

Parti Vert New Brunswick Green Party

Bylaw No. 1

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*Adopted by the Founding Convention November 15, 2008 and
Amended by the Annual General Meeting of Members, April 15, 2016*

This by-law governs the standards and operations of the New Brunswick Green Party, hereinafter referred to as The Party.

Article 1 Membership

1.1 Criteria for membership

Membership in The Party is Free but is subject to renewal. Any person who meets the following criteria qualifies for membership in The Party:

- 1.1.1 is at least fourteen (14) years of age;
- 1.1.2 is a resident of New Brunswick
- 1.1.3 applies for membership on her/his own behalf either through electronic communication or a paper membership form. ~~hard copy form attesting to these criteria;~~
- 1.1.4 supports the principles of The Party.
- 1.1.5 upholds the Constitution and By-laws of The Party.
- 1.1.6. does not hold a membership in another provincial political party registered in New Brunswick.

1.2 Refusal of Application for Membership or Removal from Membership Roll

A member shall be refused membership, cease to be a member in good standing, or be terminated as a member, depending on the circumstances, based on the following criteria:

- 1.2.1 Should the person engage in actions that are detrimental to The Party, as determined by Provincial Council; or
- 1.2.2 By delivering her/his resignation by mail or email to ~~an address~~ to the head office of The Party.
- 1.2.3 S/he ceases to be a resident of New Brunswick, as defined by Elections NB; or
- 1.2.4 On her/his death.

1.3 Procedures for Termination of Membership

- 1.3.1 A membership may be terminated by a resolution of the Provincial Council or an Annual General Meeting or a Special Meeting of Members.
- 1.3.2 The person whose membership is subject to termination shall be given written notice and explanation of such termination and an opportunity to appeal the termination at a meeting of the body proposing the termination before the termination resolution is put to a vote by the body proposing the termination.
- 1.3.3 A terminated member may re-apply for membership after one year and such application

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will be considered by the Provincial Council on a case by case basis.
{NOTE: just adds a new bullet point for existing language}

1.4 Application for Membership

A person may apply for membership in The Party to:

- 1.4.1 The Provincial Council or any member thereof;
- 1.4.2 An official of a Registered District Association;
- 1.4.3 A designate of the Provincial Council that has been authorized to accept memberships.

1.5 Responsibilities of the Provincial Council to Members of The Party

The Provincial Council shall ensure the following:

- 1.5.1 That an accurate and up-to-date record of members be kept;
- 1.5.2 That members are given proper notice of pending changes in their membership status, their voting rights, or any other business as stipulated by this by-law.

1.6 Rights of Members

- 1.6.1 A member's right to vote on all matters at an Annual General Meeting (AGM) or Special Meeting of Members (SMM) shall commence fourteen (14) days following receipt in the Party office of an application for membership.
- 1.6.2 ~~The provision in 1.6.1 may be waived for a particular meeting of members by resolution passed by members in good standing at the beginning of the meeting in question.~~
{Note: delete 1.6.2 and renumber the following three points accordingly}
- 1.6.3 Any member in good standing shall be eligible to stand for election to the Provincial Council and as an officer of the Registered District Association in the electoral district where they reside. **Nominees to the office of provincial council president must have held another position on the council for one year prior.**
- 1.6.4 Any member in good standing shall be eligible to stand for nomination as a candidate for election to the Legislative Assembly.
- 1.6.5 Any member in good standing shall be eligible to stand for nomination as Leader of The Party.

Article 2 Provincial Council

2.1 Election of Members to Provincial Council

- 2.1.1 Nominations to fill positions on the Provincial Council may be made by any member of The Party in good standing at an Annual General Meeting or in writing to the Provincial

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Council prior to an AGM with the exception of the position of Leader for which special rules apply.

- 2.1.2 The election of Provincial Council members shall be held at an AGM, except for the positions of Leader for which special provisions apply.
- 2.1.3 All Provincial Council positions shall be filled for a two year term; except for the following positions: the Leader, Deputy Leader, Official Representative, and Executive Director.)
- 2.1.4 Members of Provincial Council shall be eligible to offer for a second consecutive term of office, after which they are not eligible to serve until one year has elapsed.
- 2.1.5 In odd numbered years the President, Vice President Francophone, Secretary and 4 members-at-large shall be elected for a two year term.
- 2.1.6 In even numbered years the Vice President Anglophone, Treasurer, Youth member and 4 members-at-large shall be elected for a two year term.

