

*The Constitution*  
*Of*  
*The Progressive Conservative*  
*Association*  
*Of*  
*Prince Edward Island*

*As amended November 14, 2009*

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## **ARTICLE 1: NAME**

The name of the Association shall be: "The Progressive Conservative Association of Prince Edward Island", hereinafter called the "Provincial Association".

## **ARTICLE 2: OBJECTS**

The objects of the Provincial Association are to preserve our democratic system of Government in Prince Edward Island and Canada and to advance the welfare of all citizens, and with those purposes in view, (a) to foster interest in both Provincial and Federal affairs, and to provide facilities through which the Party may be enabled to function effectively; (b) to provide a means through which the citizens of the Province may inform themselves respecting the principles and objects of the Progressive Conservative Party, and to take an active part therein; (c) to assist the Progressive Conservative Party in securing effective and thorough organization throughout each Provincial and Federal riding.

## **ARTICLE 3: INTERPRETATION**

### Definitions

1. "Member" of the Provincial Association means any person who has a valid membership card, or who, subject to Article 7, (2) has completed an application for membership.
2. "District" means Provincial Electoral District in Prince Edward Island.
3. "Recognition" under this constitution shall be deemed to be by the Executive of the Provincial Association.
4. "Official", or any derivative thereof, shall be deemed to mean and infer recognition as defined in 3. above.
5. "President" means the President of the Provincial Association.
6. "Party" shall mean the Progressive Conservative Party of Prince Edward Island.
7. "Executive" means the committee described in Article 13.
8. "Council" means the Provincial Council for which the membership is described in Article 12.
9. "Member Association" means the District Associations, Youth Associations, Students' Associations, and such other similar groups as may be hereafter constituted and which subscribe to the aims and objects of the Provincial Association.

### Computation of Time

10. In the calculation of time, the first day shall be excluded and the last day included.

11. For the purposes of determining time periods expressed as a day, a day shall be a calendar day and not construed as meaning a 24 hour period of time which could cross over two calendar days.
12. "Leader" means Leader or Interim Leader elected under Article 30.

#### **ARTICLE 4: ELIGIBILITY FOR MEMBERSHIP**

Every person who is ordinarily a resident of the Province of Prince Edward Island, who subscribes to the objects of the Provincial Association as set out in Article 2, and who is 14 or more years of age, shall be eligible for membership in the Provincial Association.

#### **ARTICLE 5: RIGHTS OF MEMBERS**

1. Any member of the Provincial Association shall have the following rights:
  - (a) The right to hold office in the Executives of the poll and district of ordinary residence and in the Provincial Association;
  - (b) The right to take full part, and to vote, at any poll, district or provincial general, annual, or special meeting, district nomination convention, or provincial leadership convention;
  - (c) The right to be given 7 days notice of any such poll, district, or provincial annual, or special general meeting, district nomination convention, or provincial leadership convention, by notice given through publication in at least one issue of local newspaper, or by such notice as may be required by the Executive;
2. For poll and district meetings, the rights described in sub-section 1 shall apply only to those members who are ordinarily resident in the poll or district as appropriate.
3. If a member changes address, the rights described in sub-section 1 shall apply to the poll or district of new residence, and a new card will be issued upon request.

#### **ARTICLE 6: ISSUANCE OF MEMBERSHIP CARD**

Membership cards shall be issued in the following manner:

1. Applications for membership cards may be canvassed and distributed by any member of the Association;
2. Membership cards shall be issued only by the Provincial Office of the Association, and only upon receipt of an application signed by the applicant, and upon payment by the applicant of the required membership fee;
3. Membership cards shall be valid only if signed by the President of the Provincial Association or by the Executive Director;
4. Applications for membership cards shall indicate the applicant's name, address, electoral district and polling division if known, and only such other information as good administration

may require;

5. Membership cards shall indicate the member's name, address, electoral district and polling division, and only such other information as good administration may require;

6. Completed applications for membership cards shall be kept on file at the office of the Provincial Association.

7. Records for membership shall be kept in a database maintained by the Provincial Office staff. Policies for the maintenance of the database shall be decided by the Provincial Executive.

