

Constitution of the

New Democratic Party of Canada

As amended by the Federal Convention
Halifax, 2009

**Jack
Layton**
 **NDP**

CONSTITUTION OF THE NEW DEMOCRATIC PARTY

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PREAMBLE

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

The principles of democratic socialism can be defined briefly as:

That the production and distribution of goods and services shall be directed to meeting the social and individual needs of people within a sustainable environment and economy and not to the making of profit;

To modify and control the operations of the monopolistic productive and distributive organizations through economic and social planning. Towards these ends and where necessary the extension of the principle of social ownership;

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

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

ARTICLE I: NAME

The name of this political Party shall be the New Democratic Party.

ARTICLE II: DEFINITION AND INTERPRETATION

1. Definitions
In this constitution, wherever the words “province” or “provincial” appear, they shall be read to include “territory” or “territorial” unless the context otherwise requires.
2. Interpretation
This constitution shall be interpreted by the President. Any such interpretation may be over-ruled by a majority vote of all members present and voting at any meeting of the Executive, Council or Convention.
3. Languages
This constitution shall be printed in both official languages of Canada.

ARTICLE III: MEMBERSHIP

There shall be individual and affiliated membership in the Party.

1. Individual Membership

(1) Individual membership shall be open to every resident of Canada, regardless of race, colour, religion, sex, gender identity or expression, sexual orientation, or national origin who undertakes to accept and abide by the constitution and principles of the Party and who is not a member or supporter of any other political party.

(2) Applications for individual membership shall be dealt with in accordance with the constitution of the appropriate provincial Party and shall be subject to the approval of that provincial Party.

2. Affiliated Membership

1) Affiliated membership shall be open to trade unions, farm groups, co-operatives, women's organizations and other groups and organizations which, by official act, undertake to accept and abide by the constitution and principles of the Party, and are not associated or identified with any other political party.

(2) An application for affiliated membership may be received from:

- (a) an international, national, provincial or regional organization in respect of its membership in Canada or in the province or region concerned;
- (b) a provincial or regional section of an international or national organization in respect of its membership in that province or region;
- (c) a local, lodge or branch of any of the above-mentioned organizations in respect of the membership of that local, lodge or branch;
- (d) a local group or organization in respect of its membership.

(3) An application for affiliation must be made to the Executive and include

- (a) evidence that the applicant organization officially supports the NDP
- (b) confirmation of the number of individual NDP members within the applicant organization.

(4) The NDP Executive may waive Article III (2) (3) (a) in cases where it deems just cause.

ARTICLE IV: FEES AND CONTRIBUTIONS

1. The Federal Party and all provincial Sections shall remit, immediately on receipt, all monies received on behalf of another section of the Party.

2. Individual Members

Each provincial Section shall set the amount of the fee in each province for individual membership in the New Democratic Party.

ARTICLE V: CONVENTIONS

General Description: There are two kinds of Conventions: Biennial Conventions and Special Conventions.

1. Timing and Location of Conventions

- (a) Biennial Conventions shall take place at least once every other calendar year at a time and place determined by the Council.
- (b) Special Conventions shall be called by the Council or if requested by a majority of Electoral District Associations in a majority of provinces and territories.

2. Notice of Conventions

- (a) Notice of Biennial Conventions will be sent to each Electoral District Association, affiliate and every group or organization eligible for representation at least 150 days prior to the date of the Convention.
- (b) Notice of Special Conventions shall be determined by the Council.

3. Quorum at Conventions

A quorum for the transaction of business shall consist of not less than one-third of the total registered delegates at the Convention.

4. Procedure at Conventions

The rules of procedure at Conventions will be those described in the Appendix to this Constitution.

5. Authority of Conventions

Conventions are the supreme governing body of the Party and shall have final authority in all matters of federal policy, program and constitution.

6. Delegates to Conventions

(a) Eligibility of Delegates and Credential Calculations

- (i) each delegate must be an individual member in good standing of the Party.
- (ii) each delegate may have only one vote at Convention.
- (iii) for the purpose of calculating credential entitlements for electoral district associations, affiliates and youth organizations, formulas shall be calculated based on membership lists as at the end of the previous membership year, or as at 120 days prior to the convention, whichever is the greater.