2.2 Removal from Office

- 2.2.1 Failure to attend three consecutive regularly scheduled Provincial Council meetings, with the exception of emergency meetings, shall be cause for automatic removal from the Council.
- 2.2.2 Once removed on these grounds, should a member provide satisfactory explanation of the absence, s/he may be reinstated by a 2/3rd majority vote of the Provincial Council.
- 2.2.3 Should a member be removed under these circumstances, the member shall be ineligible to run for a Provincial Council position in the next election for Council.

2.3 Vacancy of Provincial Council Office

- 2.3.1 The Provincial Council has the authority to fill, by appointment, any vacancy on an interim basis until the next annual general meeting, at which time the position becomes open for election for the remainder of the term of that position. The interim member, if eligible, may offer for election to that position. Serving as an interim member is not considered a term.
- 2.3.2 All Provincial Council members shall be notified of a vacancy within ten (10) days of a position becoming vacant.
- 2.3.3 Notice of any existing vacancy shall be posted on The Party's website and sent to The Party's general electronic mailing list sixty (60) days in advance of the AGM.

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2.4 Meetings of Provincial Council

- 2.4.1 The Provincial Council shall meet at least six (6) times per year, with meetings called by the President or a designate.
- 2.4.2 Quorum at Provincial Council meetings shall be a majority of voting members holding office at the time, or a minimum of four (4) voting members whichever is greatest.
- 2.4.3 The Provincial Council may meet by telephone or electronic means provided all members have access to those means and participation can be facilitated effectively.
- 2.4.4 All decisions of the Provincial Council shall require a two-thirds (2/3) majority vote of those present and voting, except as may be specifically stated in other articles in this By-law.
- 2.4.5 Provincial Council shall set a regular meeting time for which no notice is required. Provincial Council members will be provided with 1 week notice for additional meetings of Provincial Council. In the event of an unscheduled emergency meeting, the timing of the meeting will be set after a reasonable effort has been made to contact all members for their availability.

2.5 Committees

- 2.5.1 The Provincial Council shall form or dissolve such committees as the Council deems necessary for the effective operation of The Party, including an Executive Committee which may be struck to expedite the work of the Provincial Council between meetings.
- 2.5.2 Except for an Executive Committee, members shall be eligible to serve on all committees, with a goal of at least fifty (50) percent of committee members to be members who do not serve on the Provincial Council.
- 2.5.3 Committees shall keep and submit to Provincial Council a record of their meetings and any other reports or statements prepared on behalf of The Party.
- 2.5.4 Each committee shall have a chairperson who is responsible for calling meetings, preparing agendas, seeing that minutes are recorded, and submitting records and reports to Provincial Council as required.
- 2.5.5 Decisions to form and dissolve committees and the appointment of chairpersons and members shall be recorded in the minutes of meetings of the Provincial Council.

2.5.6 Standing committees: The Provincial Council shall strike and maintain standing committees on finance, fundraising, growth and development, those committees to be formed with at least one (1) member of the council, the Leader, the executive director and other members as deemed

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appropriate. The executive of the provincial council shall serve as a standing human resources committee, with oversight of the executive director.

2.5.7 Other committees: The provincial council may, from time to time, form ad-hoc committees to meet certain needs as may arise.

2.5.8 Committee size: The minimum size of any standing committee shall be three.

Article 3 ~~Working Policy Group~~ ~~Policy Council~~ Policy Working Group

3.1 The mandate of the ~~Policy Council~~ Policy Working Group shall be as follows:

3.1.1 to facilitate the development of positions for public policy, ensuring

- a) that the positions are proactive with respect to arising problems,
- b) that the development is based on member participation, and
- c) that such development is carried out.

3.1.2 to maintain an up-to-date policy manual by identifying policy gaps and necessary changes, anticipating future needs, and undertaking policy-related research as necessary;

3.1.3 to initiate province-wide member-based processes for policy development in such a manner that geographic location, official language, or employment conditions are not a barrier to participation by interested members;

3.1.4 to bring policy resolutions to Annual General Meetings of members (AGMs) for member debate and voting, and organizing and conducting the policy section of AGM agendas.