#### **ARTICLE 7: TIMES OF ISSUANCE**

1. Applications for membership cards may be canvassed and received by the provincial office at any time.

2. For renewal of a membership previously held within the past **four** years, applications may be received and membership cards may be issued up to the time of the Call to Order for an Annual General Meeting, Special General Meeting, District Nominating Convention or Provincial Leadership Convention.

3. The deadline for receiving membership applications at the Provincial Office for adding new Members for the purpose of voting at a(n):

(a) Nominating Convention shall be 4:00 pm on the Friday three (3) weeks prior to the commencement of the nominating convention, except that following the issuance of a provincial writ; this time may be reduced to 48 hours by the President;

(b) Annual General Meeting or Special Meeting shall be 4:00 pm on the Friday three (3) weeks prior to the commencement of the meeting;

(c) Leadership Convention shall be 4:00 pm on the Friday three (3) weeks prior to the start of the convention.

4. For the purpose of District Nominating Conventions, Provincial Leadership Conventions, Annual General Meetings and Special General Meetings, completed applications for membership which have not been filed in accordance with Article 7 (3) shall not carry the rights of membership.

#### **ARTICLE 8: MEMBERSHIP FEES**

1. "Regular" membership cards shall be valid for (a) a period of two years from date of issue upon payment of \$10.00; or (b) a period of five years from date of issue upon payment of \$20.00.

2. "Senior" membership cards shall be valid for (a) a period of two years from date of issue upon payment of \$5.00; or (b) a period of five years from date of issue upon payment of \$10.00, and may be issued to those individuals over 65 years of age.

3. "Youth" membership cards shall be valid for (a) a period of two years from date of issue upon payment of \$5.00; or (b) a period of five years from date of issue upon payment of \$10.00, may be issued to individuals between the ages of 14 and 19.

4. "Family" membership cards shall be valid for a period of 2 years from the date of issue upon payment of \$25.00. Family membership shall include spouse or spouses and all children of the family between the ages of 14 and 19.

#### **ARTICLE 9: DISTRIBUTION OF FEES**

Revenues from the issuance of membership cards shall be wholly retained by the Provincial Association. However, the Provincial Association may, from time to time, offer grants in support of District organizations.

#### **ARTICLE 10: USE OF MEMBERSHIP LISTS**

1. Membership lists are for the sole use of the Association and its purposes, and shall not be made available, for any reason, to anyone outside the Association;

2. Within the Provincial Association, provincial association membership lists may ordinarily be made available by the Executive Committee, upon request, to the following members:

(a) Members of the Executive;

(b) Presidents of District Associations, but in such cases only the membership of the District Association or Member Association as applicable shall be made available;

(c) Declared candidates, as defined by the Provincial Executive, for the leadership of the Party;

(d) Declared candidates, as defined by the Provincial Executive, for any elective office with the Provincial Association.

3. Within the District Association, District Association membership lists may ordinarily be made available by the District Association President, upon request, to the following members:

(a) Members of the Executive of the District Association;

(b) Poll Chair of the District Association, but in such cases, only the membership of the poll shall be made available;

(c) Declared candidates, as defined by the Provincial Executive, for the district nomination in a provincial election;

(d) Declared candidates, as defined by the Provincial Executive, for any elective office in the District Association.

4. Within the Member Association, Member Association membership lists may ordinarily

be made available by the Member Association President upon request to the following members:

- (a) Members of the Executive of the Member Association;
- (b) Declared candidates, as defined by the Provincial Executive, for any elective office in the Member Association.

5. In the case of any requests for membership lists not provided for in sub-section 2 and 3 above, the Executive shall make the decision, and such decision shall be final.

#### **ARTICLE 11: MEMBER ASSOCIATIONS**

Only those members of these Associations who are members of the Provincial Association shall exercise the rights as set out in Article 5.