(b) Electoral District Association Delegates

Each electoral district association shall be entitled to:

- (i) one (1) delegate for 50 party members or less;
- (ii) one (1) additional delegate for each additional 50 party members or major fraction thereof; and
- (iii) one (1) additional credential reserved for a youth delegate.

(c) Affiliate Delegates

Each affiliate shall be entitled to:

- (i) one (1) delegate for 50 party members or less; and
- (ii) one (1) delegate for each additional 50 party members or major fraction thereof.

(d) Youth Delegates

Each federally chartered chapter, campus club, provincial or territorial New Democratic Youth Section shall be entitled to:

- (i) one (1) delegate for 50 party members or less;
- (ii) one (1) additional delegate for each additional 50 party members or major fraction thereof up to 200 members; and
- (iii) one (1) additional delegate for each 100 party members of major fraction thereof.

(e) Delegate Entitlements

The following shall be entitled to delegate credentials:

- (i) All former federal leaders of the Party;
- (ii) All members of the federal Caucus;
- (iii) All members of the Council;
- (iv) The Canadian Labour Congress shall be entitled to four (4) delegate credentials;

- (v) Each national labour organization with at least one affiliate to the party shall be entitled to two (2) delegate credentials;
- (vi) Each affiliated provincial and territorial federation of labour with at least one affiliate to the party shall be entitled to two (2) delegate credentials; and
- (vii) Each affiliated labour council with at least one local affiliate to the party shall be entitled to two (2) delegate credentials.

7. Resolutions at Convention

- (a) Notice
The Party headquarters must receive all resolutions no less than 60 days prior to start of Convention.
- (b) Submission of Resolutions
The following may submit resolutions to Conventions:
 - (i) Electoral District Associations;
 - (ii) Affiliates or affiliated groups or organizations entitled to representation;
 - (iii) Provincial Parties or Sections;
 - (iv) New Democratic Youth of Canada;
 - (v) Provincial Sections of the New Democratic Youth of Canada, or federally chartered youth chapters;
 - (vi) Council;
 - (vii) Councils of Electoral District Associations;
 - (viii) Participation of Women Committee;
 - (ix) Aboriginal Commission;
 - (x) Participation of Visible Minorities Committee;
 - (xi) Lesbian, Gay, Bisexual, Transgendered Committee
 - (xii) Disability Rights Committee; and
 - (xiii) Standing committees as established by the Federal Council

ARTICLE VI: OFFICERS

1. Composition

Officers shall be comprised of:

- (a) Leader;
- (b) President;
- (c) Vice President;
- (d) Vice President Labour;
- (e) Treasurer; and
- (f) National Director.

2. Powers and Responsibilities of the Officers

- (a) Officers shall be responsible for:
 - (i) emergencies that occur between regularly scheduled meetings of Executive and Council;
 - (ii) the administration and finances of the Party, and;
 - (iii) the preparation of agendas for Executive and Council.
- (b) Decisions made by Officers shall be subject to approval by Executive or Council.
- (c) Officers shall meet prior to Executive and Council, or as circumstances necessitate.
- (d) At all meetings of Officers, 50% plus one of the total number of sitting Officers shall constitute a quorum.

3. Elections and Appointment of Officers

- (a) Leader
 - (i) The Leader shall be elected by secret ballot.
 - (ii) Every member is entitled to cast a ballot for the selection of the Leader.
 - (iii) Candidates for the leadership with the fewest number of votes will drop off the ballot in subsequent rounds until one candidate receives 50% plus one or more of the total votes cast in that round. The Council shall determine other leadership selection guidelines.
 - (iv) Should the position of Leader become vacant at any point, the Council may, in consultation with the Parliamentary Caucus, appoint a Leader for the interim period until a new Leader has been elected.
 - (v) At every convention that is not a leadership convention; a secret ballot vote will be held to determine whether or not a leadership election should be called. If 50% plus one delegate supports the calling of a leadership election, such an election will be held within one year of the convention vote.

- (b) President

All delegates at each Convention shall elect the President.