3.2 The ~~Policy Council~~ Policy Working Group shall be comprised of those members-in-good-standing of The Party who volunteer to serve on the ~~Policy Council~~ Policy Working Group. There shall be no limit on the number of members who may serve nor a term limit for membership.

3.3 The ~~Policy Council~~ Policy Working Group shall have a Chairperson and any other officers deemed necessary by the Provincial Council or the ~~Policy Council~~ Policy Working Group members. The Chairperson shall ensure that the ~~Policy Council~~ Policy Working Group carries out its mandate effectively and in accordance with Article 3, and that minutes of all ~~Policy Council~~ Policy Working Group meetings and any other reports or statements prepared by or for the ~~Policy Council~~ Policy Working Group are circulated

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to ~~Policy Council~~ Policy Working Group members and deposited with The Party provincial headquarters in a timely manner.

- 3.4 The Chairperson shall be elected annually by a majority vote of the members present at the AGM. Other officers, should they be deemed necessary, shall be elected by the members of the ~~Policy Council~~ Policy Working Group at the first meeting of the ~~Policy Council~~ Policy Working Group following the AGM.
- 3.5 Should the position of Chairperson become vacant between AGMs, the Provincial Council shall appoint a replacement to serve until the next AGM.
- 3.6 The Provincial Council shall ensure that the Policy Council carries out its mandate. The ~~Policy Council~~ Policy Working Group shall submit quarterly reports to Provincial Council, the mechanism by which this reporting is done to be determined mutually by the Chairs of both Councils. Should the ~~Policy Council~~ Policy Working Group fail to fulfill its mandate, Provincial Council shall have the authority to take whatever corrective action is deemed necessary until the next AGM.
- 3.7 The Party provincial headquarters shall provide logistical support for the ~~Policy Council~~ Policy Working Group . Budgetary allocations for the ~~Policy Council~~ Policy Working Group shall be determined through the annual budgeting process of the Provincial Council.

Article 4 Meetings of Members

4.1 Annual General Meeting

- 4.1.1 The Provincial Council shall call the annual general meeting of members (AGM) and establish its location no later than four (4) months following the end of The Party's fiscal year which is December 31.
- 4.1.2 A quorum for an AGM shall be ~~15~~ 20 members including at least 50 percent of the Provincial Council.
- 4.1.3 Ninety (90) days written notice to members is required to call an AGM. Notice may be given by electronic means to those members who have provided such contact information to The Party. Regular mail delivery is required for all other members.

4.2 Resolutions at Annual General Meetings

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- 4.2.1 Resolutions for consideration at the AGM shall be submitted to the Provincial Council no later than **sixty (60)** ~~twenty-one (21)~~ days in advance of the AGM and must be sponsored by at least five (5) members in good standing or by the Provincial Council or by a Registered District Association representing at least five (5) members.
- 4.2.2 Notice of the deadline to submit resolutions shall be given in the initial notice of an AGM.
- 4.2.3 Resolutions not submitted by the deadline may be moved from the floor of the meeting but shall require a 2/3 majority vote to be considered by the meeting, and shall only be considered after all other resolutions submitted in advance have been disposed of.
- 4.2.4 Resolutions shall require a 60 percent majority vote to be passed.

4.3 Special Meetings of Members

- 4.3.1 A Special Meetings of Members (SMM) may be called by:
 - 4.3.1.1 A committee mandated by an AGM.
 - 4.3.1.2 Provincial Council by a 2/3 majority vote of those voting.
 - 4.3.1.3 Petition to Provincial Council signed by ten (10) percent of the members of The Party in good standing.
 - 4.3.1.4 Petition to Provincial Council signed by the Presidents of at least ten (10) Registered District Associations or at least one-third (1/3) of the Registered District Associations, whichever is greater.
- 4.3.2 When a SMM has been petitioned for, the Provincial Council shall set the location and date of the meeting to take place within sixty (60) days of receipt of the petition.
- 4.3.3 Notice of a SMM must be given at least twenty-one (21) days prior to the date of the meeting. Notice may be given by electronic means to those members who have provided such contact information to The Party. Regular mail delivery is required for all other members.
- 4.3.4 Any resolution presented to an SMM must receive a 60% majority vote to pass.