#### **ARTICLE 12: COUNCIL**

There shall be a Council consisting of the following members of the Provincial Association:

1. The Leader of the Party;
2. Honorary officers of such number as may be determined by the Executive. However, no nomination to an Honorary Office shall be made without the prior consent of the proposed nominee;
3. The immediate Past-President of the Provincial Association;
4. The Provincial Association President to be elected at large;
5. The Provincial Association Vice-President to be elected at large;
6. The Provincial Association Secretary to be elected at large;
7. The Provincial Association Treasurer to be elected at large;
8. The Presidents, or designate, of each District Association;
9. The President of each official Federal Constituency Association of the Conservative Party of Canada;
10. Progressive Conservative members of the Provincial Legislature and candidates officially nominated for an upcoming Provincial election or, if no such candidate has been so nominated, the official candidate at the last preceding Provincial Election;
11. Five (5) members from the Prince Edward Island Progressive Conservative Youth Association, one of whom shall be the President of such Association.
12. Progressive Conservative or Conservative Senators from Prince Edward Island.
13. Conservative Party of Canada Members of Parliament and candidates officially nominated at

an upcoming Federal election or, if no such candidate has been so nominated, then the official candidate at the last preceding Federal election;

14. The Chair of the Policy Committee;
15. The official agent of the Progressive Conservative Party appointed under the election act from time to time;
16. The Membership Chair;
17. The Island Fund Chair;
18. The Campaign Chair;
19. All former Progressive Conservative Members of the Legislative Assembly of Prince Edward Island.

Any member of the Provincial Association may attend Council meetings but only Council members have the rights to speak and to vote.

Upon lengthy non-attendance at Council meetings (more than one year) the President in consultation with the Executive may appoint replacement persons to the Council; as well, upon the written request of a Council member, that member may be replaced by the President in consultation with the Executive.

The Council shall meet monthly except during the months of July, and August and otherwise at the call of the President. In the event of the neglect or refusal of the President to call a meeting of the said Council, it may be called at the request of ten (10) or more members of the Council. A quorum shall consist of twenty (20) members of the Council.

### **ARTICLE 13: EXECUTIVE**

There shall be an Executive of the Provincial Association which shall perform the business duties as defined in Article 16 and exercise the authority of the Council between meetings. It will be composed of the following:

1. The Provincial President;
2. The Vice-President;
3. The Secretary;
4. The Treasurer;
5. The Party Leader;
6. The immediate Past-President of the Provincial Association;
7. The Chair of the Policy Committee;
8. The Membership Chair;

9. The Island Fund Chair;
10. The Campaign Chair;
11. The Official Agent of the Progressive Conservative Party appointed under the election act from time to time;
12. One member of the elected caucus as elected by that caucus, or his/her designate;
13. After consultation with the Executive, two Presidential appointments from the council membership to balance representation;
14. The National Councilor for Prince Edward Island of the Conservative Party of Canada;
15. The Provincial Progressive Conservative Youth Association President.

**16.** A Member of the Executive of the UPEI Campus club, provided that the Campus Club member is a member in good standing of the Progressive Conservative Association of Prince Edward Island.”

A majority of the members of the Executive shall constitute a quorum for the transaction of business. No item of business shall be transacted at any meeting unless a quorum requisite to be present at the time of the transaction of such business. In the event of the calling of a Provincial election, the Executive of the Provincial Association is empowered to do all acts necessary to ensure that all candidates are nominated forthwith, provided however that there shall be advertised notice of all nominating conventions.

While not a member of the Executive, the Executive Director is expected to attend all Executive meetings but does not have a vote.

Association members must be at least 18 years of age to hold any of the above offices.

Failure of a member to attend three consecutive meetings without good cause shall constitute grounds for replacement of that member. In such a case the President after consultation with the Executive may appoint a new member from the Council membership.

#### **ARTICLE 14: TERMS OF OFFICE AND REPLACEMENT**

1. The term of office of each member of the Provincial or any District Association Executive shall be until her/his successor is elected or appointed, except for written resignation accepted by the Executive.
2. If any member of the Provincial or any official Association Executive ceases to perform his/her duties by reason of resignation, death, incapacity or other cause, the Executive concerned shall cause to be appointed a member of the appropriate Association as a replacement.

#### **ARTICLE 15: AUTHORITY**

1. Council:

The Council shall give advice to the Executive and to the Leader on political matters. Meetings of Council shall be devoted primarily to discussion of current political issues. Council members shall have a two-way communication responsibility to bring to Council the thoughts and concerns of their constituency and to report the Council deliberations back to their constituency. Council will receive concise reports from the Executive on the business affairs of the Association.

2. Executive:

The Executive shall have the authority to conduct all business matters of the Association. The President and the Leader shall act as spokesperson on behalf of the Association and Party respectively, to communicate the policies and positions of the Provincial Progressive Conservative organization. The Executive shall ensure District organizations are in place.