- (c) Vice President

The Vice President shall be a member of the linguistic language group other than the President. When the elected President identifies as an Anglophone, the francophone caucus shall nominate the Vice President to be ratified by Convention. The francophone caucus shall consist of delegates who identify themselves as Francophone. When the elected President identifies as a Francophone, the Vice President shall be elected by all Convention delegates.

- (d) Vice President Labour

General Description: The Vice President shall represent affiliates and the partnership with the Labour Movement.

 - (i) The Vice President Labour shall be nominated by a caucus of labour delegates and ratified by Convention.

- (e) Treasurer

All delegates at each Convention shall elect the Treasurer.

- (f) National Director

General Description: The National Director shall be the Chief Executive Officer of the Party and shall be paid such remuneration as may be determined by the Officers.

 - (i) The National Director shall be appointed by the Officers and ratified by the Council.

- (g) Between Conventions, the Council shall fill any the vacancy among the Officers. The Executive may, on an interim basis, fill such vacancies until the Council meets.

- (h) The Convention may name a President Emeritus and an Honorary President, who shall be members of the Council and the Executive by virtue of their offices.
 - (i) Gender parity shall apply when electing or appointing Officers.

ARTICLE VII: EXECUTIVE

1. The Executive shall concern itself primarily with the setting of goals and objectives for the Party. The Executive shall form the basis of the Election Planning Committee. The Executive shall also receive administrative and financial reports from Officers. As such, it shall have the authority to incur credit and loan obligations as required for the proper conduct of Party affairs and elections. Such undertakings shall be executed by two of the following Officers; President, Secretary and Treasurer, and such Officers as the Executive may from time to time empower for this purpose.
2. The Executive may also issue statements in the name of the Party, subject to report to and confirmation by the Council.
3. The Executive of the Party shall consist of the Officers, and:
 - (a) ten regional representatives. For the purposes of representation on Executive and Council, the regions shall be defined as; British Columbia, the Prairie provinces, Ontario, Quebec and the Atlantic provinces. Each region shall be entitled to two representatives, at least one of whom shall be a woman. Each region shall elect these representatives at a Caucus of delegates from the said region, and submit them to Convention for ratification;
 - (b) the Northern Caucus shall elect one regional representative on Executive at their regional caucus meeting of delegates at Convention and submit that name to Convention for ratification. The Northern Caucus at Convention shall consist of delegates from the Yukon, the Northwest Territories, and Nunavut.
 - (c) two representatives from Labour affiliates elected by the Labour Caucus at Convention and submitted to Convention for ratification. At least one of the two shall be a woman;
 - (d) the Chairs of the Participation of Women Committee, the New Democratic Youth of Canada, the Participation of Visible Minorities Committee, the Aboriginal Committee, the Lesbian-Gay Bisexual-Transgendered Committee, the Disability Rights Committee and the Federal Caucus representative - all elected by the respective Caucus at Convention and ratified by Convention.
4. The Executive may, on an interim basis, fill vacancies from among the members of the Council.
5. The Executive shall meet at least three times per calendar year. At all meetings of the Executive, ten members shall constitute a quorum. An Executive member who fails to attend three successive meetings without adequate justification shall cease to be a member of the Executive.

ARTICLE VIII: COUNCIL

1. Composition

The Council shall be comprised of:

- (a) The Officers;
- (b) The Executive;
- (c) One Representative from each province and territory; and
 - (i) a second representative from each province or territory where membership exceeds 5,000

- (ii) a third representative from each province or territory where membership exceeds 10,000
- (iii) a fourth representative from each province or territory where membership exceeds 15,000
- (iv) a fifth representative from each province or territory where membership exceeds 25,000

Representation from provinces or territories that have more than one Council representative shall be gender balanced. Representation from provinces or territories with only one Council representative shall elect a representative that ensures gender parity within the provincial and territorial presentation to Council.

