the exception in article M 7.3.1.1 does not apply.

M 7.3.2. Meetings of the Regional Division of the region where the member resides

M 7.3.3. Meetings of the Electoral District Association of the electoral district in which the member resides

M 7.3.4. Meetings of the Constituency Division of the electoral district in which the member resides

M 7.4. Nominate or be Party candidates for Members of the Legislative Assembly as permitted by provincial laws

M 7.5. Submit proposals on matters of policy or the Constitution and By-laws to be considered at General Meetings.

M 8. A person shall cease to be a member when:

M 8.1. their written or verbal resignation is received by the Executive either directly or through the Membership Committee;

M 8.2. the person dies;

M 8.3. their membership expires with fees past due; or

M 8.4. their membership is revoked due to serious disobedience of the Constitution or Bylaws, or gross misconduct.

## **N – By-law on Policy Committee**

- N 1. The Policy Committee is responsible for the development and preparation of Party policy proposals for presentation to the membership at a General Meeting.
- N 2. The Policy Committee shall consist of:
- N 2.1. The two Policy Convenors, the Leader, and the Deputy Leader
  - N 2.2. The members of the Cabinet or Shadow Cabinet, who particularly provide expertise in their portfolio areas and who may serve as Policy Networkers for the Regional Division in which they reside.
  - N 2.3. A maximum of two Policy Networkers per Regional Division can be elected by
  - N 2.4. a Regional Division in order to bring their representation on the Policy Committee to the minimum of one man and one woman, and
  - N 2.5. Other members with expertise whom the Policy Committee may appoint.
- N 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.
- N 3.1. The Policy Committee may appoint such working groups from the membership, or elsewhere, as it considers necessary for the efficient development of policy proposals. Such working groups shall not generate policy proposals in isolation but shall listen to, and consult with, the Nova Scotia electorate and its community organizations.
  - N 3.2. 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.
  - N 3.3. Any working group or person to whom the Policy Committee has delegated powers or duties will be bound by the Constitution and By-laws, as well as any terms or conditions set by the Policy Committee.

- N 3.4. 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.
- N 3.5. The Policy Committee will act in a manner consistent with the Constitution and Bylaws and with the will of the Party, as expressed through the General Meetings and any agreement with the Executive or Caucus.

## **O – By-law on Policy Development and Ratification**

- O 1. All members of the Policy Committee submit policy proposals to the committee, and develop and refine proposed policy, and Policy Co-Convenors oversee and facilitate the policy development process.
- O 2. The Policy Committee will use consensus in policy proposal development and the Committee’s approval of a proposal as ready to be presented to the membership will be determined by Bonser vote with at least 75% of the Policy committee members voting.
- O 4. The Policy Committee is required to issue a policy notice at least 60 days before the General Meeting at which policy proposals are to be considered. The notice must include:
  - O 4.1. a call for policy proposal submissions from the membership
  - O 4.2. the details on the requirements for a policy proposal submission
  - O 4.3. the required minimum number of endorsements by members
  - O 4.4. the date by which submissions must be received by the Policy Committee
  - O 4.5. the address for electronic submissions and/or mailed submissions
- O 5. The Policy Committee must give notice to all members of all policy proposals not less than thirty days prior to the General Meeting of the Party at which they are to be presented. Policy proposals include
  - O 5.1. proposals approved by the Policy Committee
  - O 5.2. proposals submitted by the membership that met all requirements.
- O 6. Policy proposals are presented to the membership at a General Meeting for voting by the Bonser Method. In a Bonser Method, the proportion of green votes required to adopt a motion and the proportion of red votes required to reject a motion are each 60% of votes cast.