The Executive shall report concisely to all Council meetings on financial, fund raising, membership, and operational matters to the extent possible while respecting reasonable confidentiality of affairs.

#### **ARTICLE 16: OFFICERS AND THEIR DUTIES**

The officers of the Provincial Association shall be the President, the Vice-President, the Secretary, and the Treasurer. The duties of the officers shall be as follows:

(a) The President shall preside at all meetings of the Provincial Association, the Council and the Executive. The President shall call meetings of the Council when deemed necessary or at the request of not less than ten (10) members of the Council. The President shall call special meetings of the Provincial Association at the written request of not less than thirty (30) of its members;

(b) The Vice-President. In the absence or inability of the President to act, the Vice-President shall act in his/her stead. If the President and the Vice-President be absent, the Council shall elect a chair from among the Council members;

(c) The Secretary shall issue notice of all meetings and keep written records of the proceedings at such meetings. The Secretary shall keep a list of the members of the Provincial Association and account to the Treasurer for all dues collected. The Secretary shall carefully preserve all books, records and documents of the Provincial Association and deliver them to his/her successor. The Secretary shall conduct and keep copies of all correspondence and shall perform such duties as may be required of him by the Provincial Association;

(d) The Treasurer shall receive all monies belonging to the Provincial Association and deposit them to the credit of the Provincial Association in such financial institutions as may be designated by the Provincial Executive. When so authorized, the Treasurer shall issue cheques in payment of the Provincial Association's debts and the Executive may, in its discretion, direct that such cheques be countersigned by either the President or the Secretary, signing together, may do so. The Treasurer shall keep accounts and current records of all monies received and disbursed. The Treasurer shall present a detailed financial report to the Provincial Council meeting in March of each year. The Treasurer shall provide a summary of the party's financial position at the Annual General Meeting.

#### **ARTICLE 17: FIELD ORGANIZER**

There shall normally be appointed by the Executive an employee with the title Field Organizer, who shall carry out such duties as are assigned to the Field Organizer by the Executive.

When the position of Field Organizer is unfilled, the Executive may assign to another employee such tasks of the Field Organizer as it deems necessary.

The Field Organizer shall report to the annual or special meeting on the status of the Progressive Conservative Association of Prince Edward Island.

#### **ARTICLE 18: AUDITORS**

Auditors for the financial accounts of the Provincial Association shall be appointed annually by the Executive.

#### **ARTICLE 19: POLICY COMMITTEE**

1. The Council shall appoint and maintain a Policy Committee, the Chair of which shall be appointed by the Leader of the Party in consultation with the President. The Policy Committee may appoint sub-committee(s) to deal with specific policy considerations or developments. The Chair of each sub-committee shall be appointed by the Policy committee, and all sub-committees shall report to the Policy Committee. Each committee and sub-committee shall be comprised of not less than three (3) or more than seven (7) members of the Provincial Association.

2. The Policy committee shall report to the Council at least annually and the report of the Policy Committee may constitute from time to time the guideline on which the Party platform may be drawn.

#### **ARTICLE 20: MEMBERSHIP COMMITTEE**

The Executive shall appoint a membership committee of not less than three (3) members of the Association, one of whom shall be appointed by the Executive to be the Chair. This committee shall have overall responsibility for the promotion of membership sales through contacts with the District Executives and public advertising. The Chair shall inform the Provincial Executive, the Council and District Presidents on various membership statistics and shall report to the Annual General Meetings.

#### **ARTICLE 21: PROCEDURE AT ANNUAL MEETINGS, SPECIAL MEETINGS AND PROVINCIAL LEADERSHIP CONVENTIONS**

1. The Provincial Executive shall have the responsibility and authority for organizing Annual Meetings, Special Meetings and Provincial Leadership Conventions and for prescribing the manner in which such meetings shall be held and conducted. This may include prescribing rules, consistent with this Constitution, governing:

1.1. The implementation of the principle of "one member, one vote" by ensuring that all Members of the Party are free to exercise their right to vote;

1.2. The establishment of all rules for a Leadership Convention;

- 1.3. The certification of a Member's right to vote;
  - 1.4. The procedure for nominating candidates; and
  - 1.5. The method of conducting elections.
2. The Provincial Executive may appoint a meeting Chairperson or Co-Chairpersons and may also appoint a meeting committee, to administer rules pertaining to the manner in which meetings and conventions are conducted.
3. The Provincial Executive shall appoint a Credentials Committee for each meeting or Leadership Convention.
- 3.1. The Credentials Committee shall be responsible for administering rules with respect to the validity of a Member's right to vote.
  - 3.2. Any decision of the Credentials Committee on a question of the validity of a Member's right to vote shall be final and may not be appealed.