- (d) Two Officers from each provincial or territorial party or section, at least one of whom shall be a woman, appointed by the respective executive or council.
- (e) No more than thirty representatives from national labour organizations, elected by delegates comprising the labour caucus at convention.
 - (i) Each national labour organization with more than 500 Party members is eligible to have one (1) representative for its first 1,000 members and one (1) additional representative for its second 1,000 Party members or major fraction thereof.
 - (ii) No national labour organization may have more than two (2) Council representatives.
 - (iii) If there are more than thirty labour sector Council representatives eligible under the terms described in this section, the caucus of labour delegates at convention will determine the allotment of these thirty representatives.
- (f) Two Caucus representatives, one of whom shall be a woman.
- (g) Six regional Women Commission representatives, to be elected by the respective regional caucus of women delegates at Convention and ratified by Convention;
- (h) Eleven youth representatives, selected in accordance with the terms and conditions defined by the New Democratic Youth of Canada. Including the Youth Chair on Executive, at least six of the 12 youth representatives shall be women; One representative from each of the:
 - (i) Aboriginal Commission;
 - (ii) People Living with Disabilities Committee;
 - (iii) Participation of Visible Minorities Committee; and
 - (iv) Lesbian, Gay, Bisexual and Transgendered Committee; to be elected by the respective groups at Convention and ratified by Convention. Each shall be of the gender other than that of the Chair of the Committee.

2. Powers and Responsibilities

General Description: The Council is the governing body of the Party between Conventions. The Officers and the Executive shall report to Council on administrative and financial matters and Council shall have the final word on such matters between Conventions.

The Council shall:

- (a) Have full authority to issue policy statements and election statements in the name of the Party, consonant with the decisions of the Convention, and to initiate policy statements consonant with the philosophy of the Party in matters not yet considered by Convention.

- (b) With the approval of two thirds of its members present and voting, elect not more than three additional persons to be members of the Council, at least two of whom shall be women.
- (c) Meet at least twice per calendar year at the call of the Executive.
- (d) Strike ad hoc committees of the Party provided that such committees have clearly set out objectives, and that once such objectives have been realized, the said committee will cease to exist.
- (e) Have at least one third of its members present to constitute a quorum.
- (f) Elect a replacement for any position elected at Convention that becomes vacant, and shall ratify all replacements to other positions.
- (g) Deem a Council member resigned for failing to attend two successive meetings, without adequate justification.

ARTICLE IX: ELECTORAL DISTRICT ASSOCIATIONS

1. Description

The Electoral District Association is the primary organization through which the rights of the members of the Party are exercised.

2. Council of Electoral District Associations

- (a) Upon recognition by the Council, a provincial or regional grouping of electoral district associations shall be known as Council of Electoral District Associations.
- (b) The purpose of a Council of Electoral District Associations is to:
 - (i) Offer a venue for collaboration, planning and information sharing between Associations;
 - (ii) Support associations in their communications, organization, fundraising, policy development and candidate search;
 - (iii) Offer advice to the Party on organizational and strategic matters;
 - (iv) Elect delegates to positions on the Council.
- (c) Upon approval of the Council, each Council of Electoral District Associations shall conduct its affairs through its own representational structure and bylaws
- (d) Each Council of Electoral District Associations shall meet at least once annually

ARTICLE X: COMMISSIONS

Within the NDP, Commissions may be established. A Commission is a formal organization, internal to the Party, which regroups members on a basis of identity, or around a specific political issue.

- (a) A Commission has clearly stated objectives, which would include:
 - (i) offer a forum for action and information sharing between its members;
 - (ii) make outreach to people or groups outside the Party, notably with the intent of recruiting members or candidates for the Party;
 - (iii) contribute to policy development in their area of interest;

- (b) in order to hold the title of “Commission” of the New Democratic Party” such an organization must be formally recognized by the Federal Council of the Party. It must, among other things, establish a working Executive. It must also present the Party Executive with an annual action plan and an annual report of its activities;
- (c) if a Commission is set up emanating from an existing Committee (including Equity Committees), the Commission would replace the relevant Committee, including its right to representation and submission of resolutions included in the present Party Constitution.