- O 6.1. With the Bonser Method, voters choose Red, Yellow or Green for each motion. Red means "I understand this motion and am opposed to it", Green means "I understand this motion and am in favour of it", and, Yellow means either "I wish to learn more about this motion" or "I do not like this motion's present wording, but I think the concept has merit".
- O 6.2. All policy proposals that have been prepared for the General Meeting will be presented for ratification before the membership considers revisions
- O 6.3. As time permits, a policy that neither passed nor failed the first vote will go to a revision committee formed at the General Meeting to prepare a revision to be brought back for a second membership vote at that General Meeting.
  - O 6.3.1. Any member may participate in this committee
  - O 6.3.2. A member of the Policy Committee or a member with policy proposal
    - O 6.2.2.1. experience should Chair this committee
- O 6.4. After committee revision of a proposal, a second membership vote will be held as time permits, and proposals that do not obtain 60% support on this second vote are rejected.
- O 6.5. Any policy proposal that neither passed nor failed and was not presented for a second membership vote at that General Meeting is returned to the Policy Committee for further work, along with a copy of any revision done by a committee at that General Meeting.
- O 7. The Policy Committee shall endeavour to review every existing policy on an annual basis, and present a resolution to the Annual General Meeting to either affirm or modify each reviewed policy.
- O 8. All policies that have not been affirmed or modified by a positive vote at a General Meeting within the previous five calendar years shall be considered "lapsed" and shall not be considered official policies of the Party until affirmed or modified at a General Meeting.

## **P – By-law on Regions and Regional Divisions**

- P 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.
- P 2. The term “Executive Officer”, as used in this By-Law, shall normally mean the Governance Director, but may also be any other Officer of the Party, in a case where the Governance Director does not fulfill the responsibilities described herein.
- P 3. The Members of the Party are divided into eight Regions, as follows:
- P 3.1. Cape Breton Region constituted of the members in the provincial electoral districts of
    - P 3.1.1. Cape Breton Centre-Whitney Pier,
    - P 3.1.2. Cape Breton East
    - P 3.1.3. Glace Bay-Dominion,
    - P 3.1.4. Inverness
    - P 3.1.5. Northside-Westmount,
    - P 3.1.6. Richmond
    - P 3.1.7. Sydney-Membertou, and
    - P 3.1.8. Victoria-The Lakes.
  
  - P 3.2. Shore to Shore Region constituted of the members in the provincial electoral districts of
    - P 3.2.1. Antigonish,
    - P 3.2.2. Eastern Shore
    - P 3.2.3. Guysborough- Tracadie,
    - P 3.2.4. Pictou Centre,
    - P 3.2.5. Pictou East, and
    - P 3.2.6. Pictou West.
  
  - P 3.3. Minas Basin Region constituted of the members in the provincial electoral districts of

- P 3.3.1. Colchester North,
- P 3.3.2. Colchester-Musquodoboit Valley,
- P 3.3.3. Cumberland North,
- P 3.3.4. Cumberland South,
- P 3.3.5. Hants East, and
- P 3.3.6. Truro-Bible Hill-Millbrook-Salmon River.

P 3.4. Fundy Shore Region constituted of the members in the provincial electoral districts of

- P 3.4.1. Annapolis,
- P 3.4.2. Clare
- P 3.4.3. Digby-Annapolis,
- P 3.4.4. Hants West,
- P 3.4.5. Kings North,
- P 3.4.6. Kings South, and
- P 3.4.7. Kings West.

P 3.5. South Shore Region constituted of the members in the provincial electoral districts of

- P 3.5.1. Argyle,
- P 3.5.2. Chester-St. Margaret's,
- P 3.5.3. Lunenburg,
- P 3.5.4. Lunenburg West,
- P 3.5.5. Queens,
- P 3.5.6. Shelburne, and
- P 3.5.7. Yarmouth.

P 3.6. Halifax Region constituted of the members in the provincial electoral districts of

- P 3.6.1. Fairview-Clayton Park,
- P 3.6.2. Halifax Atlantic,
- P 3.6.3. Halifax Armdale,
- P 3.6.4. Halifax Chebucto,
- P 3.6.5. Halifax Citadel-Sable Island,
- P 3.6.6. Halifax Needham, and

P 3.6.7. Timberlea-Prospect.