## **ARTICLE 22: MEETINGS OF THE PROVINCIAL ASSOCIATION**

The Provincial Association shall meet once in each calendar year, usually in the month of November. This shall be known as an Annual General Meeting. Special General Meetings may be called by the Executive at any time. The Executive shall have the authority to postpone the Annual General Meeting for good reason; if the meeting is postponed, it shall be rescheduled for an early date in the next year.

The Executive shall, at the time of calling an Annual General Meeting or Special General Meeting, and may at any time, appoint the following committees:

1. Nominating Committee, consisting of the immediate Past-President and two other members of the Association who shall ensure that there will be good and suitable persons standing for election as officers of the Association at each Annual Meeting;
2. Constitution Committee, consisting of a minimum number of five and a maximum number of nine members of the Association who shall report to the Annual Meeting or Special General Meeting their recommendations for changes or amendments to the Provincial Association's Constitution;
3. Resolution Committee, consisting of three members who shall, when appointed, prepare resolutions reflecting the urgent topical concerns of the Party membership and shall seek the sense of the Party membership present at an annual or special meeting upon such resolutions. The Resolutions Committee shall receive resolutions from other Party Associations and from the floor of the annual or special meeting and, should such resolutions receive majority support of the delegates present to vote, the same shall be incorporated into the report of the said committee and all resolutions so accepted shall be a guide to the ensuing action of the Provincial Association's Executive, the caucus and leadership.

The Chairpersons of each of the above committees shall briefly report orally to the annual or

special general meeting the findings of the committee and shall, if requested by the President, file with the Secretary a written copy of the report.

### **ARTICLE 23: PROVINCIAL DISTRICT ASSOCIATIONS**

1. There shall be a District Association for each of the Electoral Districts of the Province.
2. Those who are members of the Provincial Association shall be members of the District Association of the district in which they reside.
3. There shall be a District Executive for each District Association consisting of the Officers as defined in paragraph 4 below and such other persons as may be appointed by those officers. The Executive shall have the supervision of all matters affecting the Party within the district and may establish such positions or committees as it needs to manage the District.
4. The officers of each district shall include a President,, a Vice-President, a Secretary, a Treasurer, and the Past President. The sitting Party member or defeated candidate as the case may be shall be an ex-officio officer. The President, Vice-President, Secretary and Treasurer shall be elected at the District Annual General Meeting.
5. The duties of the President, Vice-President, Secretary and Treasurer of each District Association shall be similar to those set out and provided for Provincial Association Officers in Article 16 and as specified therein.
6. Meetings of the District Executive may be held at any time at the call of the President of the District or upon written request of the majority of the District Executive members.
7. A majority of the members of the District Executive shall form a quorum at any meeting thereof.
8. Each District Association shall hold an Annual General Meeting of the Association membership of the District upon a date to be fixed by the District Executive.
9. The District Executive shall have the power to call special meetings of the District Association at any time and these meetings shall be open to all District members of the Progressive Conservative Association of Prince Edward Island
10. A District Association may conduct activities to raise funds for the benefit of the District Association or the Provincial Association.
11. Except in the event of urgent necessity, one week's notice shall be given of all District Annual or General Special Meetings.
12. The President of the District Association shall be a member of the Provincial Council. The Executive of the District may elect an alternate from among its members to act as Representative of the District at Council Meetings.
13. In the event of vacancies in the District Executive between Annual Meetings, the District Executive shall have the power to fill the vacancies.
14. a) Each District Association shall maintain an account at a financial institution for the purpose of depositing all funds received by the District Association and pay District

Association expenses. All cheques written must be endorsed by 2 members of the District Executive.

b) The District Association shall complete a financial report on a form to be prescribed by the Provincial Executive and file a copy of the report with the Treasurer for the Provincial Executive not later than May 31st in each year. The financial report shall be available for viewing by the District Membership at the next Annual General Meeting following preparation of the report; however, copies of the report need not be distributed.

c) The District Treasurer shall provide a summary financial report to the District Membership at the Annual General Meeting.