Article 5 Candidates for Provincial Elections

5.1 Selection of candidates for provincial elections

- 5.1.1 The Provincial Council shall issue a Call for Nominations to all members for each riding, set the requirements for each candidate to meet in order to be considered for nomination, and set the deadline by which all candidates must have submitted their nomination papers.
- 5.1.2 Where there is an active Registered District Association, the RDA shall hold a

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nomination meeting at which an election is held to choose a candidate for that riding, or if the nomination is not contested, a motion is put before the members to acclaim a candidate.

- 5.1.3 Where there is no active Registered District Association, at the close of nominations, the Provincial Council shall call a meeting of members in that riding at which an election of the candidate shall take place. If the nomination is not contested, the Provincial Council shall inform the members in the riding of the uncontested nomination and invite those members to hold a meeting to acclaim the candidate. In the event that no member takes the prerogative to organize such a meeting, the Provincial Council may acclaim the candidate.
- 5.1.4 Should there be no members in a riding, the Provincial Council may acclaim a candidate.

5.2 Endorsement and Removal of Candidates

- 5.2.1 In all cases, successfully nominated or acclaimed candidates must have their nomination confirmed by the Provincial Council and receive the written endorsement of the Leader.
- 5.2.2 The Leader with the approval of a 2/3 majority vote of Provincial Council may withhold endorsement.
- 5.2.3 The Leader with approval of 2/3 majority vote of Provincial Council may remove a nominated candidate from that position should extenuating circumstances arise or incriminating information or behaviour become known that the Leader determines would be detrimental to The Party.

Article 6 Registered District Associations

The Provincial Council shall strive to have an active Registered District Association (RDA) in each electoral district, with each RDA meeting the following requirements:

- 6.1 Two (2) party members resident in an electoral district are required to form an RDA, filling the positions of President and Official Representative.
- 6.2 All members resident in an electoral district in which an RDA is being formed must receive notice of the founding meeting for that RDA 14 days in advance of the meeting. Notice may be given by electronic means to those members who have provided such contact information to The Party. Regular mail delivery is required for all other members.
- 6.3 Once an RDA has been established, all members residing in that electoral district shall be deemed members of the RDA.
- 6.4 The RDA members may appoint other officers as they see fit.
- 6.5 The RDA shall provide Provincial Council with a record of its officers and the minutes of

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- its meetings within thirty (30) days of any appointments or of when a meeting is held.
- 6.6 The RDA will provide the Provincial Council with records of any new memberships received by the RDA within 15 days of receiving the membership application.
 - 6.7 All donations received and funds raised by the RDA must be remitted to the Party's Official Representative within thirty (30) days of having received the monies. A portion of the funds raised will be returned to the RDA in a timely manner as set out in the RDA Manual.
 - 6.8 The Provincial Council or AGM or SMM may dissolve an RDA by a 2/3rd majority vote, subject to ratification by the Leader.
 - 6.9 The Provincial Council shall develop and maintain an RDA Manual which sets out the mandate, rules and procedures for the operation of RDAs. Such Manual shall reflect Party policy and the provisions of this by-law as adopted by the Provincial Council, or an AGM or a Special Meeting of Members and shall be given official status by Article 5.10 of By-Law 1.

Article 7 Party Documents

Official Party documents shall be made available to members in the following manner:

7.1 Documents provided for distribution in both official languages:

- 7.1.1 The Constitution and By-laws.
- 7.1.2 All policies adopted by the members at an AGM or a SMM.
- 7.1.3 The election platform.
- 7.1.4 The Charter of Principles
- 7.1.5 Minutes of or reports from AGMs and SMMs.
- 7.1.6 Draft resolutions to be brought to meetings of members for approval.

7.2 Documents provided for viewing in the language in which they were produced:

- 7.2.1 All financial statements.
- 7.2.2 Provincial Council meeting minutes subject to restrictions to protect personal privacy.
- 7.2.3 Minutes and/or reports of meetings of any duly constituted committees of The Party.

Article 8 Financial Procedures

- 8.1 The Party shall conduct its financial affairs in accordance with the New Brunswick Political Parties Financing Act (PPFA).

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- 8.2 The Official Representative shall only authorize borrowing by The Party or any entity thereof upon the prior approval of Provincial Council.