P 3.7. Dartmouth Region constituted of the members in the provincial electoral districts of

P 3.7.1. Cole Harbour,

P 3.7.2. Cole Harbour-Dartmouth,

P 3.7.3. Dartmouth East,

P 3.7.4. Dartmouth North,

P 3.7.5. Dartmouth South,

P 3.7.6. Eastern Passage and

P 3.7.7. Preston.

P 3.8. Bedford Basin Region constituted of the members in the provincial electoral districts of

P 3.8.1. Bedford Basin,

P 3.8.2. Bedford South,

P 3.8.3. Clayton Park West,

P 3.8.4. Hammonds Plains-Lucasville,

P 3.8.5. Sackville-Cobequid,

P 3.8.6. Sackville-Uniacke, and

P 3.8.7. Waverley-Fall River-Beaver Bank.

P 4. When the Executive is notified of the existence of a Regional Division that meets certain criteria, an Executive Officer will confirm to the Executive and the Regional Division that the Regional Division is thereby considered Active, and has a Regional Committee, for the purposes of these By-Laws. Those criteria are:

P 4.1. The Region has at least five Members resident within it.

P 4.2. The Executive Officer has been notified of the names of the Regional Committee, including at a minimum its Convenor, its Regional Representative on the Party Executive and at least one Policy Networker.

P 4.3. The Executive Officer has been satisfied that the positions mentioned in article Q 4.2 were elected in a transparent, democratic fashion, using preferential balloting, of which all Members in the Region had reasonable notice.

P 5. The main functions of a Regional Division are to:

P 5.1. Co-ordinate the activities of the members within the Regional Division toward the purpose and objectives of the Party;

P 5.2. Send representatives to other Organizational Units of the party to speak on behalf of the Region's members, and to participate in the work of these Units.

P 5.3. To assist as needed in the process of selection of Party candidates for Members of the Legislative Assembly in accordance with the By-laws

P 6. 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.

P 7. The internal organization of a Regional Division is generally the responsibility of the members in the Regional Division, but it shall have a Regional Committee, including at least the following positions:

P 7.1. a Convenor who chairs meetings of the Regional Division. This position is required in order for the Regional Division to be considered Active.

P 7.2. a Regional Representative, elected annually by the members in the Region, to be a voting member of the Executive of Party. This position is required in order for the Regional Division to be considered Active.

P 7.3. a Policy Networker, to be a member of the Policy Committee. This position is required in order for the Regional Division to be considered Active.

P 7.4. a second Policy Networker of another gender, also to be a member of the Policy Committee.

P 7.5. Constituency Representatives from any Constituency within the boundaries of the Regional Division whose Members have elected one.

P 7.6. If there are insufficient members to fill these positions, two functions may be carried out by a single member.

P 8. 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.

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

Q 1. In this By-Law, “CD/EDA” means “Constituency Division or Electoral District Association” and is used to mean either type of Constituency-level organization.

Q 2. Regional Representatives on the Executive are selected one of two ways:

Q 2.1. For all Active Regional Divisions, the Regional Division conducts an election, annually and additionally if needed, for the position of Regional Representative, and communicates the name of the Regional Representative to the Executive. This communication must happen at least once per year, during the 45 days preceding the Party’s Annual General Meeting but shall also happen at any time that the Regional Division changes its Regional Representative.

Q 2.2. For all Regions without active Regional Divisions, a Regional Representative is elected annually and additionally if needed by the Members from that Region. This will normally take place at the Annual Convention, but the Executive may choose to set another time, place, or method to encourage greater participation by the Members from that Region. The Executive may also announce the minimum number of members from a region, below which the Executive has determined that a fair and representative Regional Representative election cannot be held at the Annual Convention and a separate election must be held. If the Executive opts to exercise these choices, the Executive must provide notice to the membership at least 60 days prior to an Annual Convention.

Q 3. In a case where a Regional Representative from an active Regional Division is unable to attend a meeting of the Executive, the Regional Division may inform the Executive of another Member who will exercise that Regional Representative’s vote by proxy. This proxy Regional Representative will count towards quorum.