#### **ARTICLE 24: POLLS**

1. Those who are members of the District Association shall be members of the polling division in which they reside.

2. The District Executive shall provide for poll organization and shall ensure that a Poll Committee is organized.

3. There shall be an Annual Poll Meeting called for the purpose of organizing a Poll Committee, and a Chair, a Vice-Chair and a Secretary for the Poll shall be elected, each of whom shall hold office until the next Annual Poll Meeting or until a successor is elected. The Poll Meeting shall be called in consultation with the District Executive. There shall also be elected at such poll meeting a Poll Committee of not less than five of which the Poll Chair, Vice-Chair and Poll Secretary shall be members and which shall include at least one woman and one young Progressive Conservative. This Poll Committee shall have the direction of all matters of organizations and Party interest within the poll during their term of office or until their successors are elected. In the event of the death of the Poll Chair or in the event of their absence, incapacity or neglect to act, the Vice-Chair shall perform the duties of the Poll Chair.

4. In the event that a Poll Meeting is not held within 60 days of the District Annual Meeting, a District Executive shall appoint a Chair for each Poll in the District. The District Executive may, in consultation with the Provincial Executive, override the residence requirement for the poll chair and may appoint a non-resident poll chair from within the district, if no candidates from the poll offer for the position of poll chair;

5. The Chair of each Poll shall furnish to the President of the District Association of the Electoral District in which the Poll is situated a list of full names and mailing addresses of members of such Poll Committee immediately after such Committee is formed. The President of the District Association shall furnish all such lists to the Provincial Executive.

#### **ARTICLE 25: PC YOUTH ASSOCIATION**

1. There shall be a PC Youth Association with the objects set out in Article II above, and additionally to foster interest in the Party among young people;

2. Those members of the Provincial Association between the ages of 14 and 19 shall be members of the PC Youth Association.

3. There shall be a Council of the PC Youth Association consisting of the officers as defined in paragraph 4 below, and at least one member from each District within the age group set out in paragraph 2 who is designated to represent the District on the PC Youth Association;
4. There shall be an Executive of the PC Youth Association consisting of 5 officers; a President, two Vice- Presidents, a Secretary, and a Treasurer;
5. The duties of the officers shall be similar to those set out and provided for Provincial Association Officers in Article 16;
6. Meetings of the PC Youth Association may be held, upon giving one weeks notice, at such times and such places as the President of the PC Youth Association may decide, or upon the written request of a majority of the Officers of the PC Youth Association;
7. Seven of the members of the Council of the PC Youth Association shall form a quorum at any meeting;
8. The PC Youth Association shall hold an Annual General Meeting of the PC Youth Association membership on a date to be fixed by the PC Youth Executive;
9. The PC Youth Association shall have the power to call Special General meetings;
10. The PC Youth Association may conduct activities to raise funds for its own activities and, in consultation with the Executive of the Provincial Association, may conduct activities for the financial or other benefit to the Party.
11. The PC Youth Association may enact a set of by-laws to provide for the governance of the PC Youth Association provided such by-laws are consistent with the terms of this Constitution, and in the event of any conflict, the provisions of this Constitution shall prevail. The by-laws may be established or amended by a 2/3 majority vote conducted at any meeting of the Youth Association called for the purpose of establishing or amending the Youth by-laws.

#### **ARTICLE 26: UPEI CAMPUS CLUB**

There may be established a University of Prince Edward Island Progressive Conservative Campus Club governed by the Constitution enacted in pursuance of the University's rules and regulations for the establishment of such clubs. To the extent possible, the University of Prince Edward Island PC Campus Club Constitution shall be consistent with this Constitution.

#### **ARTICLE 27: PROCEDURE FOR MEETINGS**

At any annual or special general meetings of the District Association or Provincial Association the following rules shall apply:

1. Prior to every meeting, an Election Officer or Officers, as required, shall be appointed by the District or Provincial Executive as applicable. The Election Officer(s) shall cast the deciding vote in event of a tie unless otherwise specified elsewhere in the Constitution or in the case of a Nomination Meeting.