Article 9 The Leader

9.1 Election of the Leader

- 9.1.1 The Provincial Council shall issue a Call for Nominations for the position of Leader to all members, set the requirements for each nominee to meet, and set the deadline by which all nominees must have submitted their nomination papers.
- 9.1.2 Fifteen (15) members in good standing shall be required to nominate for the position of Leader.
- 9.1.3 The Leader shall be elected by secret preferential ballot at a SMM constituted as a leadership convention.
- 9.1.4 The Provincial Council may make provisions for mail-in ballots and / or electronic ballots which would be counted in addition to paper ballots cast at a leadership convention.
- 9.1.5 Should the position of Leader be uncontested, the Provincial Council shall present a motion to acclaim the candidate at a SMM not necessarily constituted as a leadership convention.

9.2 Leadership Review

- 9.2.1 A leadership review shall be held every two years at an AGM at which a motion of confidence shall be put before the members. The motion shall be carried with a 60 percent majority vote. Should an AGM at which a leadership review is scheduled occur within six months of an election, the review shall be deferred until after the election is held.
- 9.2.2 Should the motion of confidence fail, the Leader shall resign and a leadership election process shall be initiated.
- 9.2.3 The resigned Leader may offer as a candidate in any subsequent leadership election.

9.3 Resignation or Removal of the Leader

- 9.3.1 The Leader may be removed outside a normal leadership review process should incriminating information about or actions by the Leader become known which the Provincial Council deems detrimental. The procedure to be followed in such case is:
- 9.3.1.1 A special meeting of the Provincial Council is called at which the grounds for removal

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- are examined with the Leader present and with provision for the Leader to dispute or disprove those grounds.
- 9.3.1.2 The Provincial Council without the participation of the Leader passes a resolution with a unanimous vote to call a SMM to consider a resolution to remove the Leader.
- 9.3.1.3 At a SMM called to consider a motion to remove the Leader, the Leader shall be invited to speak to the motion, after which a vote shall be held by secret ballot. The motion shall be carried with a three-quarters (3/4) majority voting in favour.
- 9.3.2 The Leader may resign that position by providing written notice to the Provincial Council and the resignation shall come into effect once accepted by a two-thirds (2/3) majority vote of the Council at a duly constituted meeting.
- 9.3.3 In the event of the removal or resignation of the Leader, the Provincial Council shall appoint another person to serve as interim leader.

9.4 Appointment of Deputy Leader

- 9.4.1 A **A Deputy Leader** **Deputy leaders** may be appointed.

Article 10 Amendments

- 10.1 Text of proposed amendments to the Constitution and/or By-law 1 that are to be considered at an AGM shall be provided to members 30 days prior to the AGM at which the amendments shall be considered.
- 10.2 Amendments to the Constitution and/or By-law 1 may be proposed by the Provincial Council or by a minimum of five (5) members who indicate in writing their support for a proposed amendment at the time the amendment is submitted for consideration or by an RDA consisting of a minimum of five members who indicate in writing or by electronic means their support for a proposed amendment at the time the amendment is submitted for consideration.
- 10.3 Proposed amendments by members or RDA's must be provided to Provincial Council a minimum of 60 days prior to the AGM at which they are to be considered.
- 10.4 Amendments shall be adopted by a two-thirds (2/3) majority of the votes cast at an AGM combined with votes cast by mail-in ballot and/or electronically should it be feasible to offer these options.
- 10.5 The Provincial Council may make provisions for mail-in ballots and / or electronic ballots which would be counted in addition to paper ballots cast at an AGM.

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Article 11 Dissolution or Merger

A resolution to dissolve The Party or to merge The Party with another New Brunswick political party shall require the following in order to come into effect:

- 11.1. To be initially passed by a 90 per cent majority vote at a SMM called for the specific purpose of considering such resolution; and
- 11.2. To be ratified by a 75 percent majority of votes cast in a mail-in ballot with a ballot return date of no later than 120 days following the SMM at which the resolution to dissolve or merge The Party was passed.
- 11.3. No transfer or sale of The Party's assets may be commenced until the resolution is duly passed and declared by the Provincial Council to be in effect.

Be it resolved that By-law No. 1 as amended at the Annual General Meeting of Members on April 15, 2016 is now in force.