Q 4. Constituency Representatives on Regional Divisions are selected one of two ways:

Q 4.1. For all active CD/EDAs, the CD/EDA conducts an election, annually and additionally as needed, for the position of Constituency Representative, and communicates the name of the Constituency Representative to the Regional Division. This communication must happen at least once per year but shall also happen at any time that the CD/EDA changes its Constituency Representative.

Q 4.2. For all Electoral Districts without active CD/EDAs, a Constituency Representative is elected, annually and additionally as needed, by the Members from that Constituency. This will normally take place at a meeting of the Regional Division, but the Regional Division may choose to set another time, place or method to encourage greater participation by the Members from that Constituency.



## **R – By-law on Rules of Order**

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

R 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.

R 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

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

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

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

### **Candidate Search and Call for Nominations**

- S 1. The GPNS (including the Leadership, the provincial Executive and its committees, Regional Divisions, Electoral District Associations, and Constituency Divisions) shall conduct a thorough search for Nomination Contestants, including all genders and sexualities, Mi'kmaq people, people with disabilities, cultural minority groups, and other under-represented minorities, reflective of local demographics and party values.
- S 2. The Party Membership shall be informed of the candidate search and encouraged to participate in the process.
- S 3. In anticipation of a general election, the provincial Executive shall issue a province-wide call for nominations, which must include a uniform application deadline for all districts. At the discretion of the executive, an individual district may set a different application deadline. In any event, application deadlines must
- S 3.1. be communicated to all members in a district to which they apply; and
  - S 3.2. provide a reasonable period of time to allow potential Nomination Contestants to submit their applications.

### **Application Process**

- S 4. The provincial Executive may establish a Screening Committee, which is empowered by the Executive to be responsible for and may be entrusted to exercise the powers of the Executive on matters of, nominee applications and vetting as described in this by-law.
- S 5. Any member seeking a GPNS nomination must complete an Application Package, the contents of which will be determined by the Executive before nominations open. The Application Package must be completed and returned to the Executive.
- S 6. Any member offering as a prospective candidate for the Party must, at the time of submission of the Application Package, declare:
- S 6.1. any potential or perceived conflict of interest; and

S 6.2. any specific objections to ratified policy, Party principles, or Party objectives that the member cannot support in good conscience.

S 7. If the prospective candidate is accepted for participation in the nomination contest, then the contents of this declaration will be communicated to the members of the electoral district in question, at the time of that approval

S 8. Additionally, prospective candidates must address with the Leadership, in collaboration with the Shadow Cabinet or Caucus, specific objections to ratified policy that candidates cannot support in good conscience and come to an agreement on how these differences are to be handled.

S 9. The Executive will ensure that a screening or vetting process is developed and followed, with the objective that all individuals approved to seek nomination meet a set of predetermined standards such that they will not bring discredit or disrespect to the GPNS.

S 10. This vetting process may include disclosures from the Application Package, as well as information obtained through interviews, media and internet searches, criminal history, publications, and other relevant sources. All information acquired in support of the vetting or screening process will be strictly confidential to the Executive or the appointed committee, who must also disclose all such information to the prospective candidate, except to the extent that is necessary to respect the privacy and confidentiality of any contributors who request anonymity for the purposes of this disclosure.

S 11. The Provincial Executive will consider the information provided by the Screening Committee, together with any other relevant information known to them, and will vote to accept or decline each nomination application, with a simple majority threshold for acceptance. Acceptance to stand for nomination may be revoked by the Executive at any time before the nomination meeting, based on information received after the initial acceptance. Such a revocation shall require a resolution of the Executive passed with a two-thirds majority.

S 12. A process for appealing a disqualification will be developed and adopted by the Executive. An applicant whose application is rejected, and who does not successfully appeal that rejection, may not apply to seek a nomination again within the same electoral cycle.