2. Members wishing to vote shall register with an Election Officer and shall receive a ballot, or appropriate identification for a standing vote.
3. Members wishing to register to vote shall present to an Election Officer a valid membership card or completed application for membership.
4. Any challenge to a member's eligibility to vote shall be determined by the Election Officer(s), and such determination shall be final.
5. **Roberts'** Rules of Order procedure shall be followed.
6. Order of business at Provincial or District Meetings shall be:
  - (a) Call to Order
  - (b) O Canada
  - (c) Reading of minutes of previous meeting
  - (d) Receiving reports of committees, including auditors' and directors' reports
  - (e) Reading of communications
  - (f) General business
  - (g) New business
  - (h) Election of officers (Annual Meeting only)
  - (I) Adjournment

#### **ARTICLE 28: NOMINATION OF CANDIDATES FOR PROVINCIAL ELECTIONS**

1. The nomination of a candidate to represent the Party in any provincial electoral district shall be conducted in accordance with the provision of this article.
2. The Provincial President in consultation with the Executive of the Registered District Association shall set the date, time and location of the nominating convention.
  - 2.1. Notice of the nominating convention shall be given by publication in a local newspaper with circulation in the provincial electoral district at least seven (7) days in advance of the convention.
  - 2.2. The Executive of the Registered District Association shall make every effort to provide each Member of their Association with direct notice of the nominating convention by mail, telephone or other means.
3. The Executive of the Registered District Association shall appoint a chairperson for the nominating convention.
4. All Members of the Party who maintain a principal residence located in the provincial electoral district, or who are residing in the provincial electoral district while enrolled in full time studies

at an educational institution and who have paid the provincial membership fee for the year in which the nominating convention is being held, are eligible to vote.

4.1. The deadline for adding new Members for the purpose of voting at a nominating convention shall be as outlined in Article XXIII

4.2. Persons whose names appear on a list of inactive members of the Party for the provincial electoral district, or who produce an expired membership card and who otherwise meet the residency requirements of this section, will be eligible to vote if they pay the membership fee prior to the commencement of the nominating convention.

5. In order to stand for nomination, the potential candidate must meet the following requirements:

5.1. Be a Member of the Party;

5.2. Meet the qualifications for a candidate under the *Elections Act*;

5.3. Be nominated and seconded by Members of the Association; and

5.4. Any person who wishes to have his or her name stand for nomination shall advise in writing the President of the Registered District Association as well as the PC Party of PEI, no fewer than five (5) days before the nomination meeting, of his or her intent to seek such nomination, witnessed by at least two members of the Association. During a writ period, the President may reduce the five (5) days to two (2) days.

6. The procedures for conducting the nominating convention shall be as follows:

6.1. The President shall determine the speaking times and speaking order for movers, seconders and nominees, provided, that each mover is allowed a minimum of five (5) minutes, each seconder a minimum of two (2) minutes and each nominee a minimum of seven (7) minutes. Each nominee shall be invited to address the meeting upon the seconding of their nomination.

6.2. The Chairperson of the nominating convention shall call for nominations. After each nomination has been moved and seconded and the nominee has spoken, the Chairperson shall call three (3) times for further nominations. When all nominations have been received, the Chairperson shall declare the nominations to be closed.

6.3. Should only one person be nominated, the Chairperson shall declare that nominee to be elected.

6.4. Should only two persons be nominated, then the nominee receiving the majority of votes shall be declared elected.

6.5. Should three or more persons be nominated, the first nominee to gain a clear majority of the votes cast shall be declared elected. A nominee shall gain a clear majority where the number of votes cast on his or her behalf exceeds the total number of votes cast on behalf of all the other nominees combined on the same ballot.

6.6. In the event that no nominee gains a clear majority of votes cast on the first ballot, the Chairperson shall declare defeated, after such ballot and after each subsequent ballot to be

held, the nominee who received the least number of votes cast on the said ballot and shall cause as many ballots as are necessary to elect one of the nominees by a clear majority.

6.7. The President shall appoint one (1) person to act as Returning Officer, whose duty it shall be to ensure the distribution of ballots, the collection of the votes cast, under the supervision of scrutineers appointed by each nominee to count the votes cast for each of the nominees, and to deliver to the Chairperson a report of each ballot showing the number of votes cast for each nominee. The Returning Officer and the scrutineers of each nominee shall sign the report.