ARTICLE XI: NEW DEMOCRATIC YOUTH

1. There shall be an autonomous youth section of the NDP of Canada whose name shall be the New Democratic Youth of Canada and whose constitution shall not conflict with the constitution of the NDP of Canada.
2. A provincial Party shall, if in its opinion sufficient interest is shown, charter a youth provincial Section to be known as the Young New Democrats, subject to Article XII.
3. Each such provincial Section shall be fully autonomous as to its constitution and program, provided that the constitution and program are not in conflict with those of the Federal Party or with those of the provincial Party.
4. Where a provincial/territorial Party has not chartered a Young New Democrats’ section, New Democratic Youth of Canada may charter a federal youth chapter. To be eligible to send delegates to federal conventions, such a chapter must also comply with the following provisions, to the satisfaction of Federal Council:
 - (a) membership in a federal chapter shall be open to all youth members in good standing as defined by their respective provincial or territorial constitution;
 - (b) application for a charter shall be made or renewed bi-annually and shall include with the application: a current membership list of at least 15 youth members, a list of the chapter’s executive, and a copy of the chapter’s bylaws;
 - (c) applications for a charter must be accompanied by a recommendation from the NDYC;
 - (d) there shall be only one federal youth chapter chartered in any one province or territory.
5. The New Democratic Youth of Canada may charter campus clubs. To be eligible to send delegates to Federal Conventions, such a campus club must also comply with the following provisions, to the satisfaction of Federal Council:
 - (a) Membership in a campus club shall be open to all youth members in good standing as defined by their respective provincial or territorial constitution;
 - (b) Application for a charter shall be made or renewed bi-annually and shall include with the application: a current membership list of at least 15 youth members, a list of the chapter’s executive, and a copy of the chapter’s bylaws;
 - (c) Applications for a charter must be accompanied by a recommendation from the NDYC;
 - (d) There shall be only one federal youth campus club chartered on any one campus;

- (e) A campus shall be understood to refer to any secondary or post-secondary institution.

ARTICLE XII: PROVINCIAL PARTIES

1. Each province of Canada shall have a fully autonomous provincial Party, provided its constitution and principles are not in conflict with those of the Federal Party.
2. In the event of dispute as to whether any particular organization is or is not a provincial Party in good standing, the Federal Council of the Party is empowered to rule on whether an organization shall continue to be a provincial Party, subject to appeal to Convention.

ARTICLE XIII: QUEBEC

1. There shall be a Quebec section of the Federal Party to be known as the New Democratic Party of Canada (Quebec) to carry out the work of the New Democratic Party in the federal jurisdiction in Quebec.
2. There may also be an autonomous provincial Party working within the provincial electoral jurisdiction known as the Nouveau parti démocratique - Québec. The NPD-Québec will conduct itself in general consistency with the social democratic principles of the New Democratic Party of Canada as outlined in the preamble of this constitution, and will be governed otherwise only by Article XIII.
3.
 - (a) The NDP Canada (Quebec) will exercise authority on federal matters in Quebec, under a constitution approved by the Federal Council;
 - (b) Except where a matter of responsibility or authority is specifically addressed in the constitution of NDP Canada (Quebec), the Federal Party Constitution shall apply to the NDP Canada (Quebec) so that where the federal constitution refers to “provincial Party” or “provincial Section” in Quebec this shall be interpreted to mean NDP Canada (Quebec), except for Article XIII, which shall apply to both NDP Canada (Quebec) and NPD-Québec;
 - (c) Membership: for the purposes of federal individual membership in the province of Quebec, membership shall be open to every resident of Quebec, regardless of race, colour, religion, sex or national origin, who undertakes to accept and abide by the constitution and principles of the Federal Party and who is not a member or supporter of any other federal political party.

ARTICLE XIV: DISCIPLINE

1. Provincial Parties shall be responsible for the discipline of individual and affiliated members of the Party including the youth section, in accordance with the provisions of the appropriate provincial constitution.
2. The Council of the Federal Party shall be responsible for the discipline of organizations affiliated under Article III, section 2.

ARTICLE XV: CANDIDATES

1. Subject to section 2 below, candidates shall be nominated in accordance with the procedures laid down in the constitution of the appropriate provincial Party.

2. The Council of the Federal Party shall have authority to intervene with respect to a federal nomination if the interests of the Federal Party are involved and if the provincial Party concerned had failed to take appropriate action. The Council of the Federal Party shall have the authority to establish rules for nomination to achieve affirmative action goals.
3. Where it is contemplated that the Council may intervene under section 2 above to nullify the nomination of a candidate, the Secretary shall notify the candidate, the constituency and the provincial Party in writing, and the candidate, authorized representatives of the constituency and the provincial Party shall have the right to be heard by the Council of the Federal Party or its representatives before a final decision is rendered.

ARTICLE XVI: AMENDMENT

This constitution may be amended by a two-thirds majority vote of all delegates present and voting at any Convention.

APPENDIX

RULES OF PROCEDURE FOR PLENARY SESSIONS

(See Article V, Section 4)

1. The President or one of the Associate Presidents shall take the Chair at the time specified, at all regular or special Conventions. The President or one of the Associate Presidents, or a Convention Chairperson or Chairpersons chosen by the Convention, shall occupy the Chair and preside over the plenary sessions of a Convention.
2. A delegate wishing to speak shall proceed to one of the microphones provided for that purpose. When recognized by the chairperson the delegate shall give his/her name and the constituency or organization represented and shall confine any remarks to the question at issue.
3. Speeches shall be limited to three minutes. This shall not apply to the spokesperson for a committee when introducing a report on behalf of the committee.
4. A delegate shall not speak more than once upon a motion, except that the spokesperson for a committee who introduced a report may also close the debate.
5. A delegate shall not interrupt another except if it be to call to a point of order.
6. A delegate called to order shall yield the floor until the question of order has been decided.
7. Two delegates may appeal the decision of the Chair, one of whom may state the reasons for the appeal. When thus challenged, the Chairperson must vacate the Chair until the appeal is resolved. The question shall not be debatable except that the Chairperson may make an explanation of the decision. The acting Chairperson shall put the question thus: "Shall the decision of the Chair be sustained?"
8. Questions shall be decided by a show of hands or by a standing vote. A standing vote shall be counted upon a request from the floor when there is an apparent closeness in the vote.
9. The Chairperson shall not vote on any question, except in the case of a tie. In that event the Chairperson shall cast the deciding vote.

10. When “the previous question” is moved, no discussion or amendment of either motion is permitted. If a majority of voting delegates vote that “the question be now put,” it shall be put without debate. If the motion to put the question is defeated, discussion will continue. If in the view of the Chairperson sufficient debate has taken place, a motion for “the previous question” made directly from the floor, may be accepted at the discretion of the Chairperson, whether or not the mover thereof has proceeded to one of the microphones as provided in Rule 2.
11. Reports from panels shall not be amended directly from the floor. Panels shall report resolutions to plenary in numerical order in the following order of categories: those passed by panel, those tabled by panel, those defeated in panel, and those without a mover in panel. A delegate may, however move a motion to refer a resolution to the Resolutions Committee, with instructions, and if this is supported by a majority vote, the Resolutions Committee will consider the instructions. Following such consideration, the Resolutions Committee will bring back the resolutions to plenary with their recommendation.
12. Reports of committees shall not be amended directly on the floor, but it shall be in order to refer a committee’s report, or any section thereof, back to the committee for reconsideration in the light of the discussion on the floor, or for consideration of a particular point raised in the motion to refer. A motion to refer is not debatable unless it raises a particular point, in which case debate shall be confined to such point.
13. A delegate shall not move a motion to refer back after having spoken on the question at issue.
14. A motion may be reconsidered provided the mover of the motion to reconsider voted with the majority, and notice of motion is given for consideration at the next plenary session, and said motion to reconsider is supported by two-thirds of the delegates present and voting.
15. The hours of a Convention shall be established at the first plenary session of the Convention. These hours may be changed during a Convention only under the provision of Rule 17.
16. In all matters not regulated herein, Roberts’ Rules of Order shall apply.
17. Any of the above rules may be suspended by unanimous consent or may be changed for the Convention at which such change is made, by a majority vote, on a motion of which one day’s notice has been given.
18. The unfinished business of the Convention shall be referred to the Council.

RULES OF PROCEDURE FOR PANEL OR COMMITTEE SESSIONS

The above rules shall, with such changes as the context requires, apply to proceedings in panel or committee sessions provided that a panel or committee may limit the length of speeches made in the panel or committee, as they see fit.

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