### **Nomination Contests**

S 13. Upon completion of the vetting process, the Executive shall announce to the membership of each district:

S 13.1. The list of accepted Nomination Contestants for each district;

- S 13.2. The number of applicants (if any) who were not accepted in each district;
  - S 13.3. The minimum number of members in a district, below which the executive has determined that a fair and transparent nomination vote cannot be held;
  - S 13.4. The minimum notice to members that is required to hold a nomination contest;
  - S 13.5. The cut-off date for membership signup, after which new members will not be eligible to vote in a nomination contest; and
  - S 13.6. Any other regulations to be observed during membership contests or meetings, such as requirements to retain ballots or deadlines for reporting vote results.
- S 14. Candidates for each district shall be selected from among the accepted Nomination Contestants, by preferential ballot, at a nomination meeting to be held by:
- S 14.1. The Electoral District Association or Constituency Division, where one is formed;
  - S 14.2. The Regional Division, where no Electoral District Association or Constituency Division is formed; or
  - S 14.3. The Executive, at its discretion, to address a lack of capability or intent to undertake the nomination process by a local body.
- S 15. If a district does not satisfy the minimum number of voting members at the time of the cutoff date for membership signup, then the Regional Division shall make efforts to ascertain the wishes of the membership in the district, such as through an informal vote, and notify the Executive.
- S 16. Nomination contests shall be held whenever possible, even in districts where an incumbent MLA seeks the nomination.

**Exceptional Circumstances**

- S 17. In an electoral district where no approved candidate is in place, no nomination meeting is planned, and an election is underway or is considered by the Executive to be imminent, the Executive may name a candidate without conducting a nomination contest. Vetting must still be conducted to the maximum degree possible, and any Electoral District Association

or Constituency Division that has been formed in that electoral district must be notified in advance of the Executive's decision.

- S 18. The Leader may choose to withhold endorsement of a nominee, provided the majority of the Executive supports this decision.
- S 19. Nomination of an individual in multiple districts is generally disallowed. The Executive retains the right to allow for exceptional circumstances. If an unsuccessful nominee in one Electoral District wishes to contest the nomination in a second district, they may apply for an exemption to participate in the second nomination contest.
- S 20. It is not the intention of this By-Law to contradict any laws or regulations of the Province of Nova Scotia or Elections Nova Scotia concerning nomination contests. In any case where such a conflict appears, the laws and regulations of the Province shall govern.

## T - By-law on Shadow Cabinet

- T 1. The Leader and Deputy Leader are members of the Shadow Cabinet.
- T 2. Any Party member elected as a Member of the Legislative Assembly is a member of the Shadow Cabinet.
- T 3. Additional Shadow Cabinet members may be appointed by the Executive from the Party membership.
- T 4. Shadow Cabinet portfolios are assigned by the Executive, taking into consideration recommendations from the leadership.
- T 5. Shadow Cabinet members are individually and in collaboration
- T 5.1. to keep abreast of the issues relevant to the given portfolio,
  - T 5.2. to review the stands of Nova Scotia's non-governmental organizations, industry associations, and the input from Nova Scotians on issues relevant to the given portfolio,
  - T 5.3. to study the Genuine Progress Index material relevant to the given portfolio,
  - T 5.4. to critique the government material on the issues
  - T 5.5. to advise the Leadership on positions for the issues and help to draft communications
  - T 5.6. to prepare material for the Policy Committee,
  - T 5.7. to advise fellow Shadow Cabinet members on interdependent issues
  - T 5.8. to prepare material for the Platform
  - T 5.9. to draft the responses to questions in questionnaires from NGO, industries, interest groups, and individuals, particularly during the election.

T 6. The Shadow Cabinet members are to apply the Genuine Progress Index approach

T 6.1. to guide policy and Platform development

T 6.2. to evaluate the cost of the Party's position statements, the Platform, and policies as appropriate

T 6.3. to critique government expenditures and priorities, and the position statements and platforms of other Parties.