6.8. In determining the number of votes needed to gain a clear majority, spoiled or rejected ballots as determined by the Returning Officer shall not be considered in the calculation.

7. The President of the Registered District Association shall select from among the Members of the Association persons to comprise a Credentials Committee.

7.1. Any question concerning the eligibility of any person to vote at a nominating convention shall be decided by the Credentials Committee, whose decision shall be final.

8. The Order of Business at a nominating convention shall follow the following form, but may be varied with the consent of the meeting:

- (a) Call to Order;
- (b) Reading of the Notice of the Nominating Convention;
- (c) Report of the Credentials Committee;
- (d) Instructions as to Nomination Procedures;
- (e) Address of Mover and Seconder for each Nominee;
- (f) Address by each Nominee;
- (g) Instructions to Members on Voting
- (h) Balloting
- (i) Guest Speaker (if any);
- (j) Report of the Returning Officer and Subsequent Ballots as required;
- (k) Declaration of Election of Candidate;
- (l) Acceptance of Nomination by Candidate;
- (m) General Business; and
- (n) Adjournment.

9. In the event that the President of the Registered District Association announces his or her intention to seek the nomination for the provincial electoral district, he or she must immediately resign his or her position as President and may not be re-appointed or re-elected to that position until such time as the nominating convention has been held.

10. When a candidate has been selected by a District Association, the Executive of the District Association shall constitute an active working committee and may appoint on the advice of the candidate, a Campaign Committee.

## **ARTICLE 29: PROVINCIAL LEADER**

1. The Party Leader is given authority by the Association in all matters pertaining to Party direction and Party organization. The Party Leader is the spokesperson for the Party, provides general guidance for the Party and organizes the Party structure so as to

maximize its impact and to unify the Party work. Appointing of Leader's advisory committees and assigning of caucus responsibilities are the prerogatives of the Leader.

### **ARTICLE 30: INTERIM PARTY LEADER**

1. Upon the resignation or death of the Leader, a Provincial Leadership Convention to elect a new Leader shall be held at such time and place, as the Provincial Executive shall decide.

2. Upon the resignation or death of the Leader, the Provincial Executive together with the members of the Party caucus shall meet within thirty (30) days for the purpose of electing an Interim Leader.

2.1. A simple majority of fifty (50) percent plus one of the votes cast at a meeting held under this section shall be required to elect an Interim Leader. In the event that no one candidate receives fifty (50) percent plus one of the votes cast, the candidate who received the fewest votes shall be dropped and another ballot shall be held. This process shall continue until an Interim Leader is elected.

3. An Interim Party Leader shall have the same authority as that of a permanent Party Leader as outlined in Article 29 (1), and shall be recognized as Party Leader.

4. Should the Interim Leader declare his/her intention to seek the leadership of the Party the Interim Leader shall immediately resign the position of interim leader.

### **ARTICLE 31: BY-LAWS**

The Executive, Council and District Executives shall have the power to enact by-laws not inconsistent with this Constitution as they or any of them deem necessary or advisable governing the procedure at meetings and conventions not herein provided for.

### **ARTICLE 32: AMENDMENTS**

Amendments to this Constitution may be made at any Annual or Special General Meetings. Notice of such amendments shall be sent to the Secretary three (3) weeks in advance of any meeting. The Secretary shall send a copy of such amendments to all members of the Executive, Council and all known Poll Chairs at least one (1) week prior to the date of the Annual or Special General Meeting.

#### **Roll of Constitutional amendments;**

Adopted	April 19, 1975
Amended	April 16, 1977
Amended	November 17, 1979
Amended	April 9, 1983
Amended	April 15, 1985
Amended	April 25, 1987
Amended	November 25, 1989

Amended	October 5, 1994
Amended	November 18, 1995 - effective January 1, 1996
Amended	November 15, 1997
Amended	November 7, 1998
Amended	October 28, 2000
Amended	November 3, 2001
Amended	November 2, 2002
Amended	November 13, 2004
Amended	November 25, 2006
Amended	June 2, 2008
Amended	April 6, 2009
Amended	November 14, 2009

As amended November 14, 2009

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