

MAVERICK PARTY BYLAW 001

1. MEMBERSHIP, FEES AND SUSPENSION

- 1.1 Resident: Every Canadian citizen or landed immigrant who is eighteen (18) years of age or older, is a resident of British Columbia, Alberta, Saskatchewan or Manitoba ('Western Canada') or the Territories, and who supports the Mission and Guiding Principles of the Maverick Party, is entitled to purchase a Maverick Party membership and is entitled to vote in Maverick Party matters.
- 1.2 Non-resident: Every Canadian citizen or landed immigrant who is eighteen (18) years of age or older, who resides outside Western Canada or the Territories, and who supports the Mission and Guiding Principles of the Maverick Party, or every Canadian citizen or landed immigrant who is fourteen (14) years of age or older and is a resident within, or outside of 'Western Canada' is entitled to purchase a membership and support the Maverick Party but is not entitled to vote in Maverick Party matters.
- 1.3 Membership fees shall be set by the Party Council. The Maverick Party will issue membership cards to members who have paid the required fee.
- 1.4 Following receipt of an appropriate membership fee the Maverick Party shall issue and send a membership card to the member as soon as possible.
- 1.5 Fourteen (14) days after payment of a membership fee in the amount and in the manner specified by Party Council every member is entitled to:
 - 1.5.1 Participate in any meeting of the Electoral District Association (EDA in which that person resides or serves as a member of Party Council;
 - 1.5.2 Vote for, and stand for election to, the Party Council of directors of any EDA in which that person resides; and
 - 1.5.3 Attend any Maverick Party Convention upon payment of the prescribed fee.
- 1.6 Party Council may set out rules and procedures for the suspension, revocation, and reinstatement of membership upon a two-thirds (2/3) majority vote of its members and this decision may not be challenged in any other forum. Unless otherwise set out in rules:
 - 1.6.1 Suspension of Membership: Party Council may revoke or suspend any membership for any conduct it judges improper or unbecoming a member of the Maverick Party. Prior to revoking or suspending a membership, the member or former member affected is entitled to a fair process.

- 1.6.2 Reinstatement: Party Council may, at its discretion, reinstate membership if it judges sufficient time has lapsed since a suspension and/or it is otherwise agreed appropriate to do so.
- 1.7 Each of the following must be a member of the Maverick Party in good standing upon assuming office:
 - 1.7.1 the Leader;
 - 1.7.2 Members of Party Council;
 - 1.7.3 Directors of the Maverick Party;
 - 1.7.4 Directors of Maverick Party Fund; and
 - 1.7.5 Parliamentary candidates of the Maverick Party.

2. HEAD OFFICE AND REGIONS

- 2.1 Location: The Head Office shall be located in Calgary, Alberta.
- 2.2 Maverick Party Employees: The Maverick Party Executive, on the recommendation of the Leader, shall be responsible for hiring the Party Director, who is responsible for the hiring and supervision of Maverick Party employees, including:
 - 2.2.1 Director: The Director will be responsible for the supervision of Maverick Party employees.
 - 2.2.2 Support staff: The Director, in consultation and with the approval of the Maverick Party Executive, shall determine the number of Maverick Party employees, their duties and their remuneration.
 - 2.2.3 Research Branch: If the Maverick Party Executive, Council and Director consider it necessary and Maverick Party finances allow it, a Research Branch staffed with employees, may be established at a location and for such time as decided by the Leader and Maverick Party Executive.
- 2.3 The five (5) regions of the Maverick Party are:
 - 2.3.1 British Columbia;
 - 2.3.2 Alberta;

- 2.3.3 Saskatchewan;
- 2.3.4 Manitoba;
- 2.3.5 Territories of Yukon, Northwest Territory and Nunavut.