## U - By-law on Voting by Preferential Ballot

U 1. Regardless of how many candidates are on the ballot, the option “None of the Above” must appear on the ballot.

U 2. All votes to be undertaken by preferential ballot shall be undertaken using one of two methods, “Instant Runoff” or “Multi-Round Voting”. The method to be used shall be determined by the authority conducting the election, as discussed in the relevant section of other By-Laws. It should be noted that the two methods are conceptually identical, and only differ in their processes.

U 2.1. General:

U 2.1.1. Multi-Round Voting shall be used when voters are present, either physically, by proxy, or through the use of some real-time electronic mechanism.

U 2.1.2. Instant Runoff shall be used when voters do not participate in the voting process in real-time.

U 2.2. Either process may be used in any situation, as necessary.

U 3. Voting Process – Multi-Round Voting

U 3.1. Each voter shall assign a single mark (“X”, checkmark, or similar) beside their preferred candidacy, or some other such single-choice voting mechanism shall be used.

U 3.2. The Returning Officer shall attempt to discern a preference from every ballot and shall not generally consider a ballot spoiled unless there is serious confusion about the voter’s intent, or the voter has clearly set out to spoil their ballot. In the case that a voter assigns marks to more than one candidacy, if one of those marks is a “1”, while the others are higher numbers, that ballot shall be considered to be a vote for the candidacy having the “1” mark.

U 3.3. In circumstances where it may be appropriate, such as some voters supplying advanced ballots for a Multi-Round Voting election, the Returning Officer for the



election shall take appropriate steps to ensure that such ballots are included in the Multi-Round Voting process as if it were an Instant Runoff process.

#### U 4. Voting Process – Instant Runoff

U 4.1. Each voter shall have the opportunity to assign a number beside each candidacy, including the “None of the Above” candidacy, or some other multi-choice voting mechanism shall be used.

U 4.2. Voters shall be free to assign a single mark (“X”, checkmark, or similar,) beside their single preferred candidacy, and need not need to place a mark beside all, or any, of the candidacies

U 4.3. Voters shall be free to assign numbers, starting at “1”, and proceeding sequentially through the integers, to candidacies in order of the voter’s preference – “1” shall be used for the most preferred candidacy, “2” for the second-most preferred, etc.

U 4.4. All submitted ballots shall be included to the maximum degree possible – they shall not be discarded or considered spoiled until a preference cannot be determined for the next stage of the counting of votes.

U 5. Each candidate may have a scrutineer present during the counting of the ballots.

#### U 6. Vote-Counting – Multi-Round Voting

U 6.1. All ballots shall be assigned to their first-preference candidacy or their only marked candidacy if only one candidacy bears a mark.

U 6.2. If one candidacy has been assigned the majority of all votes, then it shall be declared to have won. Otherwise, the candidacy having the smallest number of ballots assigned to it shall be eliminated, and a further round of voting shall be held.

#### U 7. Vote Counting – Instant Runoff

U 7.1. All ballots shall be assigned to their first-preference indication.

U 7.2. If any candidacy has received a majority of votes included in the tally, then that candidacy shall be declared to have won the election.

U 7.3. In the case where no candidacy has been assigned a majority of ballots, then the candidacy having the smallest number of ballots currently assigned to it is eliminated, and the ballots that had been assigned to that candidacy are re-evaluated. Those ballots shall then be treated thus:

U 7.3.1. Any ballots having no further marks, either for any candidacies that are still active or for “none of the above”, shall be discarded.

U 7.3.2. All remaining ballots shall be reassigned to their highest-ranked candidacy that has not yet been eliminated from the contest.

U 7.4. The process described in 4.2 and 4.3 shall be repeated until a winning candidacy is determined.

U 8. If “None of the Above” defeats the candidates, the Executive must treat the position as vacant and take the measures provided in the *Constitution and By-laws*.

U 9. After the results are released to the membership, ballots will be retained for a 24-hour period before they are destroyed, during which time any candidate may request that they not be destroyed but held for a decision on a contested result.