3. MAVERICK PARTY MANAGEMENT

3.1 Party Council

- 3.1.1 A Board of Directors, called Party Council, ratified or elected by the General Membership, shall be responsible for the day-to-day operations and management of the Maverick Party. There shall be a minimum of five (5) and a maximum of twenty-three (23) members of the Party Council, who are representative of all the Maverick Party's Provinces and Territories.
- 3.1.2 Party Council shall be composed of up to:
 - 3.1.2.1 Four (4) members from each of the Western Provinces, with two (2) being elected at each party Convention;
 - 3.1.2.2 One (1) member from each of the Territories elected at each Party Convention;
 - 3.1.2.3 The Maverick Party Leader or Interim Maverick Party Leader as the case may be;
 - 3.1.2.4 The Maverick Party Deputy Leader. The Deputy Leader shall be appointed by the Leader, will occupy this position at the pleasure of the Leader, and will be responsible for performing all duties and responsibilities of the Leader if and when the Leader is unable or unwilling to do so;
 - 3.1.2.5 The Maverick Party Executives; and
 - 3.1.2.6 The Director, in a non-voting capacity.
- 3.1.3 The following may not hold office as an elected member of Party Council;
 - 3.1.3.1 Members of Parliament or Senators, except the Leader;
 - 3.1.3.2 Employees or contractors of the Maverick Party;

- 3.1.3.3 Employees or contractors of Senators or Members of Parliament including political staff of Ministers of the Crown; or
- 3.1.3.4 Members of Provincial or Territorial Legislative Assemblies.
- 3.1.4 Party Council shall appoint the returning officer for elections to Party Council and set out rules and procedures for the conduct of any election.
- 3.1.5 No person shall be considered for selection as a candidate for the Party Council unless that person has signed the following affirmation: "I have read, understand, and do hereby affirm my personal commitment to the principles, policies and Constitution of the Maverick Party."
- 3.1.6 Immediately following each Party Convention at which an election of Party Council occurred, Party Council shall elect by simple majority from its members a President, a Vice-President, a Secretary, and such other positions as it may determine:
 - 3.1.6.1 The President shall act as Chair of Party Council;
 - 3.1.6.2 The Vice-President shall act as Chair of Party Council when the President is not available; and
 - 3.1.6.3 The Secretary is accountable for keeping and maintaining the records of the Maverick Party.
- 3.1.7 Party Council has the following powers and responsibilities:
 - 3.1.7.1 The establishment and recognition of EDAs and the terms of their constitutions, including processes for the conduct of founding meetings, and the transfer of assets in the event of redistribution;
 - 3.1.7.2 The development and implementation of rules and procedures to ensure fair and effective candidate recruitment and selection;
 - 3.1.7.3 The development and implementation of rules and procedures to allow the membership to review and amend Maverick Party Policy at Party Conventions;
 - 3.1.7.4 The organization and management of Party Conventions;

- 3.1.7.5 The establishment of such committees as Party Council may determine for the conduct of its responsibilities; and
 - 3.1.7.6 Other responsibilities set out in this By-Law 001 or as may be assigned by the membership or the Leader.
 - 3.1.8 Party Council shall be empowered to deal with Maverick Party administrative and organizational matters as they arise from time to time without seeking the approval of the membership.
 - 3.1.9 Party Council may suspend or remove a member of Party Council whose conduct is judged improper or unbecoming, or likely to adversely affect the interest or reputation of the Maverick Party at a meeting called for that purpose on approval of two-thirds (2/3) of its members.
 - 3.1.10 Disputes concerning the suspension or removal of a member of Party Council shall be adjudicated by a panel of the Arbitration Committee whose decision shall be final and binding.
 - 3.1.11 Party Council shall meet at least monthly, at the call of the President, the Leader, or upon written request of at least three (3) members of Party Council.
 - 3.1.12 A quorum of Party Council is a majority of Party Council.
 - 3.1.13 Members of Party Council shall be reimbursed for reasonable expenses incurred while fulfilling their responsibilities on Party Council.
 - 3.1.14 Other than the Maverick Party Leader and Director, members of Party Council and its committees are to be volunteers and receive no compensation for their service.
- 3.2 The Executive consists of the following persons:
- 3.2.1 President;
 - 3.2.2 Vice President;
 - 3.2.3 Secretary;
 - 3.2.4 Chief Financial Officer; and
 - 3.2.5 Chief Agent (Elections Canada).

- 3.3 Committee Chairs are not part of the Executive, but may be comprised of Party Council members. The Committee Chairs shall be:
- 3.3.1 Membership;
 - 3.3.2 Marketing and Communications;
 - 3.3.3 Policy;
 - 3.3.4 Finance;
 - 3.3.5 EDA Development;
 - 3.3.6 Election Readiness;
 - 3.3.7 Candidate Selection and Training;
 - 3.3.8 Conventions; and
 - 3.3.9 Any other committees that the Council deems necessary to carry on the business of the Maverick Party.

4. ELECTORAL DISTRICT ASSOCIATIONS (EDAS)

- 4.1 Organization: EDAs are the primary grass roots organizations, in addition to participating at Party Conventions and meetings, where the activities and rights of members occur. The Party Council shall recognize one (1) Maverick Party EDA in each Canadian Federal electoral district within the five (5) regions of the Maverick Party.
- 4.2 Constitution, Bylaws, Committees, and candidate selection: EDAs shall comply with governance requirements such as following the EDA Handbook approved by the Maverick Party, the Maverick Party's Constitution and By-Laws, the EDAs Constitution and By-Laws, accepted accounting and financial management reporting as well as the requirements of the *Canada Elections Act*.

5. MAVERICK PARTY LEADER

- 5.1 The Leader is the chief public official of the Maverick Party, whose authority includes that specified for the leader of a party pursuant to the *Canada Elections Act*. The Leader shall promote the Maverick Party, its principles, and policies.
- 5.2 Interim: The Honourable Jay Hill, P.C. shall be the Interim Leader of the Maverick

- Party until such time as he resigns and a temporary replacement is appointed by the Party Council, or a new Leader is elected at a Leadership Convention.
- 5.3 The Leader and the Executive shall nominate the Director of the Maverick Party subject to ratification by Party Council.
 - 5.4 The Leader shall provide a report to, and carry out an accountability session with, the delegates at every Party Convention.
 - 5.5 The Leader shall provide a report to Party Council regularly.
 - 5.6 In the event of any of the following, Party Council shall implement the leadership selection process at the earliest convenient date thereafter:
 - 5.6.1 The death or retirement of the Maverick Party Leader;
 - 5.6.2 The Leader indicates an intention to resign by submitting notice in writing to the President of Party Council; or
 - 5.6.3 More than fifty percent (50%) of the votes cast at a Party Convention are in favour of implementing a leadership selection process.
 - 5.7 Leadership Convention: A special ad hoc committee of Party Council shall be formed to determine the eligibility to be a candidate, candidate requirements, nomination requirements and procedure; campaign rules; voting procedure and rules for selecting the Maverick Party Leader;
 - 5.8 In the event of the implementation of the leadership selection process, the following shall apply:
 - 5.8.1 Party Council shall appoint an Interim Maverick Party Leader. A person appointed as Interim Leader may not be nor become a candidate in the leadership selection process. An Interim Leader may but need not be appointed where the Leader has indicated an intention to resign.
 - 5.8.2 Leadership Election Committee
 - 5.8.2.1 Party Council shall appoint a chair and members of the Leadership Election Committee. The chair shall be a member of Party Council. Party Council may appoint any Maverick Party Member as a member of the Leadership Election Committee. The chair and members of the Leadership Election Committee shall serve until a new Leader is selected and may be removed only upon a two-thirds (2/3) vote of Party Council.

- 5.8.2.2 The Leadership Election Committee shall determine the rules and procedures for the conduct of the leadership selection process, except that any dispute over the work of the Leadership Election Committee shall be settled by the Arbitration Committee. The rules shall provide that a member may cast a ballot by post or by digital means; a minimum membership period established for eligibility to vote in the leadership election shall be set so as to permit adequate time for ballots to be sent to members and returned.
- 5.8.2.3 The Leadership Election Committee may make rules regarding a recount.
- 5.8.2.4 The Leadership Election Committee may engage an independent third-party firm to count the ballot.
- 5.8.3 The election of the Leader shall be by way of a direct vote of members using a single, ranked ballot, as follows:
 - 5.8.3.1 Each member will have one vote.
 - 5.8.3.2 To win the leadership, a candidate must obtain a majority of the ballots cast.
 - 5.8.3.3 If no more than one candidate has entered the race by a date set by Party Council, a vote will be conducted to confirm that candidate as Leader.
 - 5.8.3.4 Each leadership candidate is entitled to have scrutineers present at all stages of the vote count.

6. POLICY

- 6.1 Interim Maverick Party policies and platforms shall be determined by the Leader and Party Council with input from the Policy Committee and Party Members, until such time as the Maverick Party starts holding Policy Conventions.
- 6.2 Policy Conventions shall be held every two to three years after a federal election. Proposed Policies shall be submitted by EDAs and reviewed by the Policy Committee to ensure they are properly prioritized, appropriate and realistically achievable. Every proposed policy that is submitted shall have a mover, a seconder and the signatures of ten (10) Maverick Party members.

- 6.3 The policies of the Maverick Party shall be determined by the membership at Party Conventions.
- 6.4 A policy resolution must receive a majority of votes cast by delegates and a majority of votes cast by delegates from each of a majority of the regions of Western Canada at a Party Convention. Every Maverick Party member shall be entitled to one vote.
- 6.5 Between Party Conventions, interim policies of the Maverick Party may be determined by the Maverick Party Leader in consultation with Party Council.
- 6.6 After every Party Convention, Party Council will issue an updated document listing the Party's policies.

7. MAVERICK PARTY FUND

- 7.1 Maverick Party Fund (MPF), a non-share capital corporation incorporated under and governed by the provisions of the Canada Corporations Act, shall be the sole fundraising arm of the Maverick Party and shall be the chief agent of the Maverick Party pursuant to the *Canada Elections Act*.
- 7.2 MPF shall submit quarterly financial reports and an annual audited financial statement to Party Council.
- 7.3 MPF shall submit the annual budget of the Maverick Party to Party Council for consultation prior to adoption and implementation by MPF and shall consult with Party Council prior to authorizing or implementing substantial amendments to the budget. MPF shall not provide funding for activities or programs within the areas of responsibility of Party Council unless such activities or programs have been approved by Party Council.
- 7.4 EDAs and affiliated organizations shall provide such financial information to MPF as National Council may require.
- 7.5 Party Council may authorize MPF to take all necessary steps to assume control and ownership of all of the assets of an EDA in such special circumstances as may be set out by By-Law, including the suspension or revocation of recognition of any EDA. Assets assumed under the provisions of this Article shall be held by MPF and shall be returned to or paid out to the next duly elected board of the EDA whose recognition has been renewed. In the event that such association ceases to exist or does not re-apply for renewal of recognition within a period of five (5) years from the assumption of the control of its assets, such assets shall become property of MPF.

- 7.6 Any member committing MPF or the Maverick Party to unauthorized expenditures or indebtedness shall save harmless and indemnify the Maverick Party against any claim, demand, action, debt, or cause of action which may arise as a result of such unauthorized commitment.
- 7.7 The Maverick Party Leader shall nominate the directors of MPF subject to ratification by Party Council.
- 7.8 A representative of the MPF will provide a financial report to the delegates at each Party Convention and at that time be prepared to answer questions the delegates may have on it.
- 7.9 Directors of MPF shall be volunteers and receive no compensation for their service. They may receive re-imbursement for reasonable out-of-pocket expenses as approved by the Maverick Party Executive.
- 7.10 The Director of the Maverick Party is an employee of Maverick Party Fund.
- 7.11 Any decision to change the employment status of the Director of the Maverick Party is the responsibility of Maverick Party Fund, subject to ratification by Party Council.

8. DISSOLUTION OR MERGER

- 8.1 The Maverick Party, its Party Council, Executive, Officers, Candidates, Maverick Party Fund Directors, EDAs, Party Council Members and supporters do not contemplate a dissolution or merger. The purpose is to create a vibrant political entity and field candidates, promote policies and provide “True Western Representation”.
- 8.2 Should dissolution or merger be contemplated, the Party Council will put forward a recommendation and plan for dissolution, which must be agreed upon and determined by a two-thirds (2/3) majority vote of the membership.

9. PARTY CONVENTIONS AND MEETINGS

- 9.1 The governance, management and control of activities of the Maverick Party are vested in the members at conventions and meetings.
- 9.2 Maverick Party Convention has the responsibility and power to:
 - 9.2.1 Amend the Constitution;
 - 9.2.2 Amend and adopt Maverick Party Policy; and,

- 9.2.3 Elect a Party Council by secret ballot.
- 9.3 The dates, locations, business to be transacted, and the rules and procedures for Party Conventions will be determined by the Party Council. Party Council may convene a Convention upon ninety (90) days notice to the membership. Party Conventions can be held:
 - 9.3.1 In person at a physical location;
 - 9.3.2 Virtually via ZOOM or SKYPE or other electronic means as determined by the Party Council;
 - 9.3.3 A combination of in-person and virtually (electronic).
- 9.4 There shall be a Party Convention at least once every second calendar year, subject to a reasonable extension not exceeding twelve (12) months due to an unforeseen event such as a national emergency, health crisis, a possible federal election or conducting a leadership selection convention.
- 9.5 Every member in good standing shall be entitled to volunteer to be a delegate, or to vote to select delegates from their EDA, to attend and vote at a Maverick Party convention. Proof of residency may be required.
- 9.6 Between Party Conventions, the governance, management and control of Maverick Party activities are vested in the Party Council, the Maverick Party Leader, Maverick Fund, and subject to any general direction from, accountability to, and review by Members at Party Conventions.
- 9.7 Organization, Procedure, and Rules: A Convention Organizing Committee shall be formed to organize and conduct each Party Convention. This Committee, which shall be comprised of members of the Party Council and others appointed by the Party Council, shall determine the organization, procedure and rules for the Convention, in addition to the manner and number of delegates to be selected, subject to the approval of the Party Council.

10. PARLIAMENTARY CANDIDATE

- 10.1 Party Council shall create rules and procedures for the selection of candidates. The rules shall provide that only a member of the Maverick Party may seek nomination as a candidate.
- 10.2 In a federal electoral district with an EDA, a candidate nomination committee from

that federal electoral district shall, subject to the rules, be responsible for the administration of the candidate selection process in that federal electoral district.

- 10.3 In a federal electoral district without an EDA Party Council may select the parliamentary candidate for that federal electoral district following consultation with members in that federal electoral district.
- 10.4 Every EDA shall provide organizational and financial support to the Maverick Party's candidate in the electoral district.
- 10.5 Party Council may establish a committee that shall have the right to disallow the candidacy of any person before or after nomination by the EDA, subject to the appeal of such a decision to Party Council whose decision shall be final and binding or who may refer the matter to the Arbitration Committee for decision by a panel.

11. DISPUTE RESOLUTION

- 11.1 Except for any dispute relating to the leadership selection process, any ten (10) members of an EDA may give notice in writing to Party Council regarding a dispute whether the requirements of the Constitution, a By-Law or any rules and procedures are being followed by the EDA or its committees.
- 11.2 Party Council shall appoint one or more individuals to investigate the merits of the dispute. They are authorized to intervene to attempt to resolve the dispute.
- 11.3 If the members appointed by Party Council do not intervene or are unsuccessful in resolving the dispute, Party Council shall, in writing, refer the matter to an Arbitration Committee, along with any other matter, with the exception of the leadership selection process.
- 11.4 Arbitration Committee
 - 11.4.1 Party Council shall appoint the members of the Arbitration Committee for fixed terms. They are responsible for selecting the Chairperson. Members of the Arbitration Committee shall not be members of the Party Council, and at least one (1) member shall have legal training or background.
 - 11.4.2 The rules and procedures for the Arbitration Committee and its panels shall be determined by the Committee and ratified by the Party Council.
 - 11.4.3 The Arbitration Committee shall select a panel of three (3) of its members to arbitrate and decide on the dispute. Its decision is final and binding. There is no appeal or review process.

11.4.4 Party Council is empowered to implement and monitor the decision of the Arbitration Committee panel.

11.4.5 Decisions of the Arbitration Committee are final and binding.

12. LIABILITY AND INDEMNITY

12.1 When acting within the scope of their authority, no employee, volunteer, officer, director, or member of any committee established by the Maverick Party shall be liable for any debts, actions, claims, demands, liabilities or commitments of any kind of the Maverick Party.

12.2 The Maverick Party and Maverick Party Fund shall indemnify and hold harmless each such person against any debt, action, claim, demand, liability or commitment.

12.3 Insurance: Every EDA is encouraged to purchase not-for-profit liability insurance covering its Directors, Officers, Agents and Volunteers.

13. ENFORCEMENT AND INTERPRETATION

13.1 The Constitution and By-Laws are interpreted and read subject to the *Canada Elections Act*. Unless context dictates otherwise, the words and phrases in the Constitution have the same meaning as in the *Canada Elections Act*. If a conflict arises between the two or any other applicable law, the law prevails.

13.2 The Party Council shall determine the rules and procedures relating to giving notice required by the Constitution and By-Laws.

14. ENTER INTO FORCE

14.1 The Constitution and By-Law 001 shall become effective upon the approval and ratification of the General Membership participating at the Maverick Party Inaugural Convention on August 7, 